

# **City of Fort Bragg**

416 N Franklin Street Fort Bragg, CA 95437 Phone: (707) 961-2823 Fax: (707) 961-2802

# Meeting Agenda

# **Special City Council**

	THE FORT BRAGG CITY COUNCIL MEETS CONCU AS THE FORT BRAGG MUNICIPAL IMPROVEMENT	
	NO. 1 AND THE FORT BRAGG REDEVELOPMENT S AGENCY	
Monday, June 5, 2023	5:00 PM	Town Hall, 363 N Main Street

## **Special Meeting**

#### CALL TO ORDER

#### ROLL CALL

## COUNCILMEMBERS PLEASE TAKE NOTICE

Councilmembers are reminded that pursuant to the Council policy regarding use of electronic devices during public meetings adopted on November 28, 2022, all cell phones are to be turned off and there shall be no electronic communications during the meeting. All e-communications such as texts or emails from members of the public received during a meeting are to be forwarded to the City Clerk after the meeting is adjourned.

#### ZOOM WEBINAR INVITATION

This meeting is being presented in a hybrid format, both in person at Town Hall and via Zoom.

You are invited to a Zoom webinar. When: Jun 5, 2023 05:00 PM Pacific Time (US and Canada) Topic: Special City Council

Please click the link below to join the webinar: https://us06web.zoom.us/j/85943898089 Or Telephone: Dial US: +1 669 444 9171 or +1 719 359 4580 US (\*6 mute/unmute; \*9 raise hand) Webinar ID: 859 4389 8089

To speak during public comment portions of the agenda via zoom, please join the meeting and use the raise hand feature when the Mayor or Acting Mayor calls for public comment on the item you wish to address.

#### 1. PUBLIC COMMENTS ON NON-AGENDA

#### 2. PUBLIC HEARING

When a Public Hearing has been underway for a period of 60 minutes, the Council must vote on whether to continue with the hearing or to continue the hearing to another meeting.

- 2A. 23-174 Receive Report, Hold a Public Hearing, and Consider: 1) Adopting a Resolution Certifying the Environmental Impact Report for the Best Development Grocery Outlet (Sch: 2022050308) and Adopting the California Environmental Quality Act Findings and the Mitigation Monitoring and Reporting; and, 2) Adopting a Resolution Approving Coastal Development Permit 2-22 (CDP 2-22), Design Review 7-22 (DR 7-22), Parcel Merger 1-22 (MGR 1-22) at 825, 845, 851 South Franklin Street.
  - Attachments: Grocery Outlet CDP DR MRG 2023 CC Meeting
    - Att 1 PC Resolution Recommending EIR
    - Att 2 PC Resolution Recommendation to Council 5-10-2023
    - Att 3 Site Location Map and Existing Site Plan
    - <u>Att 4 Site Plan</u>
    - Att 5 Floor Plans & Elevations
    - Att 6 Landscaping Plan
    - Att 7 Sewer & Water Plan
    - Att 8 SWIPP
    - Att 9 Grading & Stormwater Plan
    - Att 10 Visual Simulation Grocery Outlet
    - Att 11 Site Lighting Plan
    - Att 12 Sign Plan
    - Att 13 Deed and Parcel Map
    - Att 14 City Council CEQA Resolution
    - Att 15 FEIR Findings
    - Att 16 City Council Permit Resolution
    - Att 17 Public Comments
    - Att 18 Public Comments
    - Att 19- Public Comments

## ADJOURNMENT

STATE OF CALIFORNIA	)	
	)ss.	
COUNTY OF MENDOCINO	)	

I declare, under penalty of perjury, that I am employed by the City of Fort Bragg and that I caused this agenda to be posted in the City Hall notice case on May 31, 2023.

Cristal Munoz Acting City Clerk

## NOTICE TO THE PUBLIC:

#### DISTRIBUTION OF ADDITIONAL INFORMATION FOLLOWING AGENDA PACKET DISTRIBUTION:

• Materials related to an item on this Agenda submitted to the Council/District/Agency after distribution of the agenda packet are available for public inspection upon making reasonable arrangements with the City Clerk for viewing same during normal business hours.

• Such documents are also available on the City of Fort Bragg's website at https://city.fortbragg.com subject to staff's ability to post the documents before the meeting.

## ADA NOTICE AND HEARING IMPAIRED PROVISIONS:

It is the policy of the City of Fort Bragg to offer its public programs, services and meetings in a manner that is readily accessible to everyone, including those with disabilities. Upon request, this agenda will be made available in appropriate alternative formats to persons with disabilities.

If you need assistance to ensure your full participation, please contact the City Clerk at (707) 961-2823. Notification 48 hours in advance of any need for assistance will enable the City to make reasonable arrangements to ensure accessibility.

This notice is in compliance with the Americans with Disabilities Act (28 CFR, 35.102-35.104 ADA Title II).



# **City of Fort Bragg**

Text File File Number: 23-174

Agenda Date: 6/5/2023

Version: 1

Status: Business

In Control: City Council

File Type: Staff Report

416 N Franklin Street Fort Bragg, CA 95437 Phone: (707) 961-2823 Fax: (707) 961-2802

Agenda Number: 2A.

Receive Report, Hold a Public Hearing, and Consider: 1) Adopting a Resolution Certifying the Environmental Impact Report for the Best Development Grocery Outlet (Sch: 2022050308) and Adopting the California Environmental Quality Act Findings and the Mitigation Monitoring and Reporting; and, 2) Adopting a Resolution Approving Coastal Development Permit 2-22 (CDP 2-22), Design Review 7-22 (DR 7-22), Parcel Merger 1-22 (MGR 1-22) at 825, 845, 851 South Franklin Street.

MEETING DATE: June 5, 2023 PREPARED BY: Marie Jones of MJC PRESENTED BY: Marie Jones of MJC

# AGENDA ITEM SUMMARY REPORT

- APPLICATION: Coastal Development Permit 2-22 (CDP 2-22), Design Review 7-22 (DR 7-22); Parcel Merger 1-2022 (MGR 1-22), Application Date 3-14-2022
- APPLICANT: Best Development

**OWNER/AGENT:** Robert Affinito/Terry Johnson

**REQUEST:** Coastal Development Permit, Design Review and Parcel Merger to construct a Grocery Outlet Market (retail store). As proposed the Project would include the demolition of an existing 16,436 SF vacant former office building and associated 55-space parking lot and wooden fencing along the property line, and the construction and operation of a 16,157 SF, one-story, retail store with a 55-space parking lot and associated by 15 to 25 full-time staff and two (2) managers and would be open from 9:00 a.m. to 10:00 p.m., seven days per week.

LOCATION: 825, 845, & 851 S. Franklin Street; 018-120-47, 018-120-48, & 018-120-49

ENVIRONMENTAL

**DETERMINATION:** An Environmental Impact Report (EIR) is prepared for the Project.

#### SURROUNDING

LAND USES: NORTH: Seabird Motel and Undeveloped Lot WEST: Chevron Gas Station and Super 8 Motel SOUTH: Undeveloped Lot, Harbor Lite Lodge and Arco Gas Station EAST: Residential and Commercial

APPEALABLE PROJECT: X Can be appealed to California Coastal Commission

**RELATED APPLICATIONS:** CDP 7-96/SCR 7-96 - Construction of a 16,423 SF new civic building, parking and landscaping for a social services building. This is the existing building on site.

Fort Bragg City Council

AGENDA ITEM NO. <u>1</u>

# **Report Revisions**

Key revisions to the Planning Commission Staff Report are in blue text throughout this City Council Staff Report. Blue text is not intended to include all changes nor is it the form of a track changes or legal redline. Instead, the purpose of the blue text is simply to alert the public about key revisions to the staff report.

**Hearing Comments & Changes.** The Planning Commission received significant verbal and written public comments as part of the public hearing. The public comments from the Planning Commission hearing related to environmental issues have been analyzed and included in the Final EIR and have informed this revised Staff Report. This task is taken to clarify the public record for the Project. Where necessary, clarifications and/or additions have also been made to the staff report to address issues and questions of the community and Planning Commissioners and to include amendments, deletions and additions to the Special Conditions for the Project.

# **PROJECT APPEALABILITY TO THE COASTAL COMMISSION**

The City received comments from the public that the Project is not appealable to the Coastal Commission based on the staff report for a prior application for this Project. However, per the City's Certified LCP, a project is appealable to the Coastal Commission per the provisions and definitions below in the CLUDC.

**Appealable Development.** (Section 17.92.040C & 17.100.020) After certification of the Fort Bragg Local Coastal Program, an action taken by the City of Fort Bragg on a coastal development permit application may be appealed to the Coastal Commission for only the following types of developments:

1. Developments approved by the City between the sea and the first public road paralleling the sea or within 300 feet of the inland extent any beach or of the mean high tide line of the sea where there is no beach, whichever is the greater distance.

2. Developments approved by the City not included within paragraph (1) that are located on tidelands, submerged lands, public trust lands, within 100 feet of any wetland, estuary, or stream, within 300 feet of the top of the seaward face of any coastal bluff.

**Sea.** (Section 17.100.020) The Pacific Ocean and all harbors, bays, channels, estuaries, salt marshes, sloughs, and other areas subject to constant or periodic tidal action through any connection with the Pacific Ocean, excluding non-estuarine rivers, streams, tributaries, creeks, and flood control and drainage channels.

The proposed Project site is located 210 feet from a bluff top that faces the harbor, which is considered part of the sea under the City's Certified LCP. Thus, the Project is appealable under #2 of the definition of Appealable Development above.

# **PROJECT HISTORY**

The Planning Commission held a hearing, received testimony on May 10, 2023 and adopted two resolutions, as amended, during the hearing. Amendments were made to the second

resolution that included striking out three special conditions, modifying four special conditions and adding four new special conditions (See Attachment 2). Both resolutions are attached to this staff report as Attachment 1 and Attachment 2. The body of the staff report includes additional analysis to support Planning Commission's decisions regarding the recommended amendments to the Special Conditions.

# **PROJECT DESCRIPTION**

Best Development Group (Applicant) is proposing to construct a Grocery Outlet (retail store) on a 1.63-acre site located at 825, 845, and 851 S. Franklin Street, Fort Bragg, and identified by Assessor's Parcel Numbers (APNs) 018-120-47, 018-120-48, and 018-120- 49 (Site). Grocery Outlet describes itself as a value grocer, meaning they sell brand name products at lower prices. The site is owned by Dominic and Juliette Affinito and is located in the Coastal Zone within the City of Fort Bragg city limits. No changes to the Site's current land use or zoning designations are proposed under the Project.

The Project includes:

- Parcel merger of Parcels 018-120-47, 018-120-48, and 018-120-49; and
- Demolition of an existing 16,436-square-foot vacant former office building and existing 47-space parking lot, and wooden fencing along the property line; and
- Construction and operation of a 16,157-square-foot, one-story, retail store with a proposed 55-space<sup>1</sup> parking lot, loading dock, landscaping, sound wall, fencing, signage and other associated improvements and infrastructure.

The store would operate from 9:00 a.m. to 10:00 p.m., seven days per week with 15 to 25 fulltime staff and two (2) managers working over two (2) shift schedules. The store would receive approximately eight (8) semi-trailer truck deliveries per week and 4 to 5 medium truck deliveries per day. Typically, trucks would arrive around 7:00 a.m. and leave before 9:00 a.m. Additional deliveries would be made daily by four (4) to five (5) small trucks that would typically arrive in the morning and leave shortly afterward.

Please see following Attachments to review the Project Plans:

#### **Report Attachments**

- A Resolution of the Fort Bragg Planning Commission Recommending that the City Council: A) Certify the Environmental Impact Report for the Best Development Grocery Outlet (Sch: 2022050308); B) Adopt the California Environmental Quality Act Findings; and C) Adopt Mitigation Monitoring and Reporting Program.
- Resolution of the Fort Bragg Planning Commission Making A Recommendation To City Council for the Approval of the Coastal Development Permit 2-22 (CDP 2- 22), Design Review 7-22 (DR 7-22); Parcel Merger 1-2022 (MGR 1-22) for the Grocery Outlet at 825 845, 851 South Franklin Street.
- 3. Site Location Map
- 4. Site Plan

<sup>&</sup>lt;sup>1</sup> Please note that the project as submitted includes 55 parking spaces, but the project as approved includes 54 spaces.

- 5. Floor Plans & Elevations
- 6. Landscape Plan
- 7. Sewer & Water Plan
- 8. SWIPP
- 9. Grading & Stormwater Plan
- 10. Visual Simulation
- 11. Lighting Plan
- 12. Sign Plan
- 13. Preliminary Deed Description and Parcel Map
- 14. A Resolution of the City Council of the City Of Fort Bragg, California Certifying The Environmental Impact Report For The Best Development Grocery Outlet (Sch: 2022050308); Adopting The California Environmental Quality Act Findings; And Adopting A Mitigation Monitoring And Reporting Program
- 15. FEIR Findings
- 16. A Resolution of the City Council of the City Of Fort Bragg, California Approving Coastal Development Permit 2-22 (CDP 2-22), Design Review 7-22 (DR 7-22); Parcel Merger 1-2022 (MGR 1-22) for the Grocery Outlet At 825 845, 851 South Franklin Street
- 17. Public Comments

18. Draft EIR & Attachments. Please see the link below:

https://files.ceqanet.opr.ca.gov/278651-2/attachment/B4mEXYDJGnZMeYYxx2BhZ8d-6quo1KG64Apvot3eOZ1c9Dj4xRQB1F2HK6-cj6sYLF0N9wEDFjPnynx10

19. Final EIR & Attachments. Please see link below:

https://www.city.fortbragg.com/departments/community-development/city-projects

# PERMIT REQUIREMENTS OVERVIEW

**Coastal Development Permit**. Section 17.22.030.A of the Coastal Land Use and Development Code (CLUDC) outlines general permit requirements for commercial district land uses as follows (pertinent part):

"A Coastal Development Permit shall be required for all development, including... the placement or erection of any .... structure; ...change in the density or intensity of use of land, .... construction, .... or demolition of any structure."

Because the proposed development is a change in land use and includes demolition and new construction, a Coastal Development Permit is required.

**Use Permit.** A retail store is a use permitted by right in the Highway Commercial zoning district, therefore no Use Permit is required.

**Design Review.** As the Project includes construction of a new building and associated landscaping and parking, a Design Review Permit is required which includes the review of the proposed signage.

**Sign Permit.** The sign permit for the proposed Project must be processed concurrently with the remainder of the permits and is considered part of the Design Review Permit (Section 17.71.050Bbiv).

**Parcel Merger.** A Parcel Merger is required to accommodate the parking lot to serve the new retail store. Section 17.36.090.A.2 CLUDC requires that "Nonresidential parking shall be located on the same parcel as the uses served or within 300 feet of the parcel if shared parking or public parking facilities are used to meet parking requirements." As the proposed parking would be private and located on two adjacent lots, a Lot Merger is required to eliminate the lot line between the three properties so that the proposed parking lot would be located on the same property as the Grocery Outlet.

**Environmental Review.** A Mitigated Negative Declaration was prepared for a substantially similar project in 2021. The application and Mitigated Negative Declaration (MND) were heard and approved by the Planning Commission. The approval was appealed to the City Council and the City Council confirmed the Planning Commission decision and approved the Project. The Project MND was subsequently challenged through the courts. The Applicant withdrew its application and resubmitted substantially the same project. The City hired De Novo Planning to prepare an Environmental Impact Report (EIR) for the Project. A Draft EIR was prepared and circulated for comments in the fall of 2022. On October 11, 2022 the City Council held a hearing to receive comments on the Draft EIR. A final EIR was prepared in compliance with California Environmental Quality Act (CEQA) regulations and published on the City's website starting on April 11, 2023. The Draft and Final Environmental Impact Reports can be found here:

https://www.city.fortbragg.com/departments/community-development/city-projects.

Additional clarifications about Design Review were added to the Final EIR on April 20, 2023, when it was reposted. The Final EIR was again revised based on comments submitted as part of the Planning Commission hearing on May 10<sup>th</sup>. The revised EIR was posted on May 31, 2023; revisions include changes to the Aesthetics and Noise analysis in the EIR.

# CONSISTENCY WITH COASTAL GENERAL PLAN POLICIES

This section includes an analysis of the General Plan Policies that are most germane to the review of this Project. To ease review, some General Plan policies are discussed later by topic area, concurrent with the zoning ordinance analysis.

**Formula Business**. The proposed Project falls under the land use category "General retail – 5,000 SF or larger", which is permitted by right in the Highway and Visitor Commercial (CH) zoning district. The proposed Project does not meet the standards for a big box store, which is over 30,000 square feet. Grocery Outlet is considered a formula business.

In the CLUDC, a formula business is defined as follows:

**Formula Business.** A business that is required by contractual or other arrangement to maintain standardized uses, services, decor, uniforms, architecture, signs, or other similar features. Formula businesses include retail sales and services and visitor accommodations.

Grocery Outlets are required to have similar signs and typically have similar architectural features, except where local zoning codes do not allow this. They have standardized products

for sale across all grocery outlets. There are over 400 grocery outlets throughout the US. Although they are individually owned and operated, they qualify as a Formula Business.

There are no specific land use standards for a formula business in the CH zone in the CLUDC but there is a relevant General Plan policy:

**Policy LU-4.1** <u>Formula Businesses and Big Box Retail</u>: Regulate the establishment of formula businesses and big box retail to ensure that their location, scale, and appearance do not detract from the economic vitality of established commercial businesses and are consistent with the small town, rural character of Fort Bragg.

The policy allows for the regulation of the "location, scale and appearance" of the proposed formula retailer when determining if the Project should be modified to better ensure that the Project does not "detract from the economic vitality of established commercial businesses." Each of these issues is analyzed in turn below:

- Location. The proposed location is currently occupied by a similarly sized building. The proposed Project would be located near a number of existing competitive businesses including Safeway, Rite Aid and Harvest Market.
- Scale. The proposed store is smaller than two current grocery stores in Fort Bragg, Safeway (~45,000 square feet) and Harvest Market (~36,000 square feet), but larger than Purity (~10,600 square feet). The proposed Grocery Outlet size is commensurate with other similar businesses.
- **Design.** The proposed building design, as conditioned below, is consistent with the Citywide Design Guidelines, which are intended to maintain the small town, rural character of the area. Please see detailed analysis later in this report.
- Economic Vitality. An Urban Decay study was completed for the Project by ALH/ECON. The Urban Decay study provides insights as to whether the Project would impact the "economic vitality of established commercial businesses" (see Policy LU-4.1 above). The study included a retail leakage analysis, which analyzes if the proposed Project would impact the general market for area retailers. The study includes the following conclusions:
  - The Grocery Outlet store is estimated to achieve annual sales of \$6.5 million during its first year of operations, comprising \$2.3 million in perishable goods and \$4.2 million in non-perishable goods. The study also assumed that 10% of these sales would be to visitors from outside the area.
  - The primary market area households (defined as coastal Mendocino County from Elk to Westport) are estimated to generate \$95 million in demand for food and beverage sales and \$31 million in other retail categories. These two categories correspond with Grocery Outlet sales.
  - The primary market area households are estimated to generate demand for \$258.5 million in annual retail sales, including \$95 million in food and beverage store sales. Overall, as of 2021, the area is characterized by retail sales leakage in all major retail categories except food and beverage stores, building materials and garden equipment, and gasoline stations. Much of this leakage is likely due to internet sales. The high leakage amounts generally indicate that the primary market area is under-retailed relative to the demand generated by its population base. See table 7 below from the report.

Table 7. Fort Bragg Primary Market Area (PMA) Sales and Leakage in Key Sales Categories (2021) and Grocery Outlet Estimated Sales

(2022)							
	Fort Bragg	Existing PMA Leakage (2)	Grocery Outlet PMA Sales (3)	PMA Sales Capture Rate	Impact on Existing Sales		
Type of Store	PMA Sales (1)				Amount	Percent of Sales	
Food & Beverage Stores	\$95,192,763 (2)	\$0	\$2,027,258 (4)	2.1%	\$2,027,258	2.1%	
General Merchandise Stores	\$2,994,020	(\$24,870,385)					
Home Furnishings & Appliance Stores	\$3,674,860	(\$6,602,354)					
Other Retail Group	\$25,124,592	(\$14,379,262)					
Sub-total	\$31,793,471	(\$45,852,002)	\$3,822,742	12.0%	\$0 (5)	0.0%	

Sources: Exhibit 3; Exhibit 4; and Table 1.

(1) Unless otherwise noted, see Exhibit 3.

(2) See Exhibit 4.

(3) See Table 6.

(4) Corresponds to Perishable Goods in Table 6.

(5) There is retail leakage in all these sales categories in the primary market area (PMA). Therefore, the Grocery Outlet sales impact is 0.0%, as Grocery Outlet sales will absorb existing primary market area sales leakage.

- The analysis concludes that the Grocery Outlet would impact existing food and beverage sales at other stores by 2.1% in the first year with sales at \$6.5 million.
- The analysis concludes that the Grocery Outlet would not impact the existing "other retail" category (general merchandise) due to significant existing leakage in these categories.
- The report concludes that: "if sales are diverted from any existing stores, they
  will be dispersed among many of the stores, such that no one store is likely to
  experience sales loss sufficient to significantly impact store sales. Moreover, the
  stores all have the capability to modify their offerings and product mix to better
  insulate their inventory against competitive impacts associated with Grocery
  Outlet." (page 22)

As previously stated, the policy allows the City to regulate the "location, scale and appearance" of the proposed formula retailer after determining that the Project would "detract from the economic vitality of established commercial businesses." The Planning Commission determined that this threshold has not been reached.

**Demolition and Building Reuse Policies.** The proposed Project would include the demolition of an existing <u>non-historic</u> structure. The policies below are not applicable to the Project.

Policy CD-7.2 Discourage Demolitions: Discourage the demolition of historic buildings.

Policy CD-3.1 Adaptive Reuse: Facilitate the adaptive reuse of existing older buildings in the Central Business District.

The building is not a historic building, so Policy CD-7.2 does not apply to the Project. Likewise, as the proposed Project site is not located in the Central Business District, Policy CD-3.1 does not apply to the Project.

**Scenic Views.** As noted in the attached EIR the Project would not have a substantial adverse effect on a scenic vista. Per CLUDC section 17.50.070B, a visual resources analysis is required as follows:

Applicability. The requirements of this Section apply to the review and approval of planning permits, including but not limited to, coastal development permits for proposed development located on any parcel of land that is located along, provides views to, or is visible from any scenic area, scenic road, or public viewing area including:

- 1. Along the west side of Highway 1;
- 2. Along the bluff of the Noyo River including any area within viewing distance from the bluff, and the bluffs at the mouth of Pudding Creek within the Coastal Zone (CZ);
- 3. Along Highway 20 and Highway 1 on sites with views to the ocean; and
- 4. Areas designated "Potential Scenic Views toward the Ocean or the Noyo River" on Map CD-1.

The Project is not: 1) located on the west side of Highway 1; 2) within viewing distance from a bluff; 3) along Highway 20 or Highway 1 with views to the ocean; 4) located in an area designated as having "potential scenic views toward the ocean or the Noyo River" per Map CD-1 of the City's Community Design Element of the Coastal General Plan.

Further Chapter 10 of the CLUDC defines a Public Viewing Area as follows:

Public Viewing Area. A location along existing scenic public roads and trails or within public parklands or beaches where there are scenic views of the beach and ocean, coastline, mountains, ridgelines, canyons and other unique natural features or areas.

The proposed Project is not located on a scenic public road, trail, parkland or beach. Therefore, CLUDC Section 17.50.070B does not apply to the Project.

The above section of the CLUDC is intended to implement the policies of the Coastal General Plan that relate to the protection of scenic views, which include the following:

Policy CD-1.1: Visual Resources: Permitted development shall be designed and sited to protect views to and along the ocean and scenic coastal areas, to minimize the alteration of natural landforms, to be visually compatible with the character of surrounding areas, and, where feasible, to restore and enhance scenic views in visually degraded areas.

Policy CD-1.4: New development shall be sited and designed to minimize adverse impacts on scenic areas visible from scenic roads or public viewing areas to the maximum feasible extent.

Policy CD-2.5 Scenic Views and Resource Areas: Ensure that development does not adversely impact scenic views and resources as seen from a road and other public rights-of-way.

There are very limited views of the Pacific Ocean through the Project site from S. Franklin Street along the north boundary of the parcel. This road does not qualify as a Public Viewing Area (as noted above).

The exiting view is compromised as follows:

1. The view is visible for about 20 feet along the access road entrance from the current

## parking lot.

- 2. The view extends through four parcels, including an existing Chevron gas station, Highway 1, and the undeveloped Mill Site to the west of Highway 1.
- 3. The view to the ocean is only visible from a high truck or other high vehicle (see figure 2). It is fully obscured by a solid wood fence along the Mill Site property line if one is in a car or walking as a pedestrian (see figures 1 and 3).
- 4. The short high view is also interrupted by two large cypress trees and a number of bushes, which further obscure the limited high truck views of the ocean and skyline.
- 5. The proposed retail store would occupy a similar location to the existing structure on the northern portion of the Project site.
- 6. There are no views to the Pacific Ocean on the southern portion of the Project site, as all views are blocked by the existing two-story Super 8 hotel and landscaping.



Figure 1: No View to the Ocean from the Project Site (Person Standing)

Figure 2: Distant view to the ocean from Google Earth Street View (Camera is 8.2 feet high)



The existing view towards the ocean does not qualify as a scenic resource because it is not located in a Public Viewing Area and it is exceptionally distant, small, and highly compromised by existing interceding development and only visible from a seat in a high truck. The Project does not conflict with Policy CD-1.1, CD-2.5 nor CD-1.4. Please see Figure 3 for a close up of the westerly view of the intervening fence, which blocks the view to the Ocean.

Figure 3. Close up of Mill Site fence interrupting "view" to the ocean (taken by a person standing).



# CONSISTENCY WITH THE COASTAL LAND USE AND DEVELOPMENT CODE

# ZONING

The purpose of the Highway and Visitor Serving (CH) zoning district is described in Section 17.22.010.E of the Coastal Land Use and Development Code as follows:

The CH zoning district is applied to sites along Highway 1 and arterials at the entry points to the community. Allowable land uses include lodging, restaurants, and retail stores. The maximum allowable residential density within the CH district for the residential component of a mixed-use project is 24 dwelling units per acre; the maximum floor area ratio (FAR) is 0.40. The CH zoning district implements and is consistent with the CH land use designation of the Coastal General Plan.

The proposed land use, "general retail - 5,000 sf or larger," is a principally permitted use in this zoning district and consistent with the purpose of the CH district. As noted below, the Project complies with these standards.

# **Site Design**

The proposed Project would include 51,650 square feet (1.18 acres) of impervious surfaces for the proposed store (16,157 SF), parking lot, sidewalks, and driveways. Associated improvements and site infrastructure include a loading dock, sound wall, site fencing and trash enclosure on the west side of the store, a parking area with 55 proposed parking spaces on the south side of the store, an internal system of walkways and crosswalks, two (2) bicycle racks, two (2) driveways, a new fire service line connection, replacement of an existing sewer connection, connection to underground utilities, construction of two (2) bioretention basins for stormwater capture and treatment, proposed illuminated signage, and landscaping throughout the Site.



Setbacks	<ul> <li>The Site is bordered to the north by South Street, to the south by N. Harbor Drive, and to the east by S. Franklin Street and conforms to all required setbacks in 17.22.050.</li> <li>The proposed front setback would be 10 feet and 5 feet is required by the code.</li> <li>Proposed side and rear setbacks would be 11 feet and 6 feet respectively and no setback is required by the code.</li> </ul>		
Lot Coverage and Floor Area Ratio	The Project site is 1.63 acres. The proposed Project would have a Floor Area Ratio (FAR) of 0.23 which is less than the maximum of 0.4 FAR. The CH zone has no maximum lot coverage.		
Maximum Height	The proposed building would be 28 feet at the top of the canopy and 23 feet at the top of the parapet. This conforms to the code, which allows up to 35 feet.		
Fencing & Trash Enclosures	The Project would include a 314 square foot trash enclosure on the west side of the structure. It would be fenced with solid metal gates that will be painted to match the previously approved color "Indian River" by Benjamin Moore. Walls on the enclosure would be 6 ft, high. No additional fencing is proposed. All of these improvements conform with zoning requirements.		
	The Project also includes a 4 foot guard rail and a 6 foot high sound wall (from top of ground but higher from the bottom of the loading ramp) on the west side of the property that would be painted Indian River. This fencing complies with the CLUDC.		

# **Parking and Circulation**

## **General Plan Policies**

Parking is also consistent with the General Plan Policies C-10.5 because it provides adequate and secure bicycle parking and C-11.1 and C-11.2 because it provides ADA access. The pedestrian circulation system is also consistent with General Plan policy C-9.4 as it includes new sidewalks, and C-9.7 as the project will improve pedestrian safety, and C-11.2 as the project includes the installation of curb cuts, ramps, and other improvements facilitating [ADA] access.

# **CLUDC Regulations**

**Parking Lot.** The CLUDC Chapter 17.36 Parking and Loading requires one space per 300 SF of retail space, which equates to 53 parking spaces for the 16,157 SF facility. Other parking requirements include: 1 RV space per 40 parking spaces, 1 ADA space per 26 spaces. As

proposed the 25,000 SF parking area has 55 parking spaces, including three ADA-accessible spaces, two Recreational Vehicle Spaces, six bike parking stalls, and five EV compatible spaces and meets the requirements. The proposed Project includes one extra RV parking space. The Code (17.36.040Af) requires a Minor Use Permit to approve parking in excess of the code, in order to avoid excessive impervious surfaces and inefficient land use. The Applicant has indicated that it does not want to apply for a Minor Use Permit to retain the extra RV parking space and so Special Condition 1a is proposed to address this issue.

**Special Condition 1a:** The Applicant shall resubmit the landscaping and parking plans for Community Development Director approval. The revised parking and landscaping plan shall eliminate the excess RV parking space, and to the degree feasible replace a portion of it with landscaping.

**Bicycle Parking.** The Project site plan illustrates six (6) bicycle parking spaces. The CLUDC requires one (1) bicycle space per ten (10) car parking spaces or five (5) spaces total. The Project complies with this requirement.

**Loading Dock.** The Project proposes one (1) loading dock. The CLUDC requires one loading dock per 10,000 SF of retail space. The proposed Project includes 16,157 SF. The CLUDC requires rounding up for items like parking if the fractional difference for a requirement is more than 0.5. However, the code does not define a rounding option for loading docks. Instead, the Code reads as follows: "1 space for each additional 10,000 SF." The proposed Project is less than 20,000 SF so the additional loading zone is not required.

The proposed loading dock complies with the site standards in Section 17.36.110 with regard to its location and configuration behind the building and the screening provided by a sound wall on the west side of the property. The dock will be screened from the public right of way by the building. Thus, the loading dock complies with Section 17.36.110.

**Pedestrian Circulation.** The Project would include an internal system of walkways and crosswalks to provide pedestrian connectivity between the parking lot, building, and sidewalk. The pedestrian improvements would be Americans with Disabilities Act (ADA) compliant. A sidewalk would be constructed along South Street, S. Franklin Street, and North Harbor Drive frontages, as required by City standards and to provide pedestrian access around the site. Where required, existing sidewalks would be upgraded to meet City standards in conformance with CLUDC Section 17.30.090 Public Improvements. Special Condition 2 has been added to ensure the construction of required sidewalks.

**Special Condition 2:** The Applicant shall construct a new sidewalk along parcel boundaries with South Street, S. Franklin Street, and N. Harbor Drive frontages, as required by City standards prior to final of the Building Permit.

**Parking Entrance**. The Project includes a new, 30-foot-wide entrance/exit on N. Harbor Drive and a 35-foot wide entrance/exit on S. Franklin Street. Due to the size and shape of the site, the proposed driveway is only 65 feet from the intersection of Franklin Street and N. Harbor Drive. This was reviewed and approved by the City Engineer, as required by Section 17.36.100B because it is less than 150 feet from the intersection. With this approval, the proposed driveways comply with the CLUDC Section 17.36.100.

# Lighting

The Project is consistent with General Plan policy CD-1.9. It conforms with most of the lighting requirements in CLUDC Section 17.30.070.

- The proposed outdoor light fixtures would utilize energy efficient fixtures and lamps.
- The lighting would be shielded and directed downward and away from adjoining properties and the public right of way to reduce offsite illumination. (see Attachment 12).

However, the proposed outdoor light fixtures are too high and are limited to a maximum height of 18 feet per the CLUDC and 16 feet per the Citywide Design Guidelines. Special Condition 26 in the Design Review analysis below addresses this issue by imposing a height limit of 16 feet on the light fixtures.

# Landscaping

The proposed Project includes approximately 18,290 square feet of landscaping including 36 trees that would be planted 25 feet apart and 786 shrubs as well as ground cover, grasses, and boulders. Landscaping is proposed for the parking lots, setbacks, undeveloped areas, and as a buffer between adjacent properties in compliance with the requirement of CLUDC 17.34.050. As proposed, 13% of the parking area would be landscaped, which exceeds the code requirement of 10%. (See Attachment 7, Landscape Plan).

However, Code section 17.34.050C4a requires a minimum 15 feet of landscaping between the street right of way and the parking lot. The parking area does not comply with this requirement at the southwestern edge. The buffer in front of the two parking spaces adjoining the 30' wide entrance would be closer than 15 feet to the sidewalk. Therefore, **Special Condition 1b** is recommended.

Additionally, the landscaping plan contains several plant species that are non-native and may not be drought tolerant, which is not consistent with Policy OS-11.8 Landscape with Native Plant Species. The landscaping plan also includes 24 Monterey Cypress trees, which are nonnative to our County and have a tendency to grow very large and become dangerous over time. The Planning Commission recommends Special Condition 1c, d and e to require an alternative tree species and a revised landscaping plan. The Planning Commission expressed interest in preserving the two existing Monterey Cypress Trees, if feasible. Additionally, backflow devices are required for new projects with fire sprinklers systems and unfortunately the placement of such devices often occurs as an afterthought, and they often mar otherwise compliant site landscaping. Therefore, MJC recommends Special Condition 1b be modified as follows to require appropriate location and screening of the backflow devices.

**Special Condition 1b:** The Applicant shall resubmit the landscaping and parking plans for Community Development Director approval. The revised parking and landscaping plan shall:

- Comply with the required landscaping setback of 15 feet for parking lots by modifying the parking lot to ensure adequate setback for the two parking spaces on the southwest corner of the lot (Section 17.34.050C4a);
- Contain drought tolerant native species;
- Preserve the existing Monterey Cypress Trees and the Shore Pine on site,

as feasible, and replace the proposed 24 Monterey Cypress Trees in the Landscaping Plan with a locally native tree species.

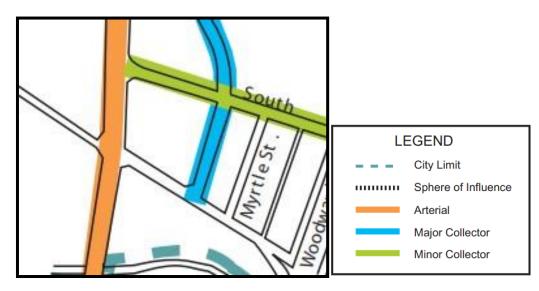
- Comply with the California Model Water Efficient Landscape Ordinance (MWELO).
- Include the placement of the backflow devise, which shall be fully screened from view by landscaping shrubs.

# **TRAFFIC & CIRCULATION**

The proposed Project is located on S. Franklin Street, between South Street and N. Harbor Drive, one block east of Highway One/Main Street.

Per the City's Coastal General Plan Map:

- Highway One is an Arterial
- S. Franklin Street is designated as a Major Collector
- South Street is designated as Minor Collector
- N. Harbor Drive does not have a designation (see map excerpt below)



A detailed analysis of the proposed Project's impacts on vehicle miles traveled (VMT) is included in the EIR. However, the City's General Plan uses Level of Service (LOS) to identify required special conditions to address vehicle wait time.

A traffic study for the parcel was completed in 2019. Subsequently, Caltrans determined that the left-hand turn prohibition located at the intersection of S. Main Street and N. Harbor Drive was no longer necessary and has removed the prohibition. In order to determine if allowing left-hand turns at this intersection required an updated traffic study for the proposed Project, the City engaged a traffic engineer to analyze whether the change would impact the LOS. As noted in the excerpt below, the report found that traffic LOS limits would be satisfied even with the construction of the Grocery Outlet and allowing left hand turns. See *italics* below.

"As indicated, with left turns allowed the westbound approach to the SR 1 / N. Harbor Drive intersection operates at LOS D in the p.m. peak hour with the addition of GOS (Grocery Outlet Store) trips. *This result satisfies the City's minimum LOS D standard*  for weekday peak hours. On Saturday the westbound approach also operates at LOS D, and again the General Plan's minimum LOS D standard is satisfied. This conclusion is consistent with the (Traffic Impact Analysis) TIA's prior results, which also indicated that City of Fort Bragg's *minimum Level of Service standards would be satisfied at the South Street and N. Harbor Drive intersections with development of the Grocery Outlet.* 

Cumulative Year 2040 and Year 2040 Plus Grocery Outlet Store Level of Service. Table 3 presents the intersection Level of Service results from the TIA assuming that left turns onto SR 1 were prohibited at the SR 1 / N. Harbor Drive intersection. Table 4 compares the Year 2040 Levels of Service at study area intersections with and without the GOS assuming left turn access is allowed at the SR 1 / N. Harbor Drive intersection. Again, the length of delays is less than had been projected in the TIA on the westbound approach to the SR 1 / South Street intersection with the diversion of traffic to N. Harbor Drive. As shown in Table 3, the TIA indicated that the addition of GOS traffic resulted in LOS E conditions at this location with the left turn prohibition in place. *While the minimum LOS D standard had been exceeded, General Plan policy had allowed the City to accept LOS F condition on peak summer weekends.* With traffic diverted to N. Harbor Drive the General Plan's minimum LOS D standard is no longer exceeded at the South Street intersection on Saturday.

Alternatively, the length of delays at the SR 1 / N. Harbor Drive intersection are longer under cumulative conditions if left turns are allowed. As indicated in Table 4, the westbound approach to the SR 1 / N. Harbor Drive intersection operates at LOS D in the p.m. peak hour with the addition of GOS trips. *This result satisfies the City's minimum LOS D standard.* On Saturday the westbound approach operates at LOS D without GOS and at LOS E with GOS. LOS E exceeds the General Plan's minimum LOS D standard, but as noted in the General Plan, the City of Fort Bragg is allowed to accept LOS F during peak hours during peak summer weekends. Thus, the GOS's effect during summer Saturday peak hour conditions would be acceptable under that policy."

As conditioned, the Project would be consistent with Circulation Goal C-1:

**Circulation Goal C-1** The maximum allowable LOS standards for Main Street apply to the p.m. peak hour weekdays during the summer and to the p.m. peak hour on weekdays and weekends during the remainder of the year. They do not apply to p.m. peak hours on weekends and holidays during the summer. During the p.m. peak hours on summer weekends and holidays, Main Street can operate at LOS F.

The traffic study prepared for this Project identified a cumulative impact (Project plus future development) that warrants an off-site traffic signal at Highway 1 and N. Harbor Drive. Additionally it is the Policy of the City and Caltrans that all development pay its fair share for future infrastructure improvements. Special Condition 3 will ensure that when a N. Harbor Drive and Highway 1 signalization is required, that the Grocery Outlet will pay its fair share of the construction costs. In 2019, the City received an estimate of \$900,000 for signalization of this intersection by Caltrans. Further the EIR noted that the Project's trips represent 16.1% of the future new traffic at the SR 1/South Street intersection, thus the Project should pay 16.1% of the cost of signalization. Accordingly, see special condition 3 below.

**Special Condition 3:** Prior to final of the Building Permit, a "Fair-Share Deferment" agreement shall be entered into by the Applicant with Caltrans to fund future traffic improvements as required by cumulative development. The agreement shall be in the form published by Caltrans in the <u>Local Development Intergovernmental Review</u> <u>Program – Traffic Mitigation Agreements</u>. Furthermore, the amount of fair share payment has been determined to be \$144,900 based on the traffic study and the Caltrans cost estimate. The "Fair-Share Deferment" agreement shall be executed, and \$144,900 in funds shall be deposited with TRAMS - a fund program of Caltrans - prior to issuance of the Building Permit. The check shall be submitted per the procedure outlined in the document entitled Local Development Intergovernmental Review <u>Program – Traffic Mitigation Agreements</u>.

The fair share agreement is a reasonable option, as this is part of a State highway, and Caltrans will be responsible for carrying out the improvements.

As conditioned above, the Project would comply with the following General Plan Policy:

**Circulation Policy C-1.3** Do not permit new development that would result in the exceedance of roadway and intersection Levels of Service standards unless one of the following conditions is met:

a) Revisions are incorporated in the proposed development project which prevent the Level of Service from deteriorating below the adopted Level of Service standards; or
b) Funding of prorata share of the cost of circulation improvements and/or the construction of roadway improvements needed to maintain the established Level of Service is included as a condition or development standard of project approval.

The traffic study found that the LOS at the N. Harbor Drive and Highway 1 intersection would be substantially improved by making the west bound N. Harbor Drive traffic lane into a right turn only lane. Special Condition 4 would improve the Level of Service at N. Harbor Drive and Highway 1. During the Public Hearing before the Planning Commission, safety concerns were mentioned with regard to the south bound left turn lane from North Harbor Drive. As a consequence, the Planning Commission recommended that Special Condition 4 be expanded to require a traffic safety analysis and for the Applicant to pay its fair share for any future modification to the left hand south-bound turn lane. However, MJC does not recommend this additional language as it is not justified by safety data or the extensive traffic analysis in the EIR. There is currently no documented safety issue at this intersection. Additionally it is unclear how to determine a pro-rata share for any changes or who is going to pay for the study. Finally, changing the striping or turn rules at this intersection is ultimately up to Caltrans and Caltrans did not indicate that safety is a concern at this intersection in their comments to the City of Fort Bragg regarding the EIR or this Project.

**Special Condition 4**: The Applicant shall obtain an encroachment permit from Caltrans and the City of Fort Bragg and install signage, stripe and paint to create a right-hand-turn only lane at the western approach of N. Harbor Drive to the intersection of N. Harbor Drive and S. Main Street. If through a traffic/safety study completed within two years of Project's final on the Building Permit, the City determines that the left turn

lane from N Harbor Drive onto Highway 1 needs to be modified, the Applicant shall pay its pro-rata share of the cost to modify this intersection per Caltrans specs.

Additionally, the Planning Commission discussed at length the need for off-site pedestrian improvements at the corner of South Franklin and South Streets. There are just a few Coastal General Policies regarding pedestrian safety including:

**Policy C-9.2: Require Sidewalks**. Require a sidewalk on both sides of all collector and arterial streets and on at least one side of local streets as a condition of approval for new development.

## Policy C-9.7: Improve Pedestrian Safety.

Therefore, the Planning Commission recommends that the City Council adopt a new Special Condition 33 to establish a safe crossing and complete sidewalks at this intersection:

**Special Condition 33**: The Applicant shall pay its fair-share for the installation of either an all-way stop or pedestrian triggered flashing lights, as recommended by a traffic engineer, at the intersection of South Franklin St. and South St., including signage, striping, and pedestrian facilities (sidewalk, curb, and gutter) to provide crossing at all legs of the intersection. The proposed intersection improvement would require the installation of sidewalk curb and gutter to City Standard Specifications for a total length of 57 linear feet along the east side of South Franklin St. as well as a curb return to provide sufficient pedestrian landing facilities on the south-east corner of the intersection.

Consistent with case law, the City is only legally able to ask for a fair share contribution to offsite improvements. The Applicant has, however, agreed verbally to pay for the entire cost of these improvements.

**Transit.** A transit stop is currently located on the corner of South Street and S. Franklin Street. (northeast corner), and no additional transit facilities are required.

**Bike Connectivity.** The Project is located on Franklin Street which has bike lanes, and the Project includes bicycle parking and an extra wide pedestrian path of travel to the bicycle lanes on Franklin Street. Thus, the Project is consistent with Policy C-10.2:

Policy C-10.2. Require new development to provide on-site connections to existing and proposed bikeways, as appropriate.

# NOISE

The Planning Commission discussed the potential impacts of construction noise on the surrounding community. Consequently, the Planning Commission requested clarity that the EIR Mitigation Measure be modified to require in Mitigation Measure 3.6-1 that the temporary sound wall be constructed as soon as reasonably practicable in order to comply with the City's noise ordinance and Coastal General Plan Noise Element. Mitigation Measure 3.6-1 has been modified as follows:

Mitigation Measure 3.6-1: To reduce potential construction noise impacts during Project

construction, the following multi-part mitigation measure shall be implemented for the Project:

 An 8-foot-tall temporary construction sound wall shall be constructed along the east and south sides of the Project site, as shown on Figures 3.6-6 and 3.6-7. The sound barrier fencing should consist of ½" plywood or minimum STC 27 sound curtains placed to shield nearby sensitive receptors. The plywood barrier should be free from gaps, openings, or penetrations to ensure maximum performance. This temporary construction sound wall shall be constructed prior to any demolition or other ground disturbing activities associated with construction.

Additionally, the Planning Commission received comments from the public regarding noise impacts on the adjacent motel. Both of these issues were examined thoroughly by the City's noise consultant which concluded that the project complies with all noise policies of the City.

Specifically, the Project complies with the Coastal General Plan Noise Standard <u>Table N-4</u> which includes the following noise standards for "Residential, Hotels and Motels"

- Noise levels of less than 60LdndB are normally acceptable; and
- Noise levels between 60LdndB and 75 LdndB are conditionally acceptable; and
- Noise levels of more than 75 LdndB are not acceptable.

Being extremely conservative, the Noise Consultant applied Policy N-1.4 (below) to the Project and determined that the Project also complies with this standard, even though the policy is limited to "new residential development including hotels and motels" and the Project before the City Council is not the new development of a residential or hotel use.

Policy N-1.4 Residential and Noise Sensitive Land Use Standards: Require a standard of 45 Ldn for indoor noise level for all new residential development including hotels and motels, and a standard of 60 Ldn for outdoor noise at residences. These limits shall be reduced by 5 dB for senior housing and residential care facilities.

The Coastal General Plan also includes Policy N-1.6 which calls for mitigation of noise impacts to the maximum extent feasible.

Policy N-1.6 Mitigate Noise Impacts: Mitigate noise impacts to the maximum feasible extent.

Truck deliveries have a larger sound footprint than any other activity at the proposed Grocery Outlet. Disturbing truck noises include back-up beeping, setting the jake brake, idling, and opening and closing cargo doors. It is feasible to limit the deliveries and activity at the loading dock to non-sensitive timeframes (waking hours), therefore, to fully comply with Policy N-1.6 City Council may adopt Special Condition 34 below:

Special Condition 34: The Grocery Outlet truck loading dock will not be operated nor accept deliveries between the hours of 9:00pm and 7:00am.

While the Project without special conditions would comply fully with noise standards in the CLUDC, the Applicant has agreed to limit truck delivery to daytime hours, which does reduce noise impacts to the adjacent hotel.

# STORMWATER MANAGEMENT & GRADING PLAN

The proposed Project is on a partially developed and ruderal site that consists mostly of open gravel that is used as (unpermitted) parking for large trucks and sometimes fruit vendors. As noted in the EIR, there is nothing on the site that would qualify as natural vegetation. The proposed Project includes:

- Demolition of the existing building and removal of existing landscaping.
- New landscaping around the perimeter of the site and two (2) bioretention basins on the west side to which water naturally flows. These bioretention facilities have been designed to capture and treat all water runoff from a 24-hour 85<sup>th</sup> percentile storm, as required by the CLUDC (see Attachment 10).
- Permeable paving is proposed for 25 parking spots located in the middle of the parking lot. Three (3) drainage inlets are also located on the west side of the property.

The Project is a Development of Special Water Quality Concern per the City of Fort Bragg's Coastal Land Use and Development Code Section 17.64.045.A. The Project will also require a Runoff Mitigation Plan per Section 17.64.040 of the CLUDC. The goals for the Runoff Mitigation Plan are to minimize impervious surfaces, maximize infiltration of runoff, and reduce parking lot runoff pollution. Additional requirements to meet these goals for Developments of Special Water Quality Concern include submittal of a Water Quality Management Plan, and selection of structural treatment control Best Management Practices, and 85<sup>th</sup> percentile design requirements. These requirements ensure that construction and post construction measures to reduce runoff and pollution are properly engineered and best suited to the site. The Applicant has achieved the 85<sup>th</sup> percentile design requirements with proposed drainage improvements that include post- construction BMPs, such as bioretention facilities and permeable paving that are sized to capture and treat runoff from the proposed impervious surfaces produced by the 24-hour 85th percentile rain event and landscaped areas throughout the Project site to encourage natural stormwater infiltration. The Applicant's stormwater engineer completed stormwater calculations for the proposed Project and stormwater plans which illustrate that the Project can infiltrate the 85<sup>th</sup> percentile 24-hour storm on site (see Attachment 10). The Assistant City Engineer confirmed the calculations and so Special Condition 5 has been deleted from the permit as this has already been achieved.

Special Condition 5 requires the Applicant to submit the background calculations for the drainage plan that was submitted to the City of Fort Bragg. The calculations should define the runoff volume and describe the volume reduction measures and treatment controls used to reach attainment consistent with the Fort Bragg Storm Drain Master Plan and City of Fort Bragg Design Specifications and Standards.

**Special Condition 5**: Prior to issuance of the grading permit, the Applicant shall submit for approval by the Public Works Director, the stormwater calculations for the stormwater plan, including a Water Quality Management Plan and including how the proposed structural treatments minimize construction impacts to water quality, maximize infiltration of runoff, and reduce parking lot runoff pollution.

Special Condition 6 requires the Applicant to analyze off-site stormwater infrastructure and construct any improvements required by the increased stormflow from the proposed Project.

**Special Condition 6:** Prior to issuance of the Building Permit, the Applicant shall provide an analysis that documents the sufficiency of existing off-site stormwater infrastructure or provide an engineer-reviewed design of a new proposed drainage conveyance system for approval by the Public Works Director. If upgrades to off-site infrastructure are required, this shall be completed by the developer and dedicated to the City.

**Special Condition 7:** The Applicant shall install offsite drainage improvements as needed to ensure that stormwater flows from the Project will be effectively transported to the nearest drainage facilities, located on Main Street/Highway 1. This may include surface transportation facilities such as gutters, where absent, or subsurface transportation via pipe if there is insufficient surface capacity.

As conditioned, the Project would be consistent with the City's Coastal General Plan policies OS-11.9: Provide Storm Drain Inlet Markers and OS-11.10: Continue Operation and Maintenance of Post-Construction BMPs, and OS-141.1: Minimize Polluted Runoff and Pollution from Construction.

## Grading

Article 6 of the CLUDC regulates grading activities to prevent erosion and control sediment. A preliminary grading and drainage plan has been prepared for the Project. However, as this development would include over one acre of disturbance, the Applicant is required to submit a Stormwater Pollution Prevention Plan (SWPPP) to the State Water Board to obtain a Construction General Permit. To ensure Project conformance with the grading requirements of the City's Municipal Code, CLUDC, and State Iaw, the Public Works Department recommends the following special conditions:

**Special Condition 8:** A Maintenance and Operations agreement for ongoing maintenance of the bioretention features installed with this Project shall be submitted to the City for review and approval and shall be recorded with the County Recorder's office to ensure that the bioretention features are maintained and remain effective. Recordation of the Maintenance Agreement shall be completed prior to Certificate of Occupancy.

**Special Condition 9:** An engineered grading plan shall be provided, per CLUDC Section 17.60.030, and a separate grading permit will be required for the site work. The final grading plan can be submitted at the time of the Building Permit application.

**Special Condition 10:** Prior to issuance of the Building Permit, the Applicant shall submit a Stormwater Pollution Prevention Plan (SWPPP) to the State Water Board to obtain a Construction General Permit. A Runoff Mitigation Plan (RMP) is required by the City to demonstrate the Project meets the requirements established by local, State and federal regulations. The City's RMP requirement can be fulfilled by a SWPPP instead. If using a SWPPP to fulfill the RMP, a draft version shall be submitted to the City to ensure the Project is in compliance prior to filing for a Notice of Intent (NOI) with the state.

**Special Condition 11**: All work shall be done in compliance with all conditions required by Article 6, Chapters 17.60 through 17.64, of the Coastal Land Use and Development Code relating to grading, erosion and sediment control, and stormwater runoff pollution control. If construction is to be conducted between October and April (the rainy season), approval from the Public Works Department and additional construction BMP's will be required.

**Special Condition 12:** Markers or stenciling shall be required for all storm drain inlets constructed or modified by development to discourage dumping and other illegal discharges into the storm drain system.

Section 18.30.080.D of the Land Use and Development Code outlines municipal standards for dust management. Additionally, Section 18.62.020 of the Land Use and Development Code requires a Dust Prevention and Control Plan to be submitted in conjunction with the grading plan. **Special Condition 13** includes language to assure that the requirements of the Land Use Development Code pertaining to dust control are addressed. Additionally, the Planning Commission recommended that the special condition be modified to make it clear that all dust suppression activities also apply to demolition activities on the site.

**Special Condition 13:** In order to minimize dust and prevent it from leaving the Project site, a dust prevention and control plan shall be submitted for approval by the City Engineer in conjunction with the grading plan. The dust prevention and control plan shall demonstrate that the discharge of dust from the demolition and construction site will not occur, or can be controlled to an acceptable level depending on the particular site conditions and circumstances. The plan shall include the following information and provisions:

- If the importing or exporting of dirt is necessary, the plan shall include the procedures necessary to keep the public streets and private properties along the haul route free of dirt, dust, and other debris.
- Grading shall be designed and grading activities shall be scheduled to ensure that repeat grading will not be required, and that completion of the dust- generating activity (e.g., construction, paving or planting) will occur as soon as possible.
- Earth or other material that has been transported by trucking or earth moving equipment, erosion by water, or other means onto paved streets shall be promptly removed.
- All earthmoving activities shall cease when sustained winds exceed 15 miles per hour.
- The operator shall take reasonable precautions to prevent the entry of unauthorized vehicles onto the site during non-work hours.
- Graded areas that are not immediately paved shall be revegetated as soon as possible to minimize dust and erosion. Disturbed areas of the construction site that are to remain inactive longer than three (3) months shall be seeded and watered until grass cover is grown and maintained.

As conditioned, the Project would be consistent with the City's Coastal General Plan policy

OS-14.2: Minimize Land Disturbance During Construction, OS-14.4: Stabilize Soil Promptly, and OS-14.5: Grading During Rainy Season.

# **PUBLIC UTILITIES**

In compliance with CLUDC Section 17.30.090 the Applicant is required to pay for all required public street and frontage improvements associated with the Project. Additionally, as required by the Coastal General Plan Policy C-2.1: Roadway Improvements and Policy C-14.1: Development to Pay Fair Share, project applicants shall be fiscally responsible for their fair share of roadway improvements. The following special conditions are recommended:

**Special Condition 14:** The Applicant is required to pay its fair share of the system infrastructure and future capital improvements through the Drainage fees, Water Capacity Charges and Wastewater Capacity Charges. All associated capacity charges and fees shall be paid prior to the issuance of the first Building Permit.

**Special Condition 15**: Should the existing Project require new or increased capacity water and/or sewer connections, fees will be required. New or increased capacity sewer connections shall include cleanouts and new or increased capacity water connection(s) shall have backflow device(s). All associated connection fees shall be paid prior to the issuance of the first Building Permit.

**Special Condition 16**: Frontage improvements are required on N. Harbor Drive, and the southerly portion of S. Franklin Street that is not improved. Public improvements shall be designed by a licensed Civil Engineer, and shall include pavement as needed for road widening, curb, gutter and sidewalk, per City of Fort Bragg Construction Standards. The designs for all frontage improvements shall be submitted to the City with the Building Permit application for approval by the Director of Public Works and all improvements shall be installed prior to final of the Building Permit.

## **Public Safety**

The proposed Project is not located on a slope or near an identified seismic fault shown on Coastal General Plan Map SF-1 Geologic Hazards. Additionally, State Building Code is protective of the Project in the case of an earthquake. According to FEMA maps, the Project is not located in a flood zone. The Project is not located in a tsunami inundation zone according to California Emergency Management Agency maps. The Project is located within 300 feet of the top of a coastal bluff, however it is far enough away from the bluff that a geotechnical report was not required for the Project.

In conformance with Policy SF-6.1 *Demand for Police Services,* the proposed Project was reviewed by the Police Department. The Project was also reviewed by the Fort Bragg Fire Protection Authority. The Fire Department recommends Special Condition 17 below for compliance with Coastal General Plan Policy SF-5.1: *Minimize Fire Risk in New Development*:

**Special Condition 17**: The Applicant shall ensure adequate pressure and flow to the subject site to provide necessary commercial and fire suppression flows. The Applicant shall provide documentation that water pressures can be achieved or that they have a means (via pressure pump, tank, etc.) for enhancing their system to meet standards. Documentation shall be submitted prior to issuance of Building Permit.

Additionally, the Planning Commission recommended Special Condition 35 to require the installation of a generator or battery backup on the Site Plan to ensure that it complies with safety concerns regarding power outages.

**Special Condition 35:** Prior to issuance of the Building Permit the Applicant shall submit a site plan that illustrates a generator or battery backup, for approval by the Community Development Director.

There were no conflicts between the proposed Project and any other policies of the Safety Element, therefore the proposed Project is in conformance with the Safety Element of the Coastal General Plan.

# **COASTAL DEVELOPMENT PERMIT & COASTAL ACT RESOURCES**

The Coastal Development Permit review process requires making findings that the Project will not have an impact on Coastal Act Resources. This section analyzes potential impacts to Coastal Act Resources.

## **Cultural Resources**

The existing building was constructed in the 1990s and does not qualify as a historic resource. The structure does not have any features or context that would render it a historic resource and it has no cultural or historic value. A cultural resources evaluation was performed in 1996 by Katherine Flynn of Archaeological Resource Service, before the property was first developed. No resources were identified at that time. The survey encompassed the entire Project area. An archaeological survey of the site was again conduced in 2022 and sent to tribal governments for review. As noted in the EIR, the Project is unlikely to impact cultural resources. A standard condition is included in the Coastal Development Permit to ensure that if any resources are discovered during grading activities, appropriate steps are taken to prevent detrimental impacts. The Project is not expected to result in impacts to cultural resources.

## **Visual Resources**

As previously noted earlier in this report the Project is not subject to the Visual Analysis requirement and the project will have no effect on visual resources. Chapter 3.1 of the EIR analyzes the aesthetic impacts of the proposed Project. The Project is subject to Design Review for the proposed exterior changes and new signs as discussed later in the report.

## **Environmentally Sensitive Habitat Areas**

The proposed Project site is not located in a mapped Environmentally Sensitive Habitat Area (ESHA) as shown on Map OS-1 from the Coastal General Plan (**see Figure 1**). Proposed improvements would not occur in or near any known sensitive habitat areas. A biological report and wetlands study were completed for this Project. An analysis of the site's natural resources and biological condition has been reviewed as part of the EIR, which finds that there are no significant impacts on biological resources with mitigation. See pages 3.3.1-3.3.36 of the Draft EIR and Appendix C for the studies, analysis, and discussions of the Project's environmental

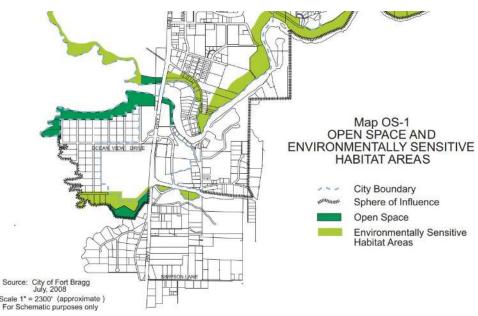
impacts. Here are the key findings from the biological and wetland analysis.

- The lot is vegetated with ruderal, low growing weedy plant species and is regularly mowed. There are no native plant communities, wetlands or riparian areas on the site or within 100 feet of the Project site.
- The EIR found that the proposed Project has the potential to have direct or indirect effects on special-status migrating bird species, however the report identifies that these impacts could be mitigated with the implementation of Mitigation Measure 3.3-1.
- The EIR further identifies that the proposed Project has the potential to result in direct or indirect effects on special-status mammal species, but that this impact would be a less than significant impact with implementation of Mitigation Measure 3.3-2.

Special Condition 18 requires that the proposed Project complete all mitigation measures in the EIR. Therefore, the proposed Project as conditioned and mitigated will not have significant impacts on ESHAs, as there are no ESHAs on site, and the Project complies with all General Plan ESHA policies.

**Special Condition 18:** The Applicant shall implement all Mitigation Measures in the Final EIR and the Mitigation Monitoring and Reporting Plan for the Project as certified by City Council.

## Figure 3: Open space and environmentally sensitive habitat areas.



## Pedestrian Access to the Harbor/Ocean

The proposed Project is not located between the sea and the first public road. The Project does not provide direct connectivity to the Harbor, and it is not feasible nor desirable to require public coastal access through the property to the Harbor (see General Plan Policy OS-16.4: New Development), as site sidewalks will provide good pedestrian access.

An existing public access trail/stairway to the Harbor is located just south of the Project at the Harbor Lite Lodge (Figure 4), however the motel does not permit public parking for this access.

The new sidewalks and pedestrian upgrades that are required as a condition of this Project will increase pedestrian accessibility to this existing Harbor access. An optional special condition was included in the Planning Commission staff report to allow the use of the Project parking spaces for vehicular parking for the trail. However, the Planning Commission recommended that the optional special condition below be stricken from the resolution, as this is not an effective access to the Noyo Harbor given the easy drive to the harbor and the Coastal Trail and it would be problematic for the Grocery Outlet to monitor such parking.

**Optional Special Condition 19**: The Applicant shall allow two-hour parking for people wishing to access Noyo Harbor via the Harbor Lite Lodge stairway.



Figure 4: Aerial Photo illustrating pedestrian access to the Harbor from the proposed site.

# Vehicular Access to the Harbor

The Project site is bordered on the south by N. Harbor Drive, which provides vehicular access to the north side of Noyo Harbor. The North Harbor offers docks for commercial and sport fishing, restaurants and access to Noyo Beach. Grocery Outlet will generate additional vehicle traffic on this street and will affect the Level of Service (LOS) of N. Harbor Drive, as permitted by the City's Coastal General Plan.

- The current LOS for vehicles turning onto Noyo Harbor Drive is LOS B. The post Project level of service would remain at LOS B.
- The current LOS for vehicles turning onto Highway 1 from N. Harbor Drive is LOS C (southbound left turn), and B (northbound right turn). The Post Project LOS for vehicles turning onto Highway 1 from N. Harbor Drive would be LOS D (southbound left turn), and C (northbound right turn). The Coastal General Plan allows, as noted in Table 3.7-8, a minimum LOS at intersections controlled by side street stops (based on the delay experienced by motorists on the side street) is LOS D on Main Street. Thus, the Project complies with the General Plan requirements regarding Level of Service at the intersection of N. Harbor Drive and Highway 1.

The proposed Project would contribute to traffic that may slightly slow access to the Harbor at the corner of Franklin and N Harbor Drive, however the intersection currently provides a LOS A and the LOS with the Project would remain as LOS A. Thus the Project is in compliance with General Plan Policy C-1.1 which allows a LOS C or LOS E (if there are less than 15 vehicles/hour) for this intersection.

# **DESIGN REVIEW PERMIT ANALYSIS**

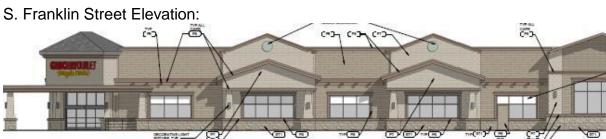
The Project is subject to Design Review per Section 17.71.050 of the CLUDC and must conform with the Citywide Design Guidelines. The following analysis considers whether the proposed Project conforms with design review criteria and the Citywide Design Guidelines as well as the findings for the Design Review Permit and the sign review.

Grocery Outlet franchise's come in a range of designs with common themes, including the following.



## Figure 5: Some Typical Grocery Outlet Designs

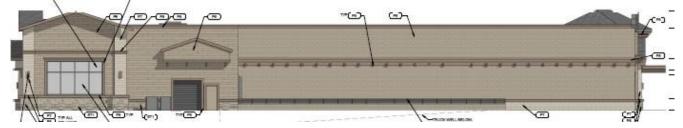
However, these designs do not comply with the Citywide Design Guidelines. Therefore, the Applicant was asked to develop a design that complies with the Citywide Design Guidelines. The submitted design is illustrated in the photos on the following page and in Attachment 6: Grocery Outlet Floor Plan Elevations.



South Street Elevation:



Backside (Internal) facing fence/gas station/Taco Bell Elevation:



N. Harbor Drive Elevation:



Additionally, the visual simulation (Attachment 11 and below) illustrates how the building would appear onsite.

View 1: From the corner of S. Franklin Street and N. Harbor Drive



View 2: From the intersection at South Street and S. Franklin Street



View 3: From South Street



<u>Design Review Findings.</u> The City Council must evaluate the application to ensure that the Project complies with the following findings in order to approve a Design Review Permit.

- 1. Complies with the purpose and requirements of this Section (Design Review in the CLUDC).
- 2. Provides architectural design, building massing, and scale appropriate to and compatible with the site surroundings and the community.
- 3. Provides attractive and desirable site layout and design, including building arrangement, exterior appearance and setbacks, drainage, fences and walls, grading, landscaping, lighting, signs, etc.
- 4. Provides efficient and safe public access, circulation, and parking.
- 5. Provides appropriate open space and landscaping, including the use of water efficient landscaping.
- 6. Is consistent with the General Plan, and applicable specific plan, and the certified Local Coastal Program.
- 7. Complies and is consistent with the City's Design Guidelines.

As mentioned above, the Design Review process requires substantial compliance with the Citywide Design Guidelines. This includes the four guiding principles of the Citywide Design Guidelines (analyzed below) and the mandatory and preferable Design Guidelines (analyzed later by component).

## Guiding Principle 1: Community Character

Project design should reflect and strengthen the distinct identity of Fort Bragg – a rural, historic small town on the Mendocino coast.

The proposed Project design has features that are compatible with, without trying to mimic historic design, including parapets and building articulation which break up the building's massing. It is similar in design quality to other recently constructed large format and franchise stores such as CVS, McDonalds and Taco Bell. It has better design character than some larger franchise stores which were constructed prior to the adoption of the Citywide Design Guidelines, such as Safeway, Pizza Hut and RiteAid.

## Guiding Principle 2: Support Connectivity

Project design should incorporate safe, functional and multimodal connections that are easy to navigate by walking, bicycling and public transit. When feasible, new streets should follow existing development pattern.

The proposed Project would result in the construction of new sidewalks on a parcel which currently lacks sidewalks. A bus stop is located across the street from the Project. The Project includes bicycle racks and easy access to the Class II bicycle lane on Franklin Street.

## Guiding Principle 3: Public Enhancements

Project proposals should positively enhance the adjacent public realm by contributing to the collective good of community. This means building places, and not individual sites; making design consideration in the context of streets, sidewalks, public spaces, parks, and trails and looking at how the community interacts with these public spaces.

The Project includes significant landscaping which would screen the parking lot from public view, while providing comfortable spaces to walk on new sidewalks. The Project Applicant made a design decision to build the proposed structure on the footprint of the existing structure, which means that the urban form will not change significantly on this block.

## Guiding Principle 4: Water & Power Sustainability

Do more with less. Development should incorporate water and power efficient design strategies.

As conditioned, the Project incorporates permeable paving and bioswales to reduce stormwater flows and native plantings which require less watering. The Project will achieve Title 24 energy efficiency in compliance with the State Building Code. The Planning Commission could recommend that the Project incorporate solar as part of the Building Permit process. The proposed roof plan does not currently include solar panels although a location is reserved for them on the plans. Special Condition 20 was recommended by the Planning Commission.

**Special Condition 20:** The building permit application plans shall include solar panels on the roof, which shall be installed prior to the final of the building permit.

The Citywide Design Guidelines also include a specific design guideline for South Franklin Street as follows:

#### Franklin Street South

From the intersection of Oak and Franklin Street to N. Harbor Drive lies the Franklin South Corridor. This corridor on the eastern side of the street is mainly an eclectic mix of singlefamily residences in a variety of building forms, setbacks, and landscape character. While the western portion is mainly made up of hotels and commercial development. Due to this mix of development, there is no significant architectural style and detail present throughout the corridor. Sidewalks and class II bikeways are present on both sides and speed limits are a maximum of 30MPH making it one of the more pedestrian friendly streets in town.

With some relatively large opportunity sites in this area, new development is likely to have a transformative impact. As new development occurs, new sites and buildings should be designed with the objectives listed below in mind.

- Ensure a comfortable pedestrian environment through design approaches for a front setback area.
- Limit parking to the rear or alley of primary structures.

- Create a visual and physical connection between a building's entry and the public realm.
- Emphasis on front yard trees and landscaping.
- Mixed-use development is heavily encouraged.

Project compliance with each of the above requirements is analyzed below:

• Ensure a comfortable pedestrian environment through design approaches for a front setback area.

The proposed Project provides a 12' 9" setback along Franklin Street which is landscaped with a variety of shrubs and trees. The proposed sidewalk is 5 feet wide. In order to improve the sense of the public realm and the setback area, the Planning Commission recommended special condition 21.

**Special Condition 21:** Two benches shall be installed in the landscaped area parallel to and adjacent to the sidewalk.

• Limit parking to the rear or alley of primary structures.

The proposed Project includes parking to the south of the structure that faces the building entrance. This is very common for grocery stores and other large format retailers, and indeed all the City's grocery stores front their parking lots. This is necessary to easily bring groceries from the store via cart to one's car. Due to parcel configuration (long and thin) the Project site would not support parking at the rear of the parcel for any building equivalent to the existing structure in size. This is especially true for a grocery store, as any grocery store would have to be too long and thin to work effectively as a grocery store in order to accommodate all parking behind the building. Compliance with this design guideline is not feasible given the parcel configuration and the need for grocery cart accessibility.

• Create a visual and physical connection between a building's entry and the public realm.

The proposed Project has a 12-foot-wide concrete plaza and entrance that connects the Project to the Franklin Street sidewalk. This is a good physical connection. The building has many windows that face Franklin Street and S. Harbor Drive which create good visual connections to the street.

## • Emphasis on front yard trees and landscaping.

The Project includes a large number of street trees on all site edges within the public realm. The "front yard of the Project" along Franklin Street has 14 trees, while the front yard fronting N. Harbor Drive has 5 trees. The Project has incorporated extensive front yard landscaping.

• Mixed-use development is heavily encouraged.

The proposed Project is a single use (retail) development but it is part of a very mixed neighborhood which includes hotels, gas stations, restaurants and residential uses all located within the immediately surrounding blocks.

## **Chapter 2 Design Review Requirements.**

Additionally, the Project must be reviewed for compliance with the requirements of Chapter 2 of the Citywide Design Guidelines. As conditioned, the Project is in substantial conformance with these guidelines as follows:

### Massing Elevations and Articulation – Mandatory Standards

The Project addresses all mandatory standards as follows:

- 1. It is well articulated on the three sides that face the public right of way.
- 2. The scale of the building relates to the two-story development pattern of the motel on the adjacent parcel. The building is essentially two stories in height, and as a grocery store, additional step-backs are not feasible beyond the small amount that is achieved with the building footprint and massing.
- 3. Includes architectural detailing at the pedestrian level such as windows, building base materials change, awnings, trellises, and window murals.
- 4. The Project does not include franchise architecture (Architectural Form & Detail #1)
- 5. The Project incorporates some features from the historic downtown, namely windows and awnings (Architectural Form & Detail #2).

The Project includes the following preferred elements:

- 1. Includes a higher level of architectural details at the pedestrian level, such as parapets, windows, awnings, medallions, and trellis features. (Preferred Standard 1, 2 & 3).
- 2. Breaks up the building into forms with vertical and horizontal variations in wall and roof planes and window bays.

### *Roof forms – Mandatory Standards*

The Project complies with the mandatory standards for roof form with the exception of the items listed below.

1. The roof Parapet does not "include detailing typical of Fort Bragg's character and design." The proposed Project does not use much architectural detailing on the parapet. The Planning Commission does not recommend optional Special Condition 22, as the proposed design has sufficient detail.

**Optional Special Condition 22:** The Applicant shall submit a revised design that includes additional detailing in the parapets for consideration and approval by the Community Development Director.

2. The Project does not take advantage of passive solar design because the windows on the south wall are proposed to be obscured with murals.

The Planning Commission recommends a revised Special Condition 23, to ensure effective solar passive gain in the building.

**Special Condition 23:** The windows on the south side of the building may be obscured with murals or other films or coverings so long as they do not limit passive solar gain. Additionally, such coverings shall not conflict with limitations placed on signage in Chapter 17.38 Signs.

#### Windows, Doors & Entries – Mandatory Standards.

The Project complies with all mandatory standards for windows and doors except for storefront window requirements.

- Windows are incorporated at the storefront location and includes use of clear glass (at least 80% light transmission). However as proposed these windows would be painted with murals which would reduce light transmission significantly. Special condition 23, above, will address this issue.
- The size and location of doors and windows relate to the scale and proportions of the overall structure.
- The main building entrance is distinguished from the rest of the building and easily recognizable and oriented toward the internal walkway, street and parking lot.

The Project also complies with most of the preferred standards for windows and doors. The Project includes:

- A front entry design with recessed doors, decorative detailing, a projecting element above the entrance and changes in the roofline.
- Window and door type, material, shape, and proportion complement the architectural style of the building.
- Windows are articulated with accent trim and sills.

#### Materials- Mandatory Standards

The proposed Project complies with the mandatory materials list with one exception.

- The front façade includes the following materials for the exterior elevation from the Encouraged List: Hardi Board Composite, Wood Paneling, Hardi Board Composite Half, Round "Fish Scale" Paneling, Wood Roof Shingles.
- It also includes the following materials from the Acceptable List: Cultured Stone with an authentic appearance, and Country Ledgestone.
- However, the Project includes Smooth Face



**ELEVATION NOTES** 

1. ALL BUILDING HEIGHTS ARE ABOVE INTERIOR FINISH FLOOR NOT ADJACENT GRADES. CMU, which is considered a "discouraged" building material. The CMU is proposed for portions of the building fronting Franklin Street and South Street and the west face of the building which fronts the property line with the gas station.

The Planning Commission recommends Special Condition 24, with proposed strike out, to ensure that building materials on the North and East façade of the building match that of the south face.

**Special Condition 24:** The Applicant shall replace/cover all smooth surface CMU block on the east and north elevation of the building with one of the higher-grade materials (fish scale hardipanel) which are proposed for the South and West facade of the building.

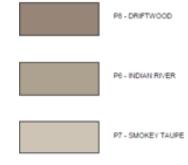
Planning Commission also considered optional Special Condition 25 to require a similar level of material finishes for the Western elevation of the building, and chose not to recommend this special condition, because the Planning Commission clarified that the Design Guideline was intended to apply only to street-facing facades not all facades.

**Optional Special Condition 25:** The Applicant shall replace/cover all CMU block on the west face of the building with hardiboard composite wood paneling.

#### Colors.

There are no mandatory standards for color. The proposed Project would be painted with three different earth tones namely: Driftwood, Indian River and Smokey Taupe. The Project complies with the following preferred standards for color:

- Colors enhance different parts of a building's façade and are consistent with the architectural style.
- Colors visually relate building elements (trim, roof, pedestrian level wall) to each other. The colors also complement neighboring facades.
- The building colors reflect the basic colors of the architectural style or period of the building. They are earth tone colors as required for the Coastal Zone.



Two colors are included on every façade.

### Lighting - Mandatory Standards

Standard	Compliance
<ol> <li>Exterior lighting shall be designed as part of the overall architectural style of the building and should illuminate entries, driveways, walkways, and activity areas.</li> </ol>	Exterior lights are proposed as simple lighting boxes with downlighting. The lighting boxes are attached to the sides of the buildings. The plan shows that driveways, walkways and entry ways would be effectively illuminated.

<ol> <li>2) Entrances shall be well illuminated for safety and identification purposes.</li> <li>3) Lighting sources shall be hidden unless the sources are an integral part of the design. Lighting fixtures should not project above the fascia or roofline of the building.</li> </ol>	Please see Attachment 9 – Lighting Plan. The entrance will be well illuminated. Please see Attachment 9 – Lighting Plan. The lighting sources are integral to the design, all lighting fixtures are located well below the Fascia.
<ol> <li>Partial or full cutoff lighting is required. Exterior lighting shall be located and designed to avoid shining directly onto nearby residential properties, and shall minimize off-site glare. The latest technical and operational energy conservation concepts should be considered in lighting designs.</li> </ol>	Please see Attachment 9 – Lighting Plan. The Project, as designed, would avoid shining light directly onto nearby residential properties.
<ol> <li>5) Parking lot lighting fixtures shall be no taller than 16 feet in height and shall cast light downward without allowing glare or light to encroach upon neighboring properties</li> </ol>	The Lighting plan illustrates parking lot lighting fixtures in excess of 16 feet in height. Special Condition 26 is included to address this. All fixtures are downward and do not allow glare to encroach upon neighboring properties.

**Special Condition 26:** The Building Permit plans shall illustrate parking lot lighting standards that are not taller than 16 feet in height.

### Site Planning - Mandatory Standards

The proposed Project complies with the mandatory site planning standards.

- 1. The proposed Project has been sited to minimize impacts to surrounding development. The proposed use will be considerably more intensive than the existing use both in terms of operating hours and the number of vehicles and people coming to the site. However, by occupying the same general footprint as the current building the proposed Project would minimize new impacts to surrounding development. The Project is not adjacent to open space and so will not have an impact on open space. The proposed Project is on a flat lot without natural areas and so the mandatory requirement "to place structures well to minimize impacts to natural areas and natural contours" does not apply.
- 2. The proposed Project complies generally with the second mandatory standard: "Buildings should generally be oriented toward the street. Buildings on corner parcels should establish a strong tie to both streets." The front of this building is oriented toward Noyo Harbor Drive with a strong secondary orientation to Franklin Street via the plaza and architectural features.

As conditioned, the Project generally complies with preferred site planning standards, as the building is oriented to the south to take advantage of solar access for passive and active

energy needs and to moderate the impact of prevailing winds from the north.

#### Landscape - Mandatory Standards

The Project complies with the mandatory landscaping standards.

- 1. As conditioned the Project does not include plants and trees with root systems that could uplift hardscape materials. Specifically Special Condition 1 requires the Applicant to select an alternative tree type.
- 2. As conditioned, the landscaping plan will use trees and plants native to the Northern California coast.

As conditioned, the Project generally complies with the preferred landscaping requirements. Specifically, it:

- 1) Incorporates plantings utilizing a three-tiered system: ground covers, shrubs, and trees;
- Enhances the quality of the development by framing and softening the appearance of the building and screening undesirable views and equipment;
- 3) Is in scale with the building and of appropriate size at maturity;
- 4) Includes water-efficient plants; and
- 5) Defines and accents the building entry, parking lot entrances and the main walkways.

### **Open Space & Pedestrian Circulation - Preferred Standards**

There are no mandatory open space design guidelines. The proposed Project incorporates a few of the preferred standards into the design. The Project includes:

- 1. A small plaza at the entrance and quite a lot of landscaped areas.
- 2. Trees have been incorporated into the courtyard design.

### Fencing and Screening - Mandatory Standards

The proposed Project plans do not include sufficient detailed information to determine if the design complies with the following mandatory requirements for fences:

1. "Fences or walls of more than 100 ft should provide variation in the design – via changes in height, materials, embellishments, step backs, gates, etc. - to break up the length and provide visual interest."

Therefore, the Planning Commission recommended Special Condition 27.

**Special Condition 27:** Prior to approval of the Building Permit application, the Applicant shall provide an elevation of the new fencing/sound wall from both the east and west perspective. Further, the Community Development Director shall ensure conformance with the Design Guidelines related to fencing.

The proposed Project does not comply with the second Mandatory requirement as the Project fence/sound wall would result in hiding places or entrapment areas by the loading dock. The

public interest in health and safety may be better served by keeping people out of the loading dock area than by providing a gate to the adjacent property at this location. However, Planning Commission requested Special Condition 28, as they determined that egress was more important than keeping people out of the area.

**Special Condition 28**: The Building Permit application shall include an exit gate by the loading dock to facilitate emergency egress out of the loading area.

#### Site Amenities - Mandatory Standards

The proposed Project does not include more than one unit (retail store) so the mandatory unit numbering, guest parking, and other requirements of this guideline do not apply to it.

#### **Pedestrian Circulation - Mandatory Standards**

Pedestrian access connects buildings to their surroundings and encourages street activity. This Project must add a "drop off only" signage and white marking space along

the Franklin Street frontage parallel to the Building entry to comply with the only mandatory guideline in this section. Special Condition 29 is included to achieve this objective.

**Special Condition 29:** The Applicant shall install a Pick-up/Drop-off Sign on Franklin Street adjacent to the Entryway. This area will include at least two spaces that are painted for 10-minute pick up and drop off.

The Project does not comply with the preferred standard to have "continuous, clearly marked pathways from the parking areas to main entrances of buildings" nor has the sidewalk been designed to "minimize pedestrians crossing parking stalls and landscape islands to reach building entries." However, given the parcel geometry and the minimum 8' width of landscaping required between the sidewalk and the parking lot, it is not feasible to add pedestrian only paths of travel to the interior of the parking lot. This level of pedestrian access is not provided in any of the other large format stores in Fort Bragg. The Planning Commission recommended the addition of Special Condition 36 to establish at least one crosswalk from the primary parking area to the front of the building.

Special Condition 36: Prior to issuance of the Building Permit the Applicant shall submit a site plan that illustrates a crosswalk from the parking area to the entrance of the Grocery Outlet.

#### **Circulation and Parking - Mandatory Standards**

The proposed Project complies with the mandatory circulation and parking standards as the lot is "well designed, with consideration given to landscaping, lighting, building massing, and pedestrian/vehicular circulation" and is "designed for safe ingress and egress."

#### Loading and Delivery - Mandatory Standards

The loading and delivery service area complies with the mandatory standards, as the loading area is located at the rear of the building to minimize its "visibility, circulation conflicts, and adverse noise impacts." Additionally, the proposed loading and delivery areas are "screened

with portions of the building, freestanding walls and landscaping planting."

#### **Design Review Findings**

As previously mentioned the Planning Commission must evaluate the application to ensure that the Project complies with the Design Review Findings as analyzed above and below.

#### 1. Complies with the purpose and requirements of this Section.

This finding can be made, because as conditioned (discussed in detail above), the Project complies with the purpose and mandatory requirements of the Citywide Design Guidelines.

2. Provides architectural design, building massing, and scale appropriate to and compatible with the site surroundings and the community.

This finding can be made, because as conditioned (discussed in detail above), the Project provides architectural design, building massing and scale that is compatible with the site surroundings and community. Specifically, the building size and massing are permissible with the site zoning and similar to that of other hotels and large format grocery stores in the neighborhood. The level of architectural design is significantly better than many of the other structures in the neighborhood

3. Provides attractive and desirable site layout and design, including building arrangement, exterior appearance and setbacks, drainage, fences and walls, grading, landscaping, lighting, signs, etc.

Compliance with the adoptions of the listed special conditions and the Cityside Design Guidelines and the CLUDC as detailed above ensure that this finding can be made.

#### 4. Provides efficient and safe public access, circulation, and parking. As previously discussed in this report, the Project has been designed and conditioned to provide efficient and easy pedestrian and vehicular circulation and parking.

5. Provides appropriate open space and landscaping, including the use of water efficient landscaping.

As conditioned the Project provides sufficient landscaping to comply with the CLUDC and the Cityside Design Guidelines.

6. Is consistent with the General Plan, and applicable specific plan, and the certified Local Coastal Program.

As analyzed and conditioned in this report and as mitigated in the EIR, this Project is consistent with the Coastal General Plan and the CLUDC which together make up the Local Coastal Plan.

### 7. Complies and is consistent with the City's Design Guidelines.

As conditioned above, the Project is consistent with the mandatory requirements of the City's Design Guidelines.

#### SIGN ANALYSIS

The sign review is a component of the Design Review Permit and sign plans are in Attachment 13. Pursuant to Section 17.38.040 of the Coastal Land Use and Development Code, the review authority must make all of the following findings.

1. The proposed signs do not exceed the standards of Sections 17.38.070 (Zoning District Sign Standards) and 17.38.080 (Standards for Specific Sign Types), and are of the minimum size and height necessary to enable pedestrians and motorists to readily identify the facility or site from a sufficient distance to safely and conveniently access the facility or site.

The proposed channel sign on the building and the monument sign proposed for the southeast corner of the lot comply with the standards in 17.38. Both signs comply with height limits. The wall sign is 83.3 square feet (20' X 4'2") and the proposed entry sign is 26 SF (3'10" X 6'10"). Only one side of the free-standing sign is used in the total signage calculation. Signage area calculations are made following the requirements of Section 17.38.060A1. The applicant did not calculate the signage area correctly for the monument sign: the sign submittal illustrates 15 sf but it was calculated incorrectly using the lettering not the sign face. The total signage for the site is therefore 83.3 SF + 26 SF = 109.3 SF. This is 9.3 SF more than the allowed maximum of 100 SF. The proposed sign does not include the site address number as required by the CLUDC. Planning Commission recommends Special Condition 30 below to address this issue:

**Special Condition 30.** Prior to approval of the Building Permit the Applicant shall submit a revised sign plan that includes no more than 100 SF of signage, and the monument sign shall include the required site address, and substantially replicate the proposed sign design and locations for approval by the Community Development Director.

## 2. That the placement of the sign on the site is appropriate for the height and area of a freestanding or projecting sign.

The placement of the sign on the building facade is appropriate for the height of the building. The placement of the 6-foot-tall monument standing sign as proposed is not appropriate because the monument sign is located in the traffic safety visibility area which measures 20 feet in each direction from the corner of the lot (not from the corner of the stop bar as noted on the plan set). **Special Condition 31** would address this issue.

**Special Condition 31**: Prior to issuance of the Building Permit, the Applicant shall submit a revised sign site plan, to be approved by the Community Development Director. The revised sign plan must illustrate that the monument sign is 20 feet back from the edge of the sidewalk in every direction (due to curved sidewalk situation) and is perpendicular to the street at its placement.

#### 3. That a flush or projecting sign relates to the architectural design of the structure. Signs that cover windows, or that spill over natural boundaries, and/or cover architectural features shall be discouraged.

The proposed flush building sign is a key component of the architectural design and related well to the design and the building entry.

## 4. The proposed signs do not unreasonably block the sight lines of existing signs on adjacent properties.

Proposed signs would not block the sight lines of any existing signs on adjacent properties.

#### 5. The placement and size of the sign will not impair pedestrian or vehicular safety.

As previously noted the freestanding sign is proposed to be located within the traffic safety visibility area, which would be addressed by Special Condition 32.

# 6. The design, height, location, and size of the signs are visually complementary and compatible with the scale, and architectural style of the primary structures on the site, any prominent natural features on the site, and structures and prominent natural features on the same street.

The heights, locations and sizes of the proposed signs, as conditioned, are adequately compatible with the scale and architectural style of the building.

## 7. The proposed signs are in substantial conformance with the design criteria in Subsection 17.38.060.F (Design criteria for signs).

The proposed signage complies with the mandatory standards for signs of Chapter 5 of the Citywide Design Guidelines. Specifically, the proposed sign "relates to the architectural features of the building" as the primary sign is located on a large forward-facing elevation that is clearly designed to accommodate the sign and it is located above the store entry way. The sign also "coordinates with the building design, materials, color, size, and placement" as follows: 1) the monument sign pedestal includes the same material finishes and colors as the building elevations; 2) the wall sign is located above the entrance and is integrated into the building materials as a floating neon sign; 3) the building includes color accents above the sign that match the sign's red color; 4) the sign is sized appropriately for the building fascade.

Additionally, as the proposed sign is the logo and trademark of Grocery Outlet, the City is limited in its ability to modify type face, lettering, spacing or similar sign characters.

The proposed sign also complies with the City's mandatory standards in the Design Guidelines with regard to sign placement, color, materials, wall signs, illumination, and monument signs.

## PARCEL MERGER ANALYSIS

Section 17.36.090.A.2 of the Coastal Land Use and Development Code requires nonresidential parking to be located on the same parcel as the uses served or within 300 feet of the parcel if shared parking or public parking facilities are used to meet parking requirements. The proposed new parking lot must be on the same parcel as the proposed Grocery Outlet. Therefore, a parcel Merger is required to eliminate the parcel lines between the three properties, so that the new parking lot and buildings will be on the same parcel.

**Special Condition 32** is added to require a parcel map, recorded deed (and payment of real property taxes), eliminating the lot lines between the subject parcels, prior to issuance of the Building Permit. The Parcel Merger will result in the elimination of the lots lines and the joining of the three parcels into one parcel. The City Council must also approve the deed and parcel map prior to recordation.

**Special Condition 32:** Prior to issuance of the Building Permit, the Applicant shall record a deed and parcel map, eliminating the lot lines between parcels 018-120-49 and 018-120-48 and 018-120-47. All property taxes due shall be paid prior to recordation, as evidenced by a preliminary title report submitted to the satisfaction of the Community Development Director.

The preliminary parcel map and legal description is included in Attachment 14. The title report indicates that one of the parcels has a Deed of Trust to secure an original indebtedness of \$3,500,000 recorded August 6, 2010 as Instrument No. 2010-10989 of Official Records with the Trustee of StoneTree Financial, Inc. a California corporation Beneficiary. The Parcel Merger will require the approval on the deed holder.

## **ENVIRONMENTAL ANALYSIS**

An EIR is generally prepared for projects where there is a fair argument that there may be a significant impact on the environment, and the impacts may not be mitigated below a level of significance. EIRs are generally used for larger and more complex projects.

The EIR process starts with the preparation of an Initial Study and then a Notice of Preparation during which there is a 30-day review period for people and public agencies to comment on what should be studied in the document. The City of Fort Bragg circulated an Initial Study (IS) and Notice of Preparation (NOP) of an EIR for the proposed Project on May 19, 2022 to the State Clearinghouse, CDFW, Other Public Agencies, Organizations and Interested Persons. A public scoping meeting was held on June 7, 2022. Concerns raised in response to the NOP were considered during preparation of the Draft EIR. The IS, NOP, and comments received on the NOP by interested parties, including those received at the public Scoping Meeting, are presented in Appendix A of the Draft EIR. The commenters are provided below.

- California Department of Toxic Substances Control (June 17, 2022);
- Jacob Patterson (June 8, 2022 and June 14, 2022);
- Janet Kabel (May 19, 2022);
- Leslie Kashiwada (June 20, 2022);
- Renz Martin (June 18, 2022);
- Sherwood Valley Band of Pomo Indians (June 1, 2022)

A Draft EIR (DEIR) covers the same topics as a Mitigated Negative Declaration (MND), but with additional required sections such as a discussion of alternatives and growth inducing impacts. As with an MND, mitigation measures are included in a DEIR to reduce or eliminate significant impacts. Once the DEIR is completed, a Notice of Availability is prepared and the DEIR is circulated for a 30 or 45-day public review period. The City published a public Notice of Availability (NOA) for the Draft EIR on September 15, 2022 inviting comment from the general public, agencies, organizations, and other interested parties. The NOA was filed with the State Clearinghouse (SCH # 2022050308) and the County Clerk, and was published in a local newspaper pursuant to the public noticing requirements of CEQA. The 45-day public review period for the Draft EIR began on September 15, 2022 and ended on October 31, 2022 at 5:00 p.m.

The Draft EIR contains a description of the Project, description of the environmental setting, identification of Project impacts, and mitigation measures for impacts found to be significant, as well as an analysis of Project alternatives, identification of significant irreversible environmental changes, growth-inducing impacts, and cumulative impacts. The Draft EIR identifies issues determined to have no impact or a less-than-significant impact, and provides detailed analysis of potentially significant and significant impacts. Comments received in response to the NOP were considered in preparing the analysis in the Draft EIR. Once the public review period was closed, a Final EIR (FEIR) was prepared.

The FEIR is required to include, among other things, all written comments received on the DEIR, responses to comments, and revisions necessitated due to the comments. The City of Fort Bragg received 29 comment letters on the Draft EIR during the public review period. In accordance with CEQA Guidelines Section 15088, the Final EIR responds to the comments received during the public review period. The Final EIR also contains minor edits to the Draft EIR, which are included in Chapter 3.0, Errata. The comments received did not provide evidence of any new significant impacts or "significant new information" that would require recirculation of the Draft EIR pursuant to CEQA Guidelines Section 15088.5. The revisions merely clarify, amplify, or make insignificant revisions to the Draft EIR. The FEIR was posted on the City's website on April 11, 2023 and additional revisions were made and a revised version was posted on April 26, 2023.

A number of comments were provided to the City during the Planning Commission hearing on May 10th. Although not legally required to respond in writing, as the comments were submitted after the close of the public review period, the City made further revisions to the FEIR to address the submitted comments. These changes were posted on the City's website on May 31, 2023. Again, none of the comments provided any evidence of a new significant impact or significant new information that would require recirculation. The revisions simply provide additional clarification, amplification and insignificant revisions.

All of the required CEQA Findings are contained in the Findings of Fact document attached as Attachment 16 to this staff report. These findings are incorporated by reference as part of the staff report.

The City Council must consider and certify the EIR before approving the proposed Project.

The EIR need not be certified if the City Council denies the Project. If the City Council finds that the EIR is "adequate and complete," the Council should certify the EIR in accordance with CEQA and City environmental review procedures and codes. The rule of adequacy generally holds that an EIR can be certified if:

- 1) The EIR shows a good faith effort at full disclosure of environmental information; and
- 2) The EIR provides sufficient analysis to allow decisions to be made regarding the proposed project which intelligently take account of environmental consequences.

Upon review and certification of the EIR, the City Council may take action to approve, revise, or reject the Project. A decision to approve the Project, for which this EIR identifies significant environmental effects, must be accompanied by written findings in accordance with State CEQA Guidelines Section 15091. As there are no impacts that could not be mitigated below a level of significance, there are no findings that are required to be made under Guidelines Section 15093.

A Mitigation Monitoring and Reporting Program must also be adopted in accordance with Public Resources Code Section 21081.6(a) and CEQA Guidelines Section 15097 for mitigation measures that have been incorporated into or imposed upon the Project to reduce or avoid significant effects on the environment. This Mitigation Monitoring and Reporting Program has been designed to ensure that these measures are carried out during Project implementation, in a manner that is consistent with the EIR. As discussed above, Special Condition 18 incorporates all mitigation measures as a condition of approval as required by law.

## **Recommended City Council Actions**

The City Council should conduct the course of actions in the following sequence:

- 1. Receive the report, conduct a public hearing, deliberate; and
- Adopt a Resolution of the City Council to: A) Certify the Environmental Impact Report for the Best Development Grocery Outlet (Sch: 2022050308); B) Adopt the California Environmental Quality Act Findings; and C) Adopt Mitigation Monitoring and Reporting Program; and
- 3. Adopt a Resolution of the City Council to Approve the Coastal Development Permit 2-22 (CDP 2- 22), Design Review 7-22 (DR 7-22), Parcel Merger 1-2022 (MGR 1-22) for the Grocery Outlet at 825 845, 851 South Franklin Street.

## **Alternative City Council Actions**

- 1. If there is insufficient time to obtain all input from all interested parties, the City Council may continue this item to a later date. At this later date, the Council may then deliberate, make a decision and adopt the relevant resolutions.
- 2. If the City Council finds the Project is inconsistent with the Coastal General Plan and/or the Coastal Land Use and Development Code and/or CEQA, the Council must provide the Council's reasons for denial of the Project and direct staff to prepare an alternative resolution, denying the project, for consideration at the next City Council meeting.

## **ATTACHMENTS**

- A Resolution of the Fort Bragg Planning Commission Recommending that the City Council: A) Certify the Environmental Impact Report for the Best Development Grocery Outlet (Sch: 2022050308); B) Adopt the California Environmental Quality Act Findings; and C) Adopt Mitigation Monitoring and Reporting Program.
- Resolution of the Fort Bragg Planning Commission Making A Recommendation To City Council for the Approval of the Coastal Development Permit 2-22 (CDP 2- 22), Design Review 7-22 (DR 7-22); Parcel Merger 1-2022 (MGR 1-22) for the Grocery Outlet at 825 845, 851 South Franklin Street.
- 3. Site Location Map
- 4. Site Plan
- 5. Floor Plans & Elevations
- 6. Landscape Plan
- 7. Sewer & Water Plan
- 8. SWIPP
- 9. Grading & Stormwater Plan
- 10. Visual Simulation
- 11. Lighting Plan
- 12. Sign Plan
- 13. Preliminary Deed Description and Parcel Map
- 14. A Resolution of the City Council of the City Of Fort Bragg, California Certifying The Environmental Impact Report For The Best Development Grocery Outlet (Sch: 2022050308); Adopting The California Environmental Quality Act Findings; And Adopting A Mitigation Monitoring And Reporting Program
- 15. FEIR Findings
- 16. A Resolution of the City Council of the City Of Fort Bragg, California Approving Coastal Development Permit 2-22 (CDP 2-22), Design Review 7-22 (DR 7-22); Parcel Merger 1-2022 (MGR 1-22) for the Grocery Outlet At 825 845, 851 South Franklin Street
- 17. Public Comments
- 18. Final Environmental Impact report can be found here:

https://www.city.fortbragg.com/departments/community-development/city-projects

19. Draft EIR can be found on CEQANET here: <u>https://files.ceqanet.opr.ca.gov/278651-</u>2/attachment/B4mEXYDJGnZMeYYxx2BhZ8d-<u>6quo1KG64Apvot3eOZ1c9Dj4xRQB1F2HK6-cj6sYLF0N9wEDFjPnynx10</u>

20. The Initial Study may be found here: <u>https://files.ceqanet.opr.ca.gov/278651-</u> <u>1/attachment/rjSYwJhnAxzbtdSMY72CAXgLJ5082gf3ZImObiTJHehROUGBjLQQoz09H</u> <u>QFRoMIo4a1SITE6i9QtoFsP0</u>

#### **RESOLUTION NO. PC04-2023**

#### A RESOLUTION OF THE FORT BRAGG PLANNING COMMISSION RECOMMENDING THAT THE CITY COUNCIL A) CERTIFY THE ENVIRONMENTAL IMPACT REPORT FOR THE BEST DEVELOPMENT GROCERY OUTLET (SCH: 2022050308); B) ADOPT THE CALIFORNIA ENVIRONMENTAL QUALITY ACT FINDINGS; AND C) ADOPT MITIGATION MONITORING AND REPORTING PROGRAM.

WHEREAS, Best Development ("Applicant"), submitted an applicant for: Coastal Development Permit 2-22 (CDP 2-22), Design Review 7-22 (DR 7-22); Parcel Merger 1-22 (MGR 1-22) to construct a Grocery Outlet Market (retail store). The proposed project includes the demolition of an existing 16,436 SF vacant former office building and associated 47-space parking lot and wooden fencing along the property line, and as conditioned, the construction and operation of a 16,157 SF, one-story, retail store with a 53-space parking lot and associated improvements and infrastructure; and

**WHEREAS,** the California Environmental Quality Act, Public Resources Code, Section 21000 *et seq.* ("CEQA"), requires that the City consider the environmental effects of the Project prior to approving any entitlements for the Project; and

WHEREAS, the City Council directed staff to prepare an EIR to evaluate the impact of the proposed project on the environment pursuant to CEQA; Title 14, California Code of Regulations, Section 15000 et seq. ("CEQA Guidelines") and the City's CEQA Implementation Procedures; and

WHEREAS, the City engaged the services of De Novo Planning Group (De Novo) which prepared an EIR for the Project pursuant to CEQA Title 14, California Code of Regulations, Section 15000 et seq. ("CEQA Guidelines") and the City's CEQA Implementation Procedures. The CEQA document consists of an Initial Study dated May 19, 2022, a Draft EIR and all technical appendices, September 2022 ("Draft EIR") and a Final EIR ("Final EIR") dated April 2023 (collectively, "EIR"); and

WHEREAS, a Notice of Preparation for the EIR ("NOP") was prepared by the City and circulated on September 15, 2022 to provide interested agencies and the general public an opportunity to express their concerns regarding the potential environmental effects of the Project. The NOP was received by the State Clearinghouse and circulated for 45 days, as mandated by CEQA; and

WHEREAS, the Draft EIR (State Clearinghouse No. 2022050308) was prepared by De Novo under contract to the City and circulated for more than a 45 day public review and comment period, beginning on September 15, 2022 and ending on October 31, 2022. During this period, on October 11, 2022, a public hearing was held by the City Council to receive comments on the Draft EIR. By the end of the public review and comment period, the City received 27 letters and/or e-mail comments from agencies and individuals; and

WHEREAS, written and oral comments on the Draft EIR have been received,

and responses to those comments have been prepared in the form of a Final EIR for the Project, which incorporates the Draft EIR by reference; and

WHEREAS, revisions were necessary to the Draft EIR in response to the comments received; and

WHEREAS, on April 11, 2023 the Final EIR was posted on the City's website; and

**WHEREAS,** on April 26, 2023, additional revisions were made to the Final EIR which related to including a consistency analysis with the City's Design Guidelines; and

WHEREAS, pursuant to Public Resources Code Section 21092.5, on April 26, 2023, the City provided public notice regarding the availability of the Final EIR and circulated the proposed responses to comments to public agencies which had submitted comments on the Draft EIR; and

WHEREAS, on May 10, 2023, at a regularly scheduled meeting, the Planning Commission held a public hearing on the proposed Project and considered all information related to the EIR, including the Draft EIR, all reports and attachments prepared or presented by City staff, pertinent documents provided during previous public meetings, all oral and written testimony and the full record of proceedings on the Project, and the Final EIR;

**NOW, THEREFORE, BE IT RESOLVED,** that the Fort Bragg Planning Commission does recommend to the City Council, that the City Council can find, determine, and certify as follows:

- 1. The above recitals are true and correct and are incorporated herein by reference.
- 2. The EIR for the Project consists of the Draft EIR dated September, 2022 and all technical appendices; and the Final EIR dated April XX, 2023 (collectively, the "EIR").
- 3. The EIR was prepared in compliance with the requirements of CEQA.
- 4. The changes set forth in the FEIR, including the additional revisions made on April 26, 2023 do not require recirculation of the EIR. The changes do not disclose any new or increased significant impacts. The changes merely clarify information contained in the EIR.
- 5. The Planning Commission recommends that the City Council should adopt the Findings of Fact in the attached Exhibit A, incorporated herein by reference, which contains all of the required CEQA findings.
- 6. After mitigation, all project impacts are less than significant.

**BE IT FURTHER RESOLVED,** that the Mitigation Monitoring and Reporting Program ("MMRP") set forth in Exhibit B and incorporated herein by reference should be adopted by the City Council to ensure that all mitigation measures relied on in the findings are fully implemented. Compliance with the MMRP shall be a condition of any Project approval.

BE IT FURTHER RESOLVED that this Resolution shall become effective immediately upon its passage and adoption.

The above and foregoing Resolution was introduced by Commissioner Deitz, seconded by Commissioner Stavely, and passed and adopted at a regular meeting of the Planning Commission of the City of Fort Bragg held on the 10th day of May 2023, by the following vote:

AYES: Logan, Deitz, Jensen, Neils, Stavely NOES: ABSENT: ABSTAIN: RECUSE:

Jeremy Logan, Chair

ATTEST:

Humberto Arellano, Administrative Assistant

## **RESOLUTION NO. PC 05-2023**

#### RESOLUTION OF THE FORT BRAGG PLANNING COMMISSION MAKING A RECOMMENDATION TO CITY COUNCIL FOR THE APPROVAL OF THE COASTAL DEVELOPMENT PERMIT 2-22 (CDP 2-22), DESIGN REVIEW 7-22 (DR 7-22); PARCEL MERGER 1-2022 (MGR 1-22) FOR THE GROCERY OUTLET AT 825 845, 851 SOUTH FRANKLIN STREET.

WHEREAS, Best Development ("Applicant"), submitted an applicant for: Coastal Development Permit 2-22 (CDP 2-22), Design Review 7-22 (DR 7-22); Parcel Merger 1-22 (MGR 1-22) to construct a Grocery Outlet Market (retail store). The proposed project includes the demolition of an existing 16,436 SF vacant former office building and associated 53-space parking lot and wooden fencing along the property line, and the construction and operation of a 16,157 SF, one-story, retail store with a 53-space parking lot and infrastructure; and

WHEREAS, 825 845, 851 South Franklin Street, Fort Bragg, California (Assessor Parcel Numbers: 018-120-49, 018-120-48, 018-120-47) is in the Highway Visitor Commercial (CH) zone, Coastal Zone and no changes to the site's current zoning designation are proposed under the Project; and

**WHEREAS**, the Project is subject to the Fort Bragg Coastal General Plan and Coastal Land Use and Development Code (CLUDC); and

**WHEREAS**, the Planning Commission held a public meeting on May 10, 2023, to consider the Project, accept public testimony and consider making a recommendation to City Council; and

WHEREAS, pursuant to the California Environmental Quality Act ("CEQA") pursuant to Section 15074 of the CEQA Guidelines, an Environmental Impact Report (EIR) was prepared for the Coastal Development Permit, Design Review Permit and Parcel Merger to construct a Grocery Outlet Market on Assessor Parcel Numbers: 018-120-49, 018-120-48, 018-120-47; and

**NOW, THEREFORE, BE IT RESOLVED** that the City of Fort Bragg Planning Commission, based on the entirety of the record before it, which includes without limitation, CEQA, Public Resources Code §21000, et seq. and the CEQA Guidelines, 14 California Code of Regulations §15000, et seq.; the Fort Bragg Coastal General Plan; the Fort Bragg Coastal Land Use and Development Code; the Project applications; all site plans, and all reports and public testimony submitted as part of the Planning Commission meeting of May 10, 2023 and Planning Commission deliberations; and any other evidence (within the meaning of Public Resources Code §21080(e) and §21082.2), the Planning Commission of the City of Fort Bragg hereby find and recommend to the City Council as follows:

#### A. General Findings

- 1. The foregoing recitals are true and correct and made a part of this Resolution;
- 2. The documents and other material constituting the record for these proceedings are located at the Community Development Department;

3. The proposed project is consistent with the purpose and intent of the zoning district, as well as all other provisions of the Coastal General Plan, Coastal Land Use and Development Code (ILUDC) and the Fort Bragg Municipal Code in general.

The proposed project, as conditioned, would be consistent with the relevant policies of the Coastal General Plan and applicable provisions of the Coastal Land Use Development Code (CLUDC) and Fort Bragg Municipal Code in general, per analysis incorporated herein by reference to the project staff report, dated May 10, 2023.

**NOW, THEREFORE, BE IT RESOLVED** that the Fort Bragg Planning Commission makes the following recommendations regarding the required findings and determinations for Coastal Development Permit 2-22 to allow for the development and operation of the Grocery Outlet at 825 845, 851 South Franklin Street

1. Feasible mitigation measures and/or alternatives have been incorporated to substantially lessen any significant adverse effects of the development on the environment.

The environmental impacts of the proposed project have been analyzed through an Environmental Impact Report and all mitigation measures have been incorporated into the project through the adoption of Special Condition 18.

2. The proposed use is consistent with the purposes of the zone in which the site is located.

The proposed project is a permitted use by right in the Highway Commercial zoning district.

3. The proposed development is in conformance with the City of Fort Bragg's Coastal General Plan.

The proposed project, as conditioned, would be consistent with the relevant policies of the Coastal General Plan and applicable provisions of the Coastal Land Use Development Code (CLUDC) and Fort Bragg Municipal Code in general, per analysis incorporated herein by reference to the project staff report, dated May 10, 2023.

4. The proposed location of the use and conditions under which it may be operated or maintained will not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity.

The proposed project, as conditioned, would not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity, per analysis incorporated herein by reference to the project staff report, dated May 10, 2023.

5. Services, including but not limited to, water supply, sewage disposal, solid waste, and public roadway capacity have been considered and are adequate to serve the proposed development.

The proposed project, as conditioned, would be adequately served by water supply, sewer supply, solid waste disposal, and roadway capacity per the analysis incorporated herein by reference to the project staff report, dated May 10, 2023 and the project EIR.

**NOW, THEREFORE, BE IT Further RESOLVED** that the Fort Bragg Planning Commission makes the following recommendations to City Council regarding the required findings and determinations for the Design Review Permit 2-22 for this project:

1. Complies with the purpose and requirements of this Section (Design Review in the CLUDC).

The proposed project, as conditioned, would meet the purpose of design review per the analysis incorporated herein by reference to the project staff report, dated May 10, 2023 and the project EIR.

2. Provides architectural design, building massing, and scale appropriate to and compatible with the site surroundings and the community.

The proposed project, as conditioned, provides architectural design, building massing, and scale appropriate to and compatible with the site surroundings and the community per the analysis incorporated herein by reference to the project staff report, dated May 10, 2023.

3. Provides attractive and desirable site layout and design, including building arrangement, exterior appearance and setbacks, drainage, fences and walls, grading, landscaping, lighting, signs, etc.

The proposed project, as conditioned, provides attractive and desirable site layout and design per the analysis incorporated herein by reference to the project staff report, dated May 10, 2023.

4. Provides efficient and safe public access, circulation, and parking.

The proposed project, as conditioned, provides efficient and safe public access, circulation, and parking per the analysis incorporated herein by reference to the project staff report, dated May 10, 2023.

5. Provides appropriate open space and landscaping, including the use of water efficient landscaping.

The proposed project, as conditioned, provides appropriate open space and landscaping, including the use of water efficient landscaping, and parking per the analysis incorporated herein by reference to the project staff report, dated May 10, 2023.

6. Is consistent with the Coastal General Plan, and applicable specific plan, and the certified Local Coastal Program.

The proposed project, as conditioned, is consistent with the Coastal General Plan and the certified Local Coastal Program per the analysis incorporated herein by reference to the project staff report, dated May 10, 2023.

7. Complies and is consistent with the City's Design Guidelines.

The proposed project, as conditioned, is consistent with the City's Design Guidelines per the analysis incorporated herein by reference to the project staff report, dated May 10, 2023.

**NOW, THEREFORE, BE IT Further RESOLVED** that the Fort Bragg Planning Commission makes the following recommendations to City Council regarding the required findings and determinations regarding the Sign Review Permit 2-22 for this project per the analysis incorporated herein by reference to the project staff report, dated May 10, 2023:

- 1. The proposed signs do not exceed the standards of Sections 17.38.070 (Zoning District Sign Standards) and 17.38.080 (Standards for Specific Sign Types), and are of the minimum size and height necessary to enable pedestrians and motorists to readily identify the facility or site from a sufficient distance to safely and conveniently access the facility or site;
- 2. That the placement of the sign on the site is appropriate for the height and area of a freestanding or projecting sign;
- 3. That a flush or projecting sign relates to the architectural design of the structure. Signs that cover windows, or that spill over natural boundaries, and/or cover architectural features shall be discouraged;
- 4. The proposed signs do not unreasonably block the sight lines of existing signs on adjacent properties;
- 5. The placement and size of the sign will not impair pedestrian or vehicular safety;
- 6. The design, height, location, and size of the signs are visually complementary and compatible with the scale, and architectural style of the primary structures on the site, any prominent natural features on the site, and structures and prominent natural features on the same street; and
- 7. The proposed signs are in substantial conformance with the design criteria in Subsection 17.38.060.F (Design criteria for signs).

**BE IT FURTHER RESOLVED** that the Fort Bragg Planning Commission does hereby recommend that the City Council approve Coastal Development Permit 2-22 (CDP 2-22), Design Review Permit 7-22 (DR 7-22) and Parcel Merger 1-22 (MGR 1-22) to construct a Grocery Outlet Market (retail store) subject to the following standard and

special conditions:

#### **SPECIAL CONDITIONS**

Special Condition 1: The applicant shall resubmit the landscaping and parking plans for Community Development Director approval. The revised parking and landscaping plan shall:

a) Delete the two parking spaces on the southwest corner of the parking lot and replace this area with native plant landscaping.

b) Eliminate the excess RV parking space, and to the degree feasible replace a portion of it with native plant landscaping.

- c) Contain drought tolerant native species;
- d) Preserve the existing Monterey Cypress Trees and the Shore Pine on site, as feasible, and replace the proposed Monterey Cypress Trees in the Land Scaping Plan with a locally native tree species.
- e) Comply with the California Model Water Efficient Landscape Ordinance (MWELO).

Special Condition 2: The applicant shall construct new sidewalk along parcel boundaries with South Street, S. Franklin Street, and N. Harbor Drive frontages, as required by City standards prior to final of the Building Permit.

Special Condition 3: Prior to final of the Building Permit, a "Fair-Share Deferment" agreement shall be entered into by the applicant with Caltrans to fund future traffic improvements as required by cumulative development. The agreement shall be in the form published by Caltrans in the Local Development Intergovernmental Review Program – Traffic Mitigation Agreements. Furthermore, the amount of fair share payment has been determined to be \$144,900 based on the traffic study and the Caltrans cost estimate. The "Fair-Share Deferment" agreement shall be executed and \$144,900 in funds shall be deposited with TRAMS a fund program of Caltrans prior to issuance of the building permit. The check shall be submitted per the procedure outlined in the document entitled Local Development Intergovernmental Review Program – Traffic Mitigation Agreements.

Special Condition 4: The applicant shall obtain an encroachment permit from Caltrans and the City of Fort Bragg and install signage, stripe and paint to create a right-hand turn only lane at the western approach of North Harbor Drive to the intersection of North Harbor Drive and S. Main St. *If the City determines that the left turn lane from N Harbor Drive onto Highway 1 is dangerous, the applicant shall pay its fair share of the cost to modify this intersection per Caltrans specs to eliminate the south bound left turn lane or other safety related improvements.* 

Special Condition 5: Prior to issuance of the grading permit, the applicant shall submit for approval by the Public Works Director, the stormwater calculations for the stormwater plan, including a Water Quality Management Plan and including how the proposed structural treatments minimize construction impacts to water quality, maximize infiltration of runoff, and reduce parking lot runoff pollution.

Special Condition 6: Prior to issuance of the Building Permit the applicant shall provide an analysis that documents the sufficiency of existing stormwater infrastructure or provide an engineer reviewed design of a new proposed drainage conveyance system for approval by the Public Works Director. If upgrades to infrastructure are required, this shall be completed by the developer and dedicated to the City.

Special Condition 7: The applicant shall install offsite drainage improvements as needed to ensure that stormwater flows from the project will be effectively transported to the nearest drainage facilities, located on Main Street/Highway 1. This may include surface transportation facilities such as gutters, where absent, or subsurface transportation via pipe if there is insufficient surface capacity.

Special Condition 8: A Maintenance and Operations agreement for ongoing maintenance of the bioretention features installed with this project shall be submitted to the City for review and approval and shall be recorded with the County Recorder's office to ensure that the bioretention features are maintained and remain effective. Recordation of the Maintenance Agreement shall be completed prior to Certificate of Occupancy.

Special Condition 9: An engineered grading plan shall be provided, per Municipal Code Section 17.60.030, and a separate grading permit will be required for the site work. The final grading plan can be submitted at the time of Building Permit application.

Special Condition 10: Prior to issuance of the Building Permit the applicant shall submit a Stormwater Pollution Prevention Plan (SWPPP) to the State Water Board to obtain a Construction General Permit. A Runoff Mitigation Plan (RMP) is required by the City to demonstrate the project meets the requirements established by local, state and federal regulations. The City's RMP requirement can be fulfilled by a SWPPP instead. If using a SWPPP to fulfill the RMP, a draft version shall be submitted to the City to ensure the project is in compliance prior to filing for a Notice of Intent (NOI) with the state.

Special Condition 11: All work shall be done in compliance with all conditions required by the City of Fort Bragg Grading Ordinance; Land Use Code Chapter 17.60-17.64 – Grading and Stormwater Runoff Requirements and Procedures. If construction is to be conducted between October and April (the rainy season) approval from the Public Works Department and additional construction BMP's will be required.

Special Condition 12: Markers or stenciling shall be required for all storm drain inlets constructed or modified by development, to discourage dumping and other illicit discharges into the storm drain system.

Special Condition 13: In order to minimize dust and keep dust from leaving the project site, a dust prevention and control plan shall be submitted for approval by the City Engineer in conjunction with the grading plan. The dust prevention and control plan shall demonstrate that the discharge of dust from site *demolition and* construction will not occur, or can be controlled to an acceptable level depending on the particular site conditions and circumstances. The plan shall include the following information and provisions:

- If the importing or exporting of dirt is necessary, the plan shall include the procedures necessary to keep the public streets and private properties along the haul route free of dirt, dust, and other debris.
- Grading shall be designed and grading activities shall be scheduled to ensure that repeat grading will not be required, and that completion of the dust-generating activity (e.g., construction, paving or planting) will occur as soon as

possible.

- Earth or other material that has been transported by trucking or earth moving equipment, erosion by water, or other means onto paved streets shall be promptly removed.
- All earthmoving activities shall cease when sustained winds exceed 15 miles per hour.
- The operator shall take reasonable precautions to prevent the entry of unauthorized vehicles onto the site during non-work hours.
- Graded areas that are not immediately paved shall be revegetated as soon as possible to minimize dust and erosion. Disturbed areas of the construction site that are to remain inactive longer than three months shall be seeded and watered until grass cover is grown and maintained.

Special Condition 14: The applicant is required to pay its fair share of the system infrastructure and future capital improvements through the Drainage fees, Water Capacity Charges and Wastewater Capacity Charges. All associated capacity charges and fees shall be paid prior to the issuance of the first building permit.

Special Condition 15: Should the existing project require new or increased capacity water/sewer connections, fees will be required. New or increased capacity sewer connections shall include cleanouts and new or increased capacity water connection(s) shall have backflow device(s). All associated connection fees shall be paid prior to the issuance of the first building permit.

Special Condition 16: Frontage improvements are required on North Harbor Drive, and the southerly portion of South Franklin that is not improved. Public improvements shall be designed by a licensed Civil Engineer, and include pavement as needed for road widening, curb, gutter and sidewalk, per City of Fort Bragg Construction Standards. The designs for all frontage improvements shall be submitted to the City with the Building Permit application for approval by the Director of Public Works and all improvements shall be installed prior to final of the building permit.

Special Condition 17: The Applicant shall ensure adequate pressure and flow to the subject site to provide necessary commercial and fire suppression flows. The Applicant shall provide documentation that water pressures can be achieved or that they have a means (via pressure pump, tank, etc.) for enhancing their system to meet standards. Documentation shall be submitted prior to issuance of Building Permit.

Special Condition 18: The applicant shall implement all Mitigation Measures in the Final EIR and the Mitigation Monitoring and Reporting Plan for the Project as certified by City Council.

Optional Special Condition 19: The applicant shall allow two-hour parking for people wishing to access Noyo Harbor via the Harborlite Lodge stairway.

Optional Special Condition 20: The building permit application plans shall include solar panels on the roof.

Optional Special Condition 21: Two benches shall be installed in the landscaped area parallel to and adjacent to the sidewalk along South Franklin Street.

Optional-Special Condition 22: The applicant shall submit a revised design that includes

additional detailing in the parapets for consideration and approval by the Community Development Director.

# Optional Special Condition 23: The windows on the south side of the building may be obscured with murals or other films or coverings so long as they don't limit passive solar gain.

Optional Special Condition 24: The applicant shall replace/cover all smooth surface CMU block on the east and north elevation of the building with one of the other higher-grade materials which are already proposed for the South and West facade of the building.

Optional Special Condition 25: The applicant shall replace/cover all CMU block on the west face of the building with hardiboard composite wood paneling.

Special Condition 26: The Building Permit plans shall illustrate parking lot lighting standards that are not taller than 16 feet in height.

Special Condition 27: Prior to approval of the Building Permit application, the applicant shall provide an elevation of the new fencing/sound wall from both the east and west perspective. Further the Community Development Director shall ensure conformance with the Design Guidelines related to fencing.

Special Condition 28: The Building Permit application shall include an exit gate by the loading dock to facilitate emergency egress out of the loading area.

Special Condition 29: The applicant shall install a Pick-up/ Drop-off Sign on Franklin Street adjacent to the Entryway. This area will include at least two spaces that are painted for 10-minute pick up and drop off.

Special Condition 30. Prior to approval of the Building Permit the applicant shall submit a revised sign plan that includes no more than 100 SF of signage, and the monument sign shall include the required site address, and substantially replicate the proposed sign design and locations, for approval by the Community Development Director.

Special Condition 31: Prior to issuance of the Building Permit, the applicant shall submit a revised sign site plan, to be approved by the Community Development Director. The revised sign plan must illustrate that the monument sign is 20 feet back from the edge of the sidewalk in every direction (due to curved sidewalk situation) and is perpendicular to the street at its placement.

Special Condition 32: Prior to issuance of the Building Permit, the applicant shall record a deed and parcel map, eliminating the lot lines between parcels 018-120-49 and 018-120-48 and 018-120-48. All property taxes due shall be paid prior to recordation, as evidenced by a preliminary title report submitted to the satisfaction of the Community Development Director.

Special Condition 33: Prior to issuance of the Building Permit the applicant shall submit a site plan that illustrates a cross walk from the parking area to the entrance of the Grocery Outlet and a location for either a generator of battery backup, for approval by the Community Development Director.

Special Condition 34: The applicant shall install *either an all-way stop or a walker triggered flashing lights, as recommended by a traffic engineer,* at the intersection of South Franklin St. and South St., including signage, striping, and pedestrian facilities (sidewalk, curb, and

gutter) to provide crossing at all legs of the intersection. The proposed intersection improvement would require the installation of sidewalk curb and gutter to City Standard Specifications for a total length of 57 linear feet along the east side of South Franklin St. as well as a curb return to provide sufficient pedestrian landing facilities on the south-east corner of the intersection. Off-site improvements shall be completed prior to issuance of final certificate of occupancy.

Special Condition 35: The Sound wall shall be constructed as soon as reasonably practicable in order to comply with the City's noise ordinance and Coastal General Plan Noise Element.

#### **Standard Conditions**

1. This action shall become final on the 11th day following the City Council decision.

2. The use and occupancy of the premises shall be established and maintained in conformance with the requirements of this permit and all applicable provisions of the CLUDC.

3. The application, along with supplemental exhibits and related material, shall be considered elements of this permit, and compliance therewith is mandatory, unless an amendment has been approved by the City.

4. This permit shall be subject to the securing of all necessary permits for the proposed development from City, County, State, and Federal agencies having jurisdiction. All plans submitted with the required permit applications shall be consistent with this approval. All construction shall be consistent with all Building, Fire, and Health code considerations as well as other applicable agency codes.

5. The applicant shall secure all required building permits for the proposed project as required by the Mendocino County Building Department.

6. If any person excavating or otherwise disturbing the earth discovers any archaeological site during project construction, the following actions shall be taken: 1) cease and desist from all further excavation and disturbances within 25 feet of the discovery; 2) notify the Fort Bragg Community Development Department within 24 hours of the discovery; and 3) retain a professional archaeologist to determine appropriate action in consultation with stakeholders such as Native American groups that have ties to the area.

7. This permit shall be subject to revocation or modification upon a finding of any one or more of the following:

(a) That such permit was obtained or extended by fraud.

(b) That one or more of the conditions upon which such permit was granted have been violated.

(c) That the use for which the permit was granted is so conducted as to be detrimental to the public health, welfare, or safety or as to be a nuisance.

(d) A final judgment of a court of competent jurisdiction has declared one or more conditions to be void or ineffective, or has enjoined or otherwise prohibited the enforcement or operation of one or more conditions.

- 9 -

8. Unless a condition of approval or other provision of the Coastal Land Use and Development Code establishes a different time limit, any permit or approval not exercised within 24 months of approval shall expire and become void, except where an extension of time is approved in compliance with CLUDC Subsection 17.76.070(B).

**BE IT FURTHER RESOLVED** that this Resolution shall become effective immediately upon its passage and adoption.

The above and foregoing Resolution was introduced by Commissioner Jensen, seconded by Commissioner Stavely, and passed and adopted at a regular meeting of the Planning Commission of the City of Fort Bragg held on the 10<sup>th</sup> day of May 2023, by the following vote:

AYES: Logan, Deitz, Jensen, Neils, Stavely NOES: ABSENT: ABSTAIN: RECUSE:

Jeremy Logan, Chair

ATTEST:

nberto Arellano, Administrative Assistant



## VICINITY MAP



10 38: σ /20 29/

# **BEST DEVELOPMENT GROUP**

# NE CORNER OF SOUTH ST. AND S. FRANKLIN ST. FORT BRAGG, CA 95437

## **PROJECT DESCRIPTION**

NEW GROCERY STORE BUILDING - INCLUDING, BUT NOT LIMITED TO, RACKING, REFRIGERATED CASES, COOLERS, FREEZER, AND ASSOCIATED EQUIPMENT AND SITE IMPROVEMENTS.

## **GENERAL SCOPE OF WORK**

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- INTERIOR FINISHES
- TOILET ROOMS OFFICE AND BREAKROOM
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- EQUIPMENT EXTERIOR BUILDING SIGNAGE (UNDER SEPARATE PERMIT)
- ON AND OFF SITE IMPROVEMENTS GRADING + DRAINAGE, UTILITIES AND LANDSCAPING

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ACCESSIBILITY CODE:	2016 CALIFORNIA BUILDING CODE CHA
ENERGY CODE:	2016 STATE OF CALIFORNIA ENER
FIRE CODE:	2016 CALIFORNIA FIRE C

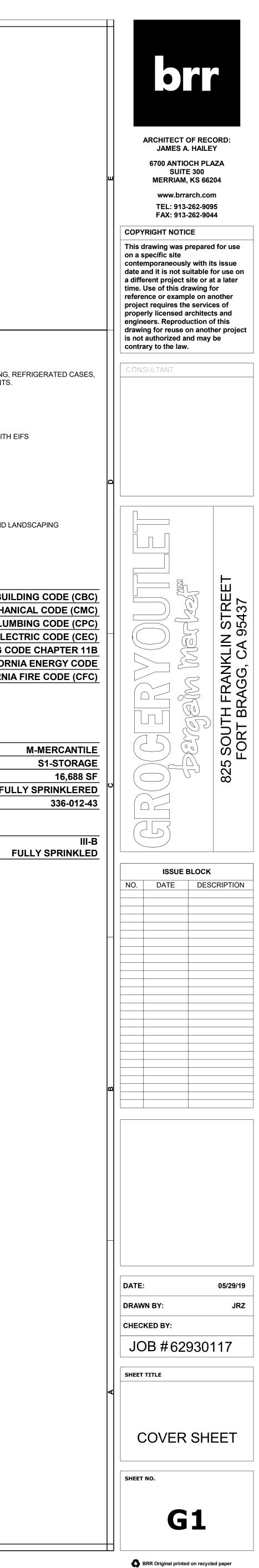
## **BUILDING CODE ANALYSIS**

**USE GROUP** 

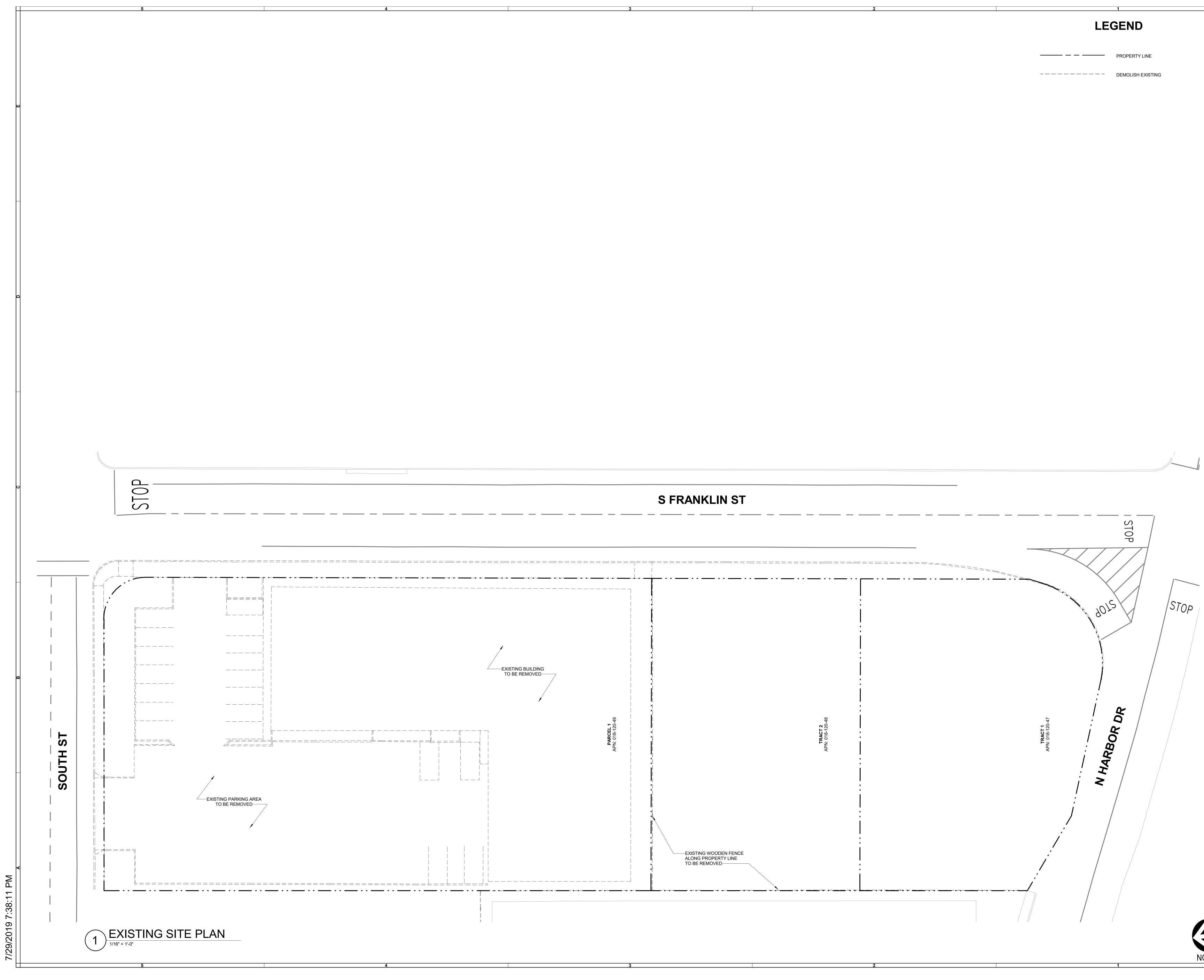
USE GROUP:	M-MEF
USE GROUP:	S1-S
TOTAL GROSS SQUARE FOOTAGE	
FIRE PROTECTION:	FULLY SPRI
APN#:	3

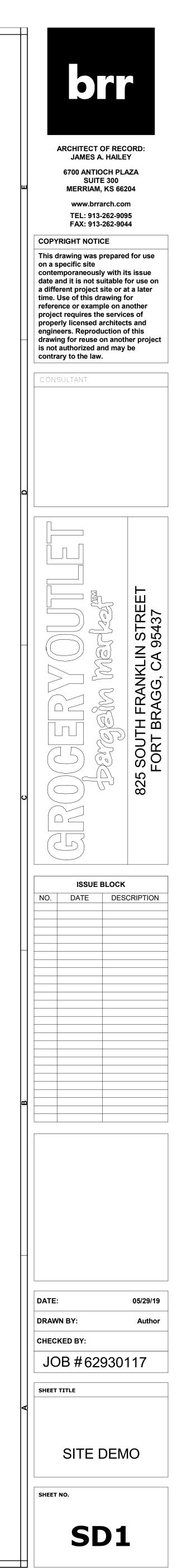
CONSTRUCTION TYPE

CONSTRUCTION TYPE:



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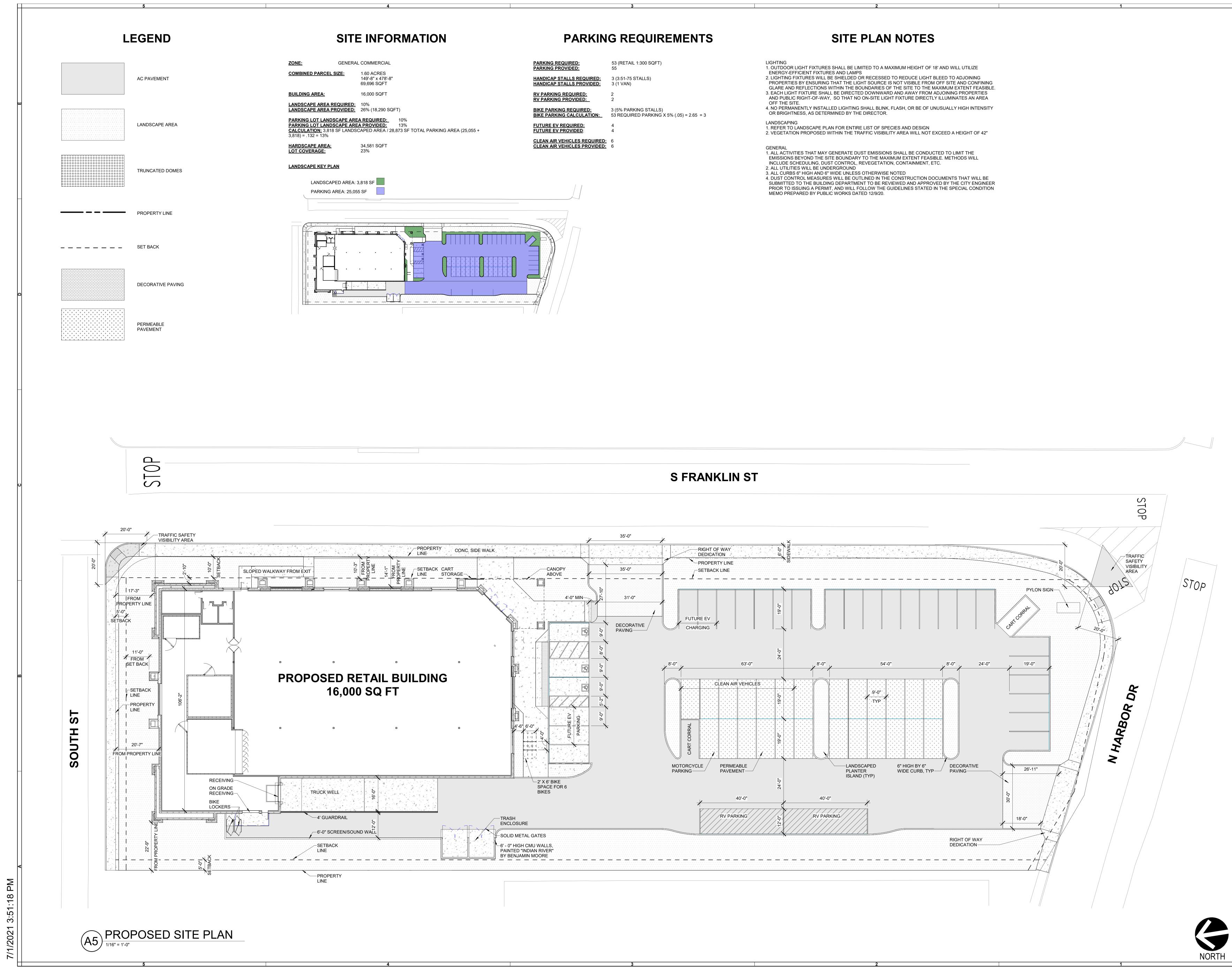






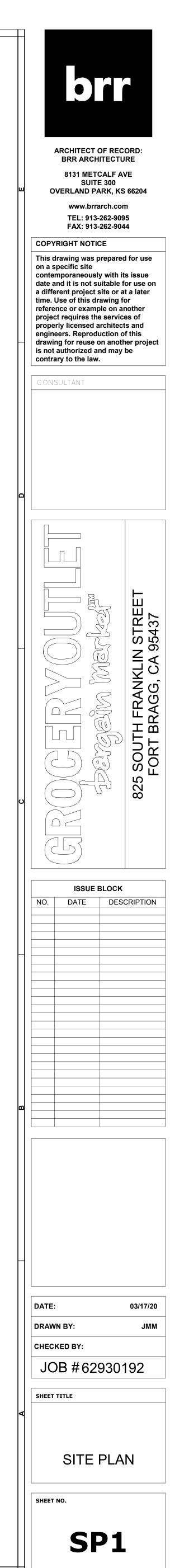
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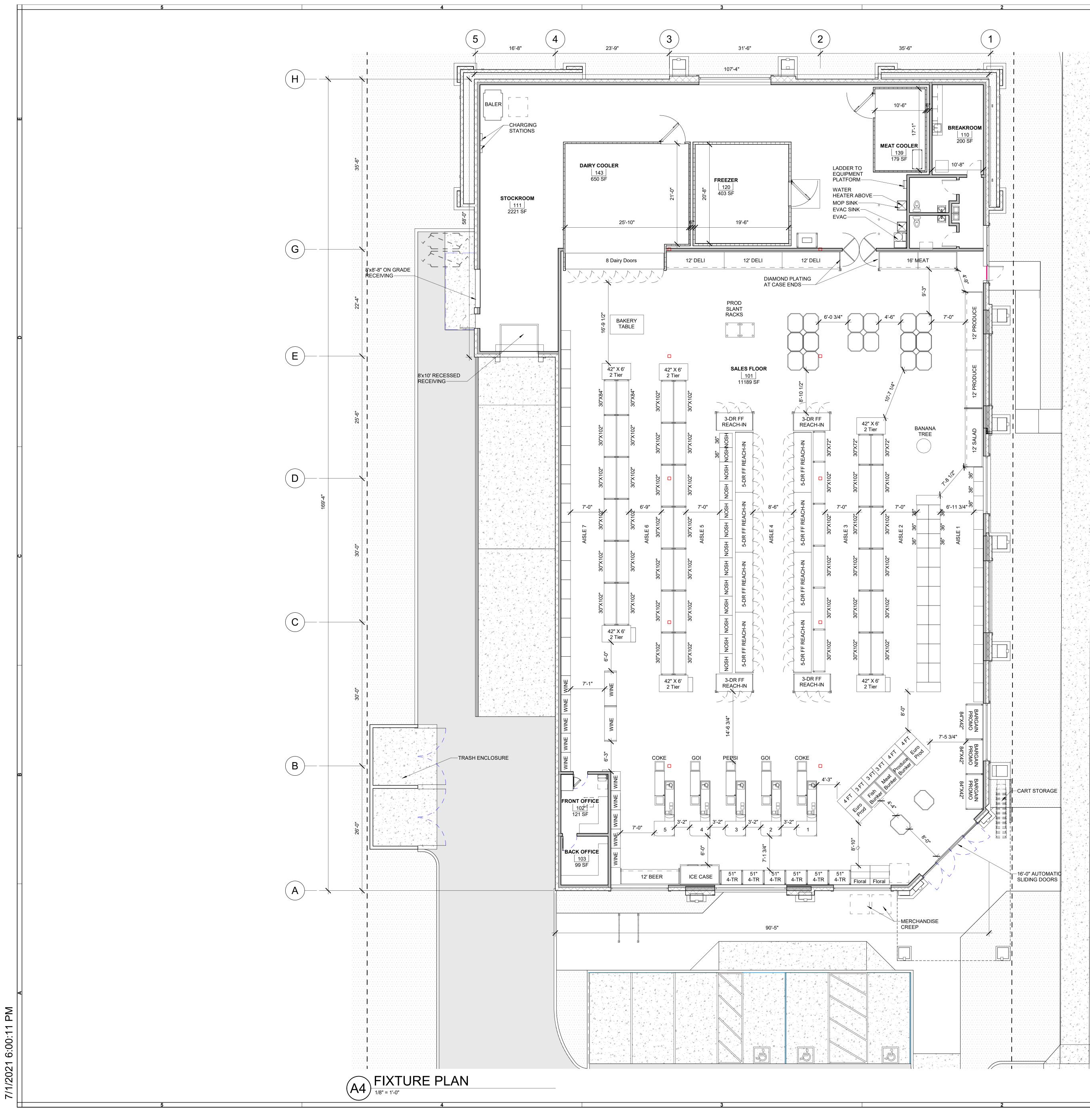


PARKING REQUIRED: PARKING PROVIDED:	53 (RE 55
HANDICAP STALLS REQUIRED: HANDICAP STALLS PROVIDED:	3 (3:51- 3 (1 VA
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<u>FUTURE EV REQUIRED:</u> FUTURE EV PROVIDED:	4 4
CLEAN AIR VEHICLES REQUIRED: CLEAN AIR VEHICLES PROVIDED:	6 6





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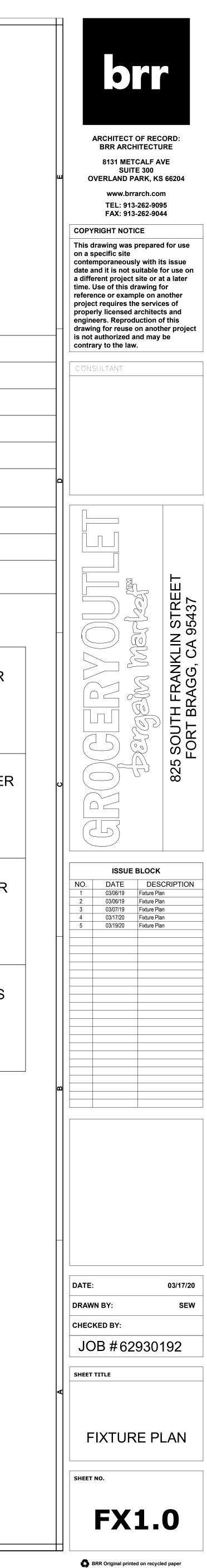


## FORT BRAGG, CA -FIXTURE PLAN - 03/19/20 **VERSION 5** BUILDING AREAS (GROSS): SALES = 11,927 SF B.O.H. = <u>4,168 SF</u> 16,095 SF SHELL =

MERCHANDISING (NET) = 11,189 SF STOCK (NET)= 2,231 SF

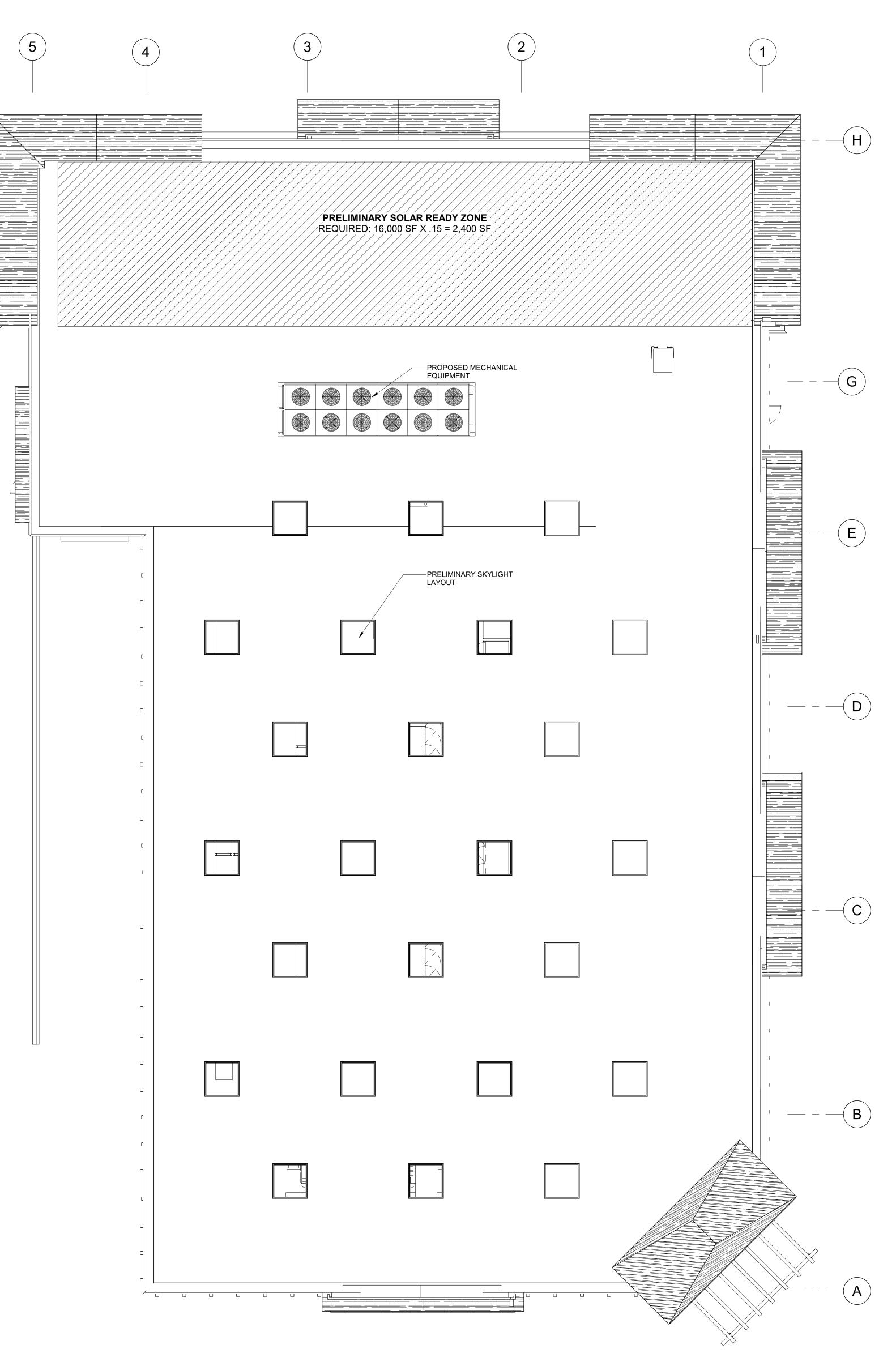
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GENERAL MERCH	HBC PERIMETER
BASE DECKS 28"	BASE DECKS 24"
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SAHARA COLOR	SAHARA COLOR
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INT. SIGNAGE:	BASE DECKS 24"
USE 4'-0" PACKAGE	SHELVES 24"
(LIGHTING @ 14'-0")	BLACK COLOR
	HOLDING BOXES FREEZER: 403 SF DAIRY: 650 SF MEAT: 179 SF

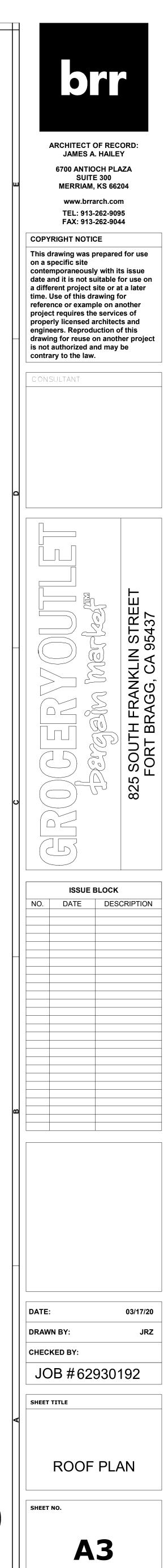


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**ROOF PLAN** 1/8" = 1'-0"





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# **ELEVATION NOTES**

1. ALL BUILDING HEIGHTS ARE ABOVE INTERIOR FINISH FLOOR NOT ADJACENT GRADES.

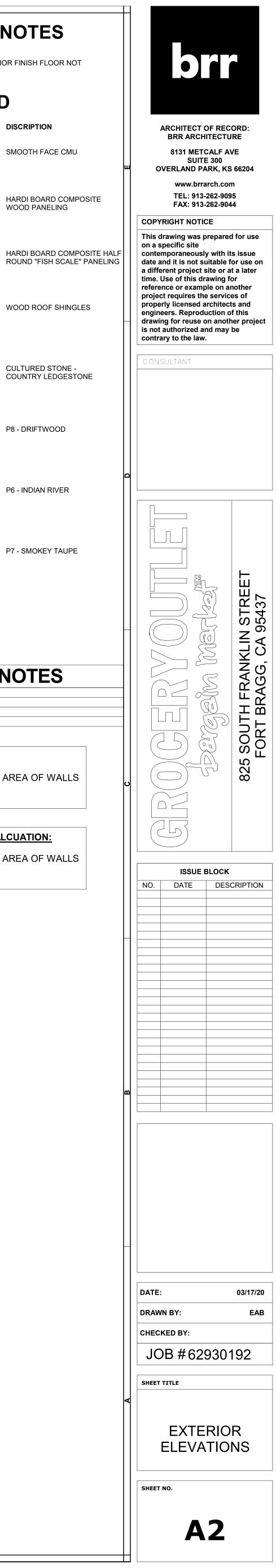
 		LEGEN	D
120 - 0	EXAMPLE IMAGE	GRAPHIC	DISCRIPTION
UNDOWS TO BE LOW-E GLAZING AND INSET FROM THE 3" FROM THE WALL, TYP			SMOOTH FACE CMU
<ul> <li>OPAQUE WINDOW INSET FROM THE 3" FROM THE WALL, TYP</li> <li>THE WINDOWS AND DOORS FRAMING WILL BE</li> </ul>			HARDI BOARD COMP WOOD PANELING
TREATED 2X6 WOOD PANELING, TYP			
TOP OF GLAZING 110' - 0"			HARDI BOARD COMP ROUND "FISH SCALE
<u>TOP OF TRIM.</u> 103' - 4"			
- FINISHED FLOOR 100' - 0" SOLID WINDOW TO BE USED AS CANVAS FOR MURALS, TYP			WOOD ROOF SHING
- ,			

	FINISH KEYNOTES
P6	INDIAN RIVER, BENJAMIN MOORE #985
P7	SMOKEY TAUPE, BENJAMIN MOORE #983
P8	DRIFTWOOD, BENJAMIN MOORE #2107
ST1	CULTURED STONE
WINDOW RATIO CALCUATION:	

TOTAL AREA OF WINDOWS / TOTAL AREA OF WALLS 1,368 SF / 7,562 SF = 18%

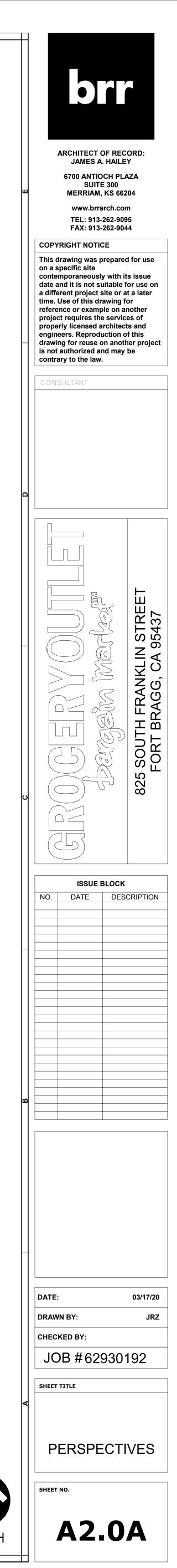
## FRONT FACADE WINDOW RATIO CALCUATION:

TOTAL AREA OF WINDOWS / TOTAL AREA OF WALLS 160 SF / 345 SF = 46%

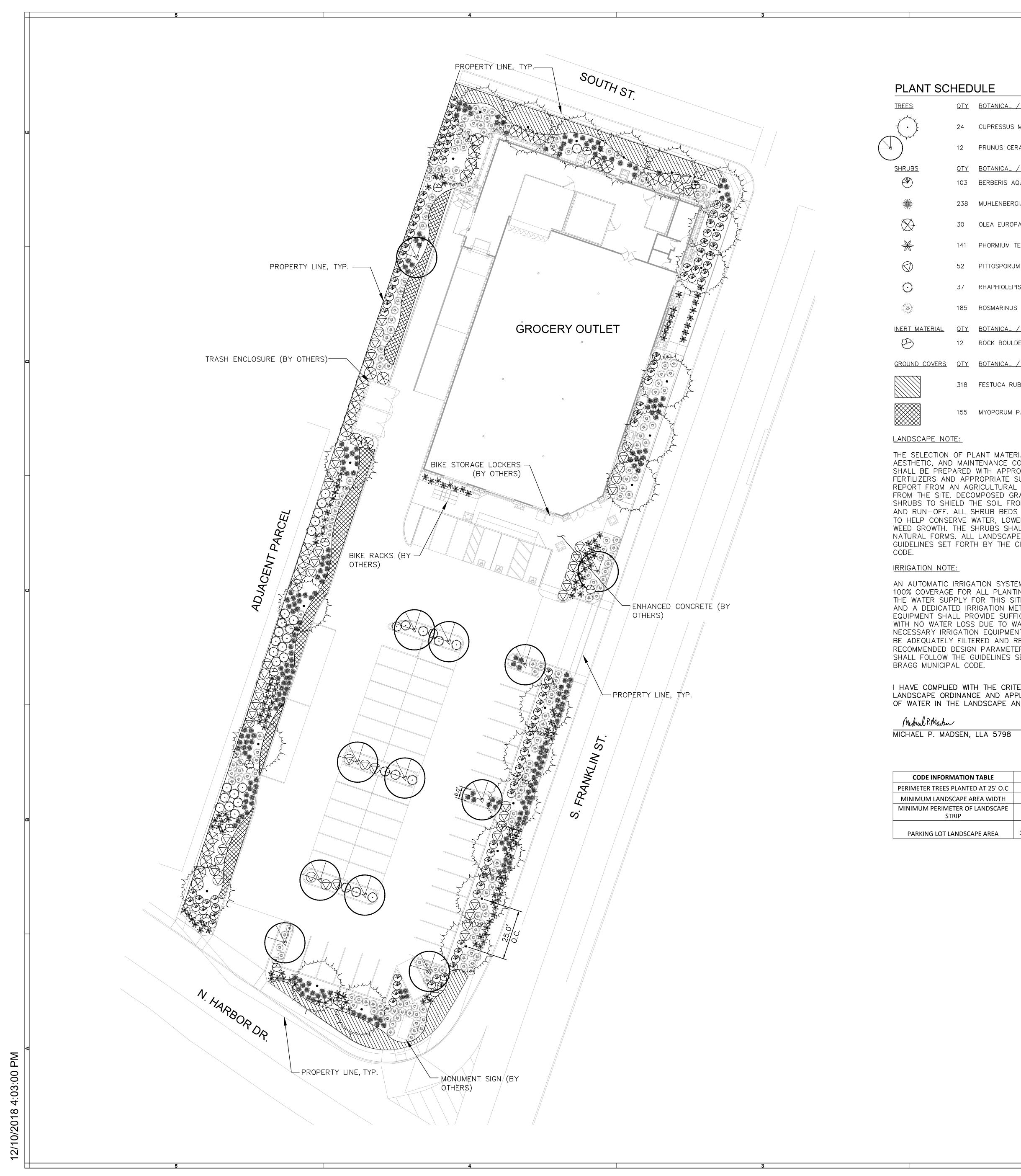


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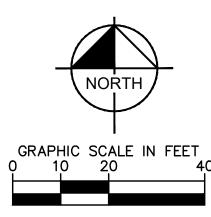
HED	ULE			
<u>QTY</u>	BOTANICAL / COMMON NAME	<u>CONT</u>	HEIGHT/SPREAD	WUCOLS
24	CUPRESSUS MACROCARPA / MONTEREY CYPRESS	24" BOX	7'-9' HT. X 3'-5' SPR.	MODERATE
12	PRUNUS CERASIFERA / PURPLE LEAF PLUM	24" BOX	9'–11' HT. X 3'–4' SPR.	LOW
<u>QTY</u>	BOTANICAL / COMMON NAME	CONT.	SPACING	WUCOLS
103	BERBERIS AQUIFOLIUM / COMMON BARBERRY	5 GAL.	4° O.C.	LOW
238	MUHLENBERGIA DUBIA / PINE MUHLY	5 GAL.	3' O.C.	LOW
30	OLEA EUROPAEA 'LITTLE OLLIE' / LITTLE OLLIE OLIVE	5 GAL.	4' O.C.	LOW
141	PHORMIUM TENAX 'DARK DELIGHT' / DARK DELIGHT FLAX	5 GAL.	3' O.C.	LOW
52	PITTOSPORUM TOBIRA 'COMPACTUM' / COMPACT PITTOSPORUM	5 GAL.	5' O.C.	LOW
37	RHAPHIOLEPIS INDICA / INDIAN HAWTHORN	5 GAL.	5° O.C.	LOW
185	ROSMARINUS OFFICINALIS / ROSEMARY	5 GAL.	4' O.C.	LOW
<u>QTY</u>	BOTANICAL / COMMON NAME	CONT.	SPACING	WUCOLS
12	ROCK BOULDERS / 4' X 4' X 4' / LOCALLY SOURCED	-	_	-
<u>QTY</u>	BOTANICAL / COMMON NAME	CONT.	SPACING	WUCOLS
318	FESTUCA RUBRA / RED FESCUE	N/A	2.5' O.C.	LOW
155	MYOPORUM PARVIFOLIUM / TRAILING MYOPORUM	N/A	3' O.C.	LOW

THE SELECTION OF PLANT MATERIAL IS BASED ON CULTURAL, AESTHETIC, AND MAINTENANCE CONSIDERATIONS. ALL PLANTING AREAS SHALL BE PREPARED WITH APPROPRIATE SOIL AMENDMENTS, FERTILIZERS AND APPROPRIATE SUPPLEMENTS BASED UPON A SOILS REPORT FROM AN AGRICULTURAL SUITABILITY SOIL SAMPLE TAKEN FROM THE SITE. DECOMPOSED GRANITE SHALL FILL IN BETWEEN SHRUBS TO SHIELD THE SOIL FROM THE SUN, EVAPOTRANSPIRATION, AND RUN-OFF. ALL SHRUB BEDS SHALL BE MULCHED TO A 3" DEPTH TO HELP CONSERVE WATER, LOWER SOIL TEMPERATURE, AND REDUCE WEED GROWTH. THE SHRUBS SHALL BE ALLOWED TO GROW IN THEIR NATURAL FORMS. ALL LANDSCAPE IMPROVEMENTS SHALL FOLLOW THE GUIDELINES SET FORTH BY THE CITY OF FORT BRAGG MUNICIPAL

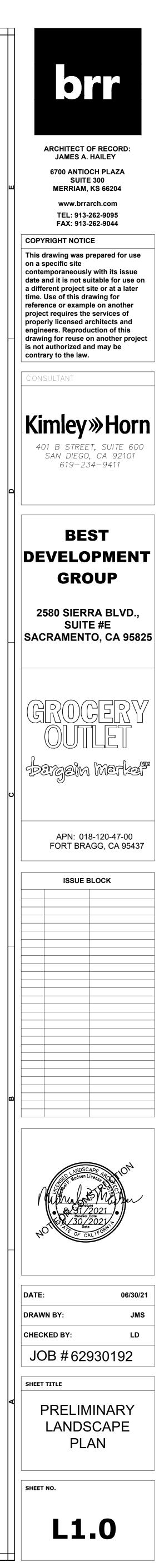
AN AUTOMATIC IRRIGATION SYSTEM SHALL BE INSTALLED TO PROVIDE 100% COVERAGE FOR ALL PLANTING AREAS SHOWN ON THE PLAN. THE WATER SUPPLY FOR THIS SITE IS A POTABLE WATER CONNECTION AND A DEDICATED IRRIGATION METER WILL BE PROVIDED. LOW VOLUME EQUIPMENT SHALL PROVIDE SUFFICIENT WATER FOR PLANT GROWTH WITH NO WATER LOSS DUE TO WATER CONTROLLERS, AND OTHER NECESSARY IRRIGATION EQUIPMENT. ALL POINT SOURCE SYSTEM SHALL BE ADEQUATELY FILTERED AND REGULATED PER THE MANUFACTURER'S RECOMMENDED DESIGN PARAMETERS. ALL IRRIGATION IMPROVEMENTS SHALL FOLLOW THE GUIDELINES SET FORTH BY THE CITY OF FORT

I HAVE COMPLIED WITH THE CRITERIA OF THE WATER EFFICIENT LANDSCAPE ORDINANCE AND APPLIED THEM FOR THE EFFICIENT USE OF WATER IN THE LANDSCAPE AND IRRIGATION DESIGN PLAN.

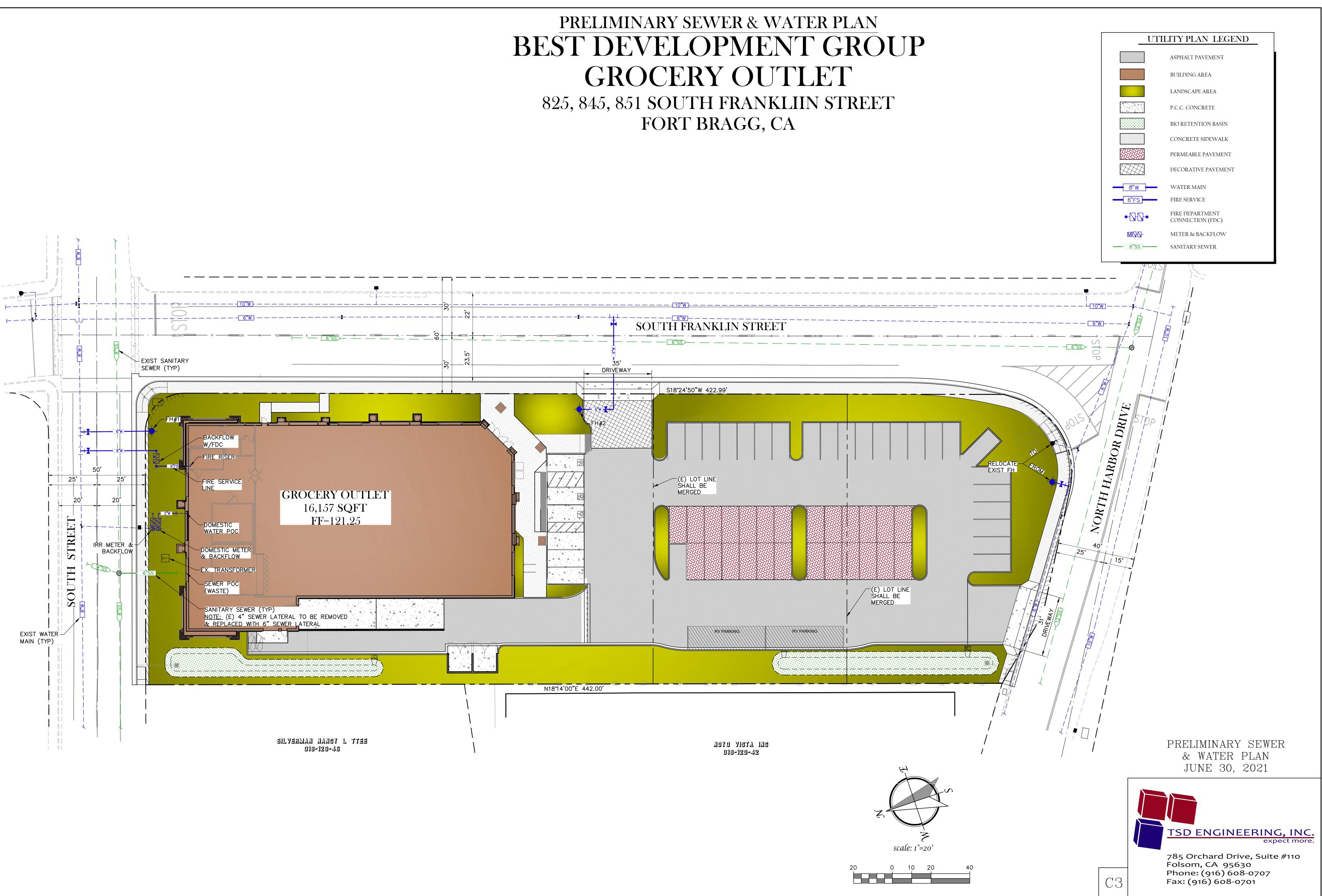
MATION TABLE	REQUIRED	PROVIDED
PLANTED AT 25' O.C	25' O.C.	YES
SCAPE AREA WIDTH	7'	YES
ETER OF LANDSCAPE TRIP	5'	YES
ANDSCAPE AREA	10% (775 SQFT)	(17.3%) 1,345 SQFT

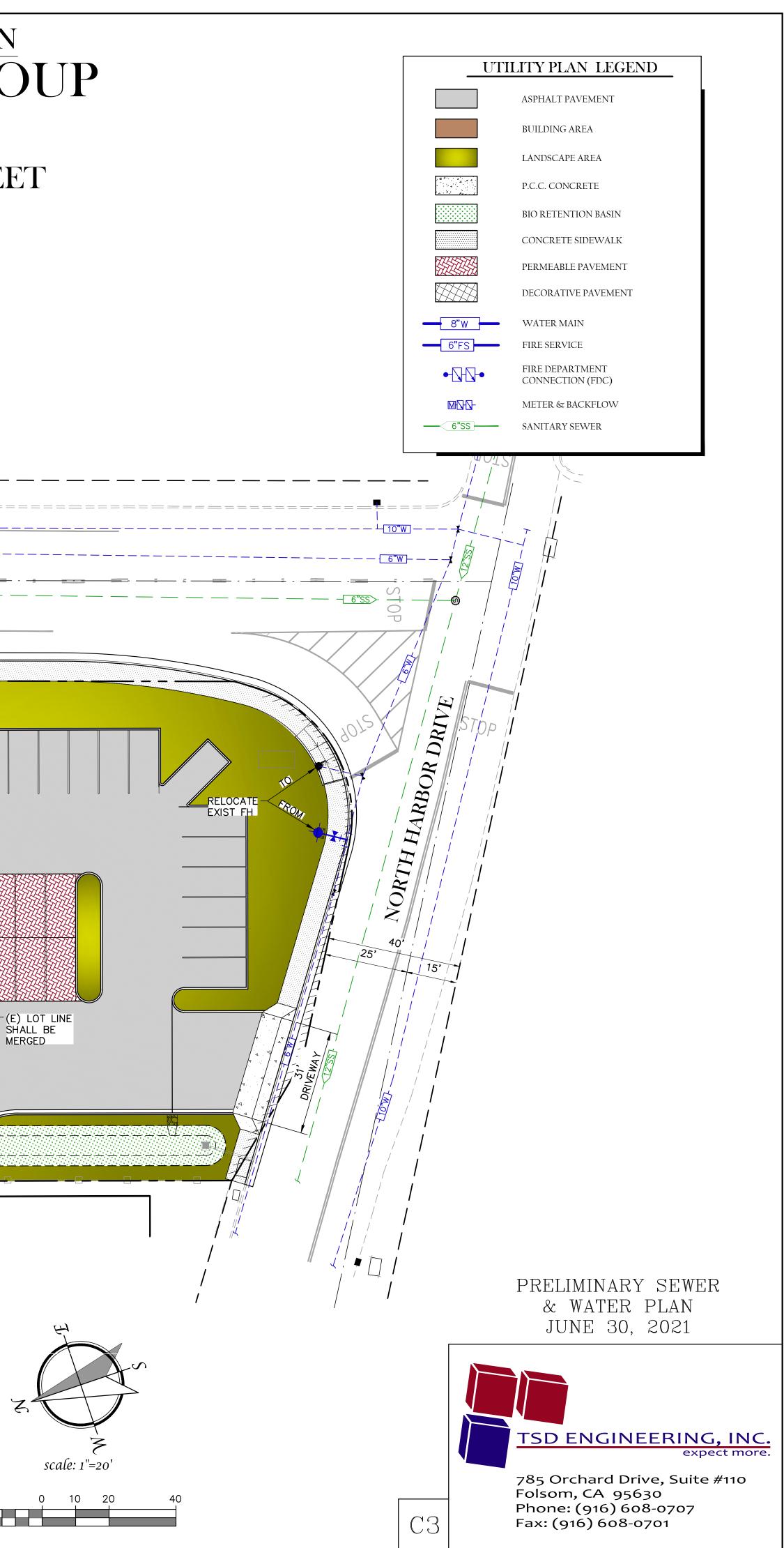


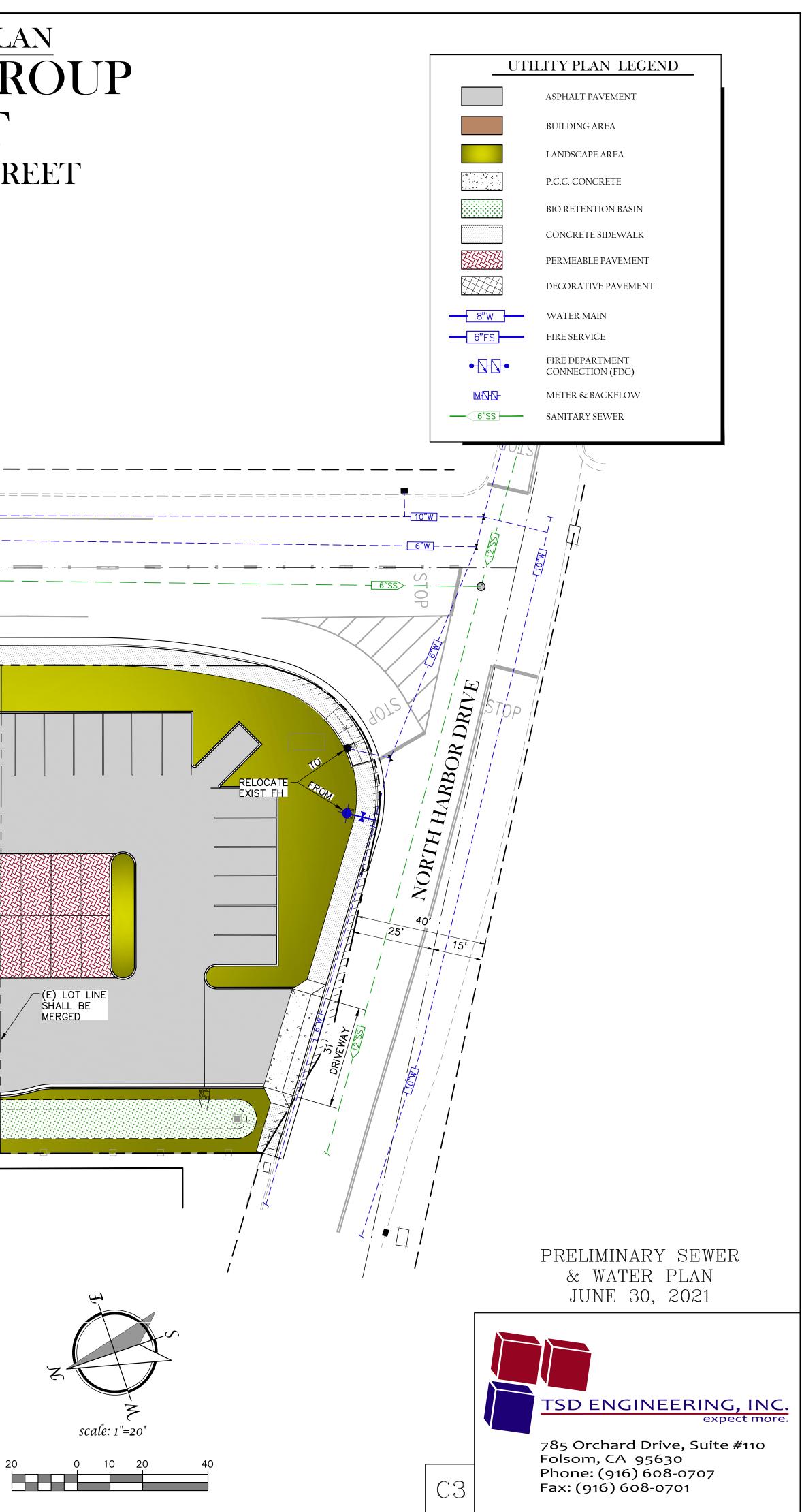
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## VICINITY MAP





# **BEST DEVELOPMENT GROUP**

# NE CORNER OF SOUTH ST. AND S. FRANKLIN ST. FORT BRAGG, CA 95437

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# **CODE SUMMARY**

APPLICABLE CODES

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PLUMBING CODE:	2016 CALIFORNIA PLUMBING CO
ELECTRIC CODE:	2016 CALIFORNIA ELECTRIC CO
ACCESSIBILITY CODE:	2016 CALIFORNIA BUILDING CODE CHA
ENERGY CODE:	2016 STATE OF CALIFORNIA ENER
FIRE CODE:	2016 CALIFORNIA FIRE CO

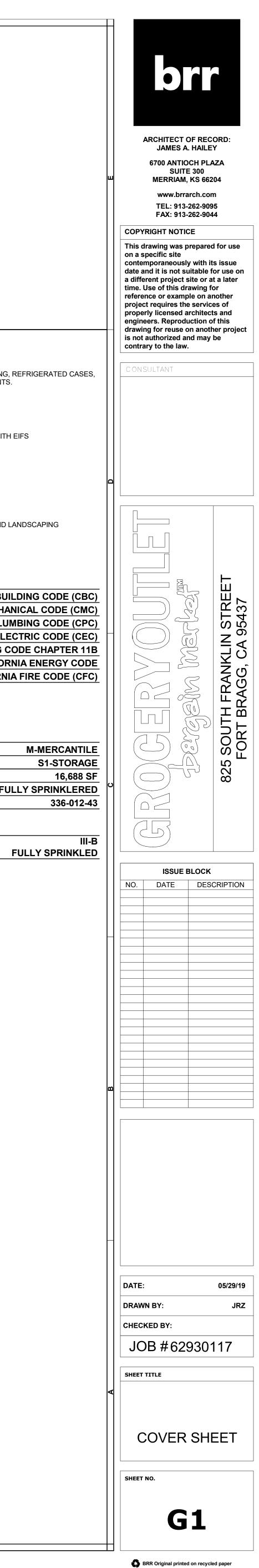
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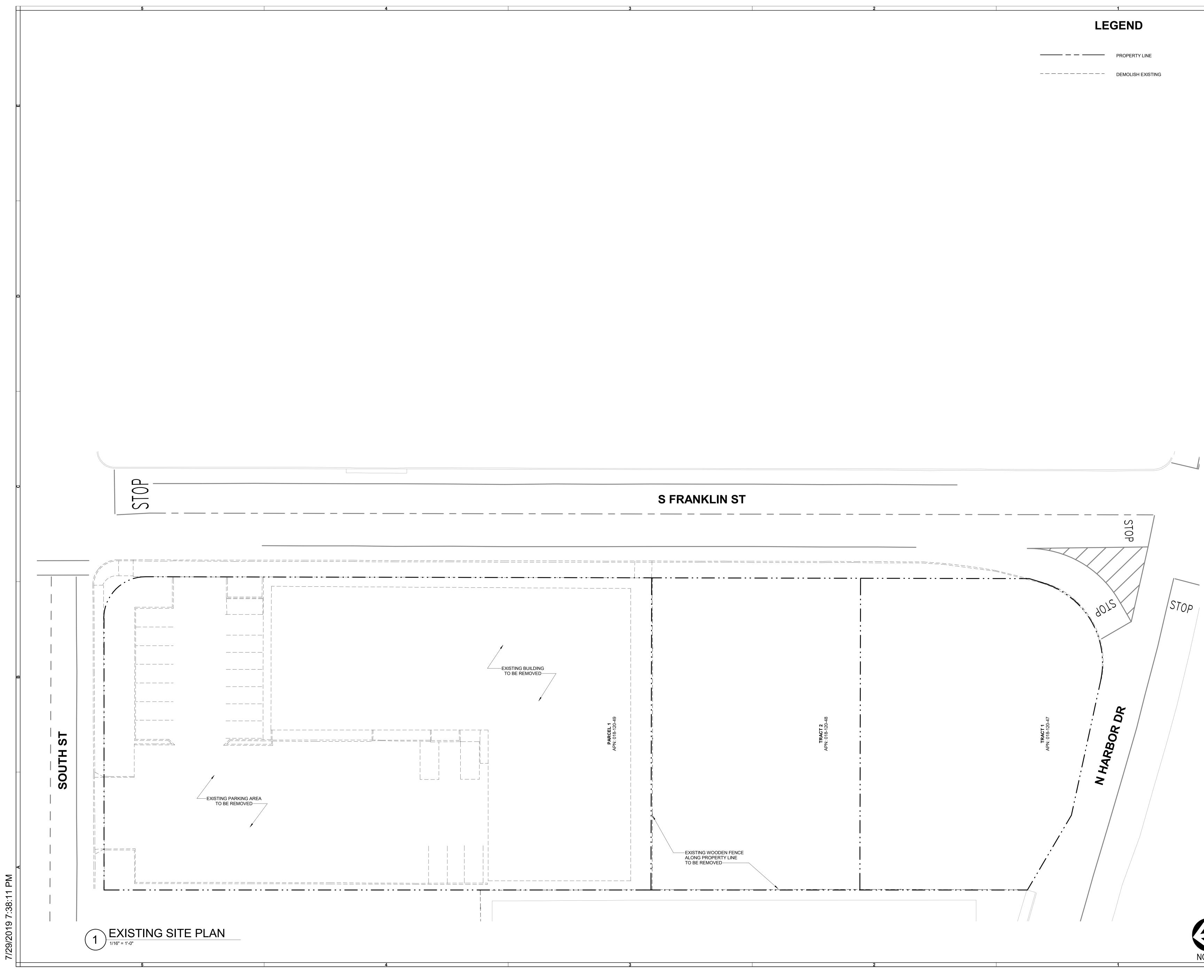
**USE GROUP** 

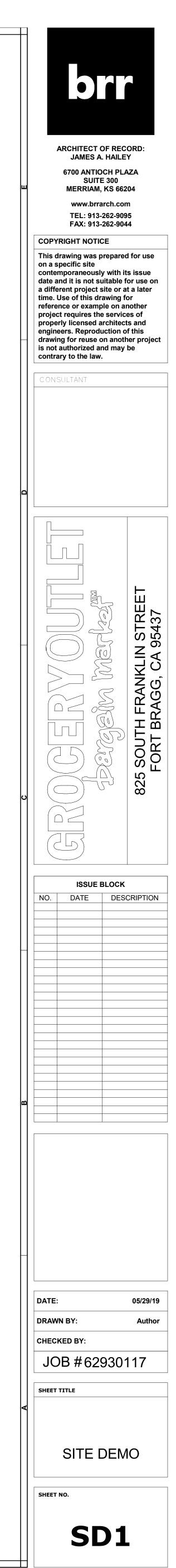
USE GROUP:	M-MEF
USE GROUP:	S1-S
TOTAL GROSS SQUARE FOOTAGE	
FIRE PROTECTION:	FULLY SPRI
APN#:	3

CONSTRUCTION TYPE

CONSTRUCTION TYPE:

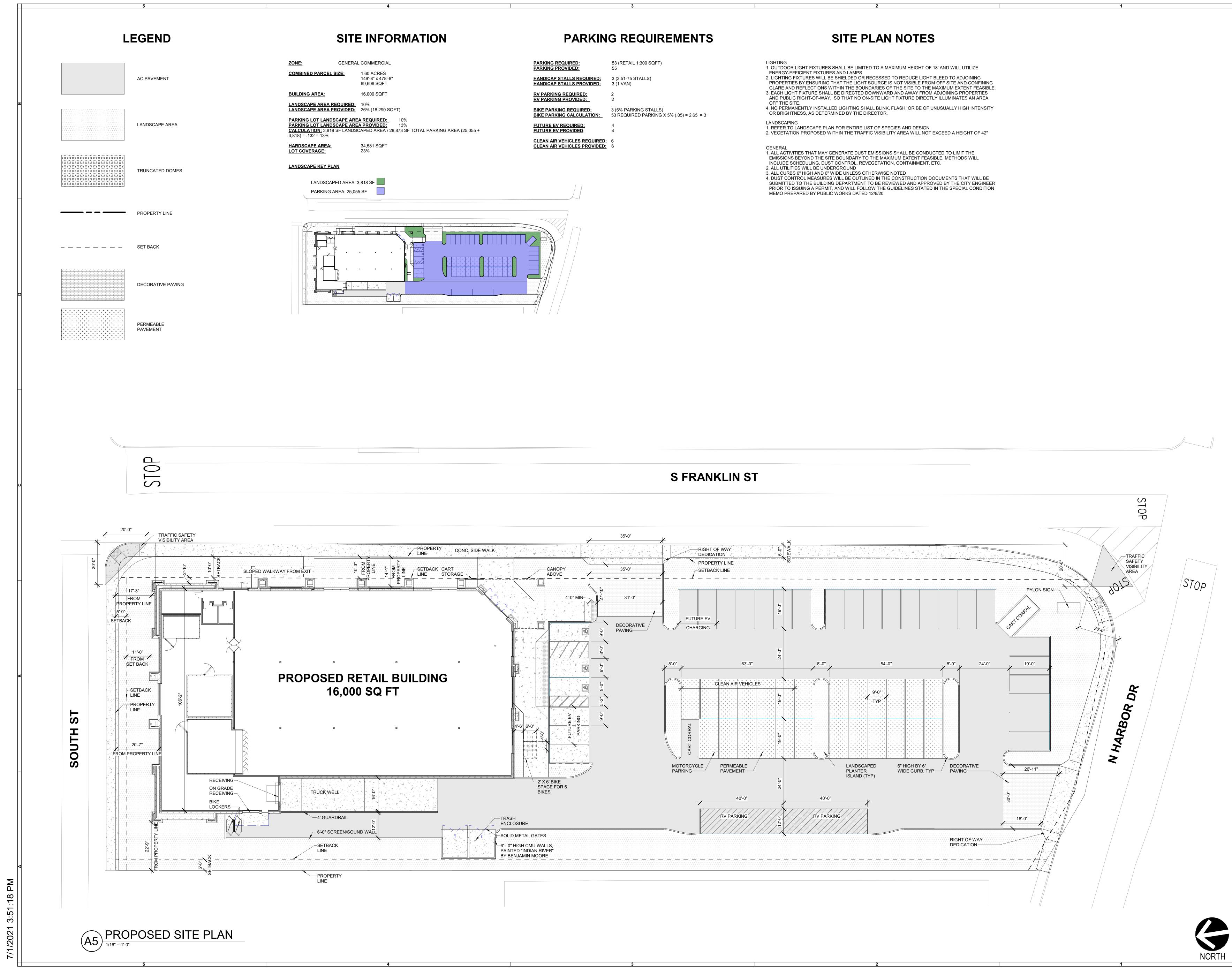






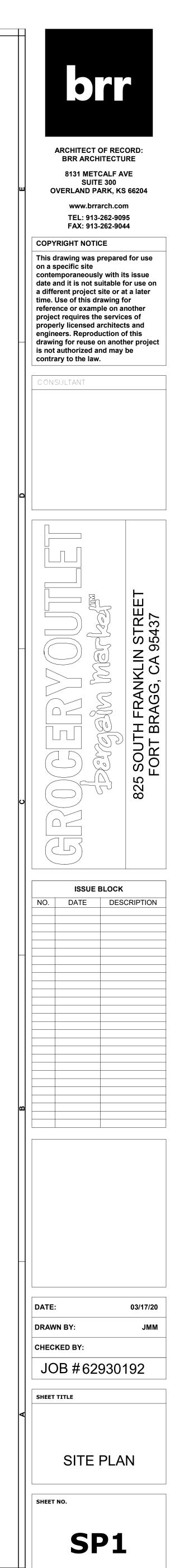


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PARKING REQUIRED: PARKING PROVIDED:	53 (RE 55
HANDICAP STALLS REQUIRED: HANDICAP STALLS PROVIDED:	3 (3:51- 3 (1 VA
RV PARKING REQUIRED: RV PARKING PROVIDED:	2 2
<u>BIKE PARKING REQUIRED:</u> BIKE PARKING CALCULATION:	3 (5% F 53 REC
<u>FUTURE EV REQUIRED:</u> FUTURE EV PROVIDED:	4 4
CLEAN AIR VEHICLES REQUIRED: CLEAN AIR VEHICLES PROVIDED:	6 6





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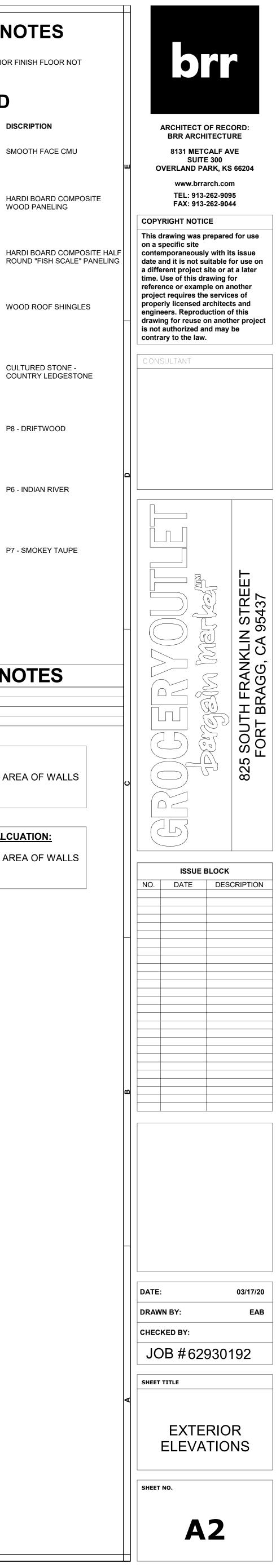
 		LEGEN	D
120 - 0	EXAMPLE IMAGE	GRAPHIC	DISCRIPTION
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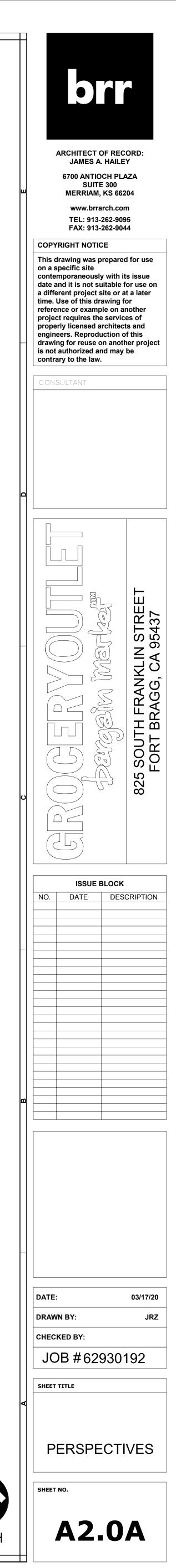
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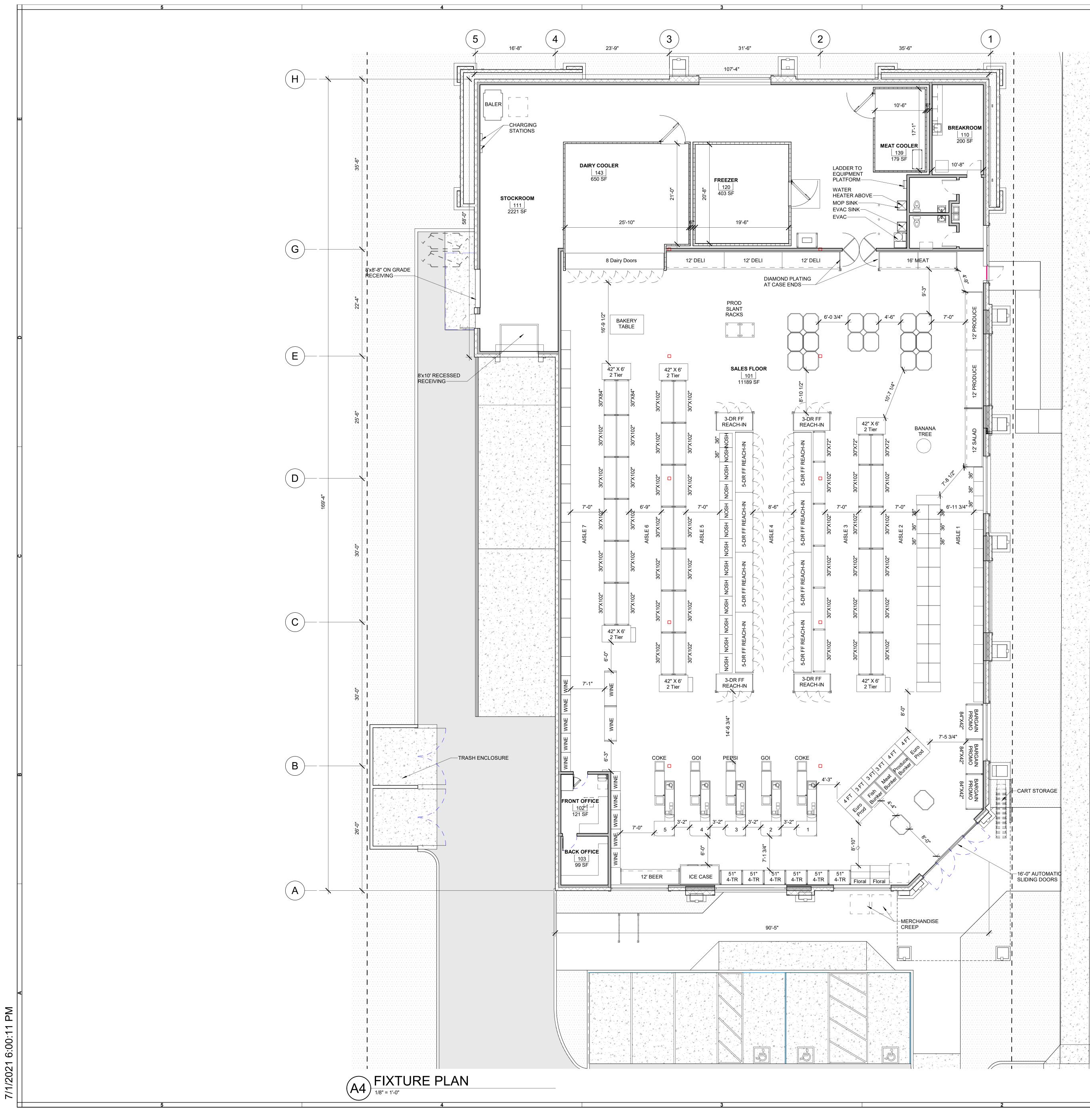


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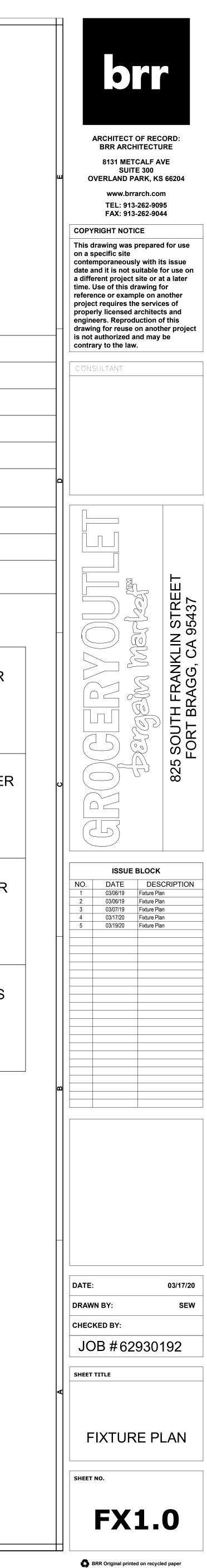


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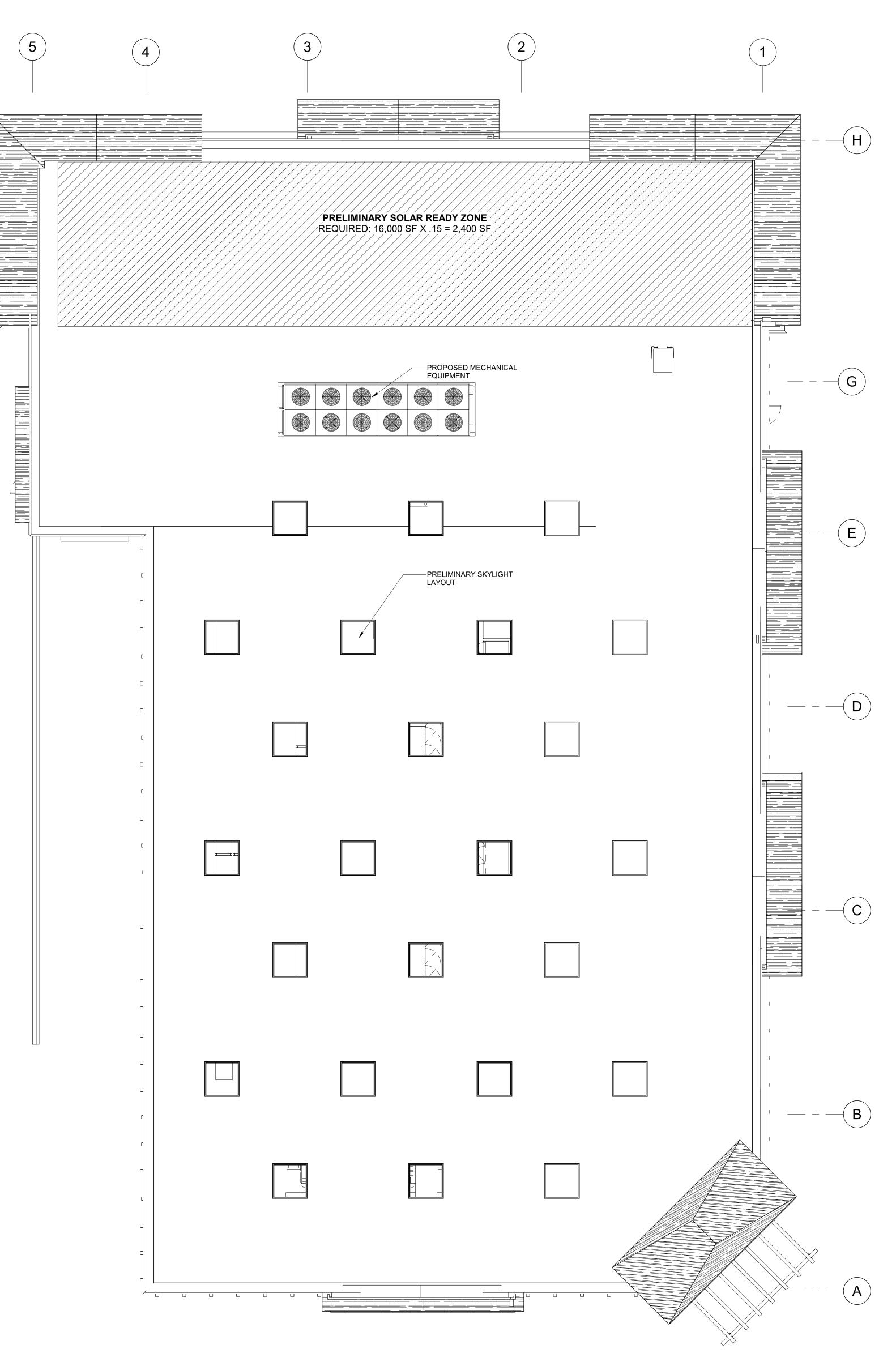
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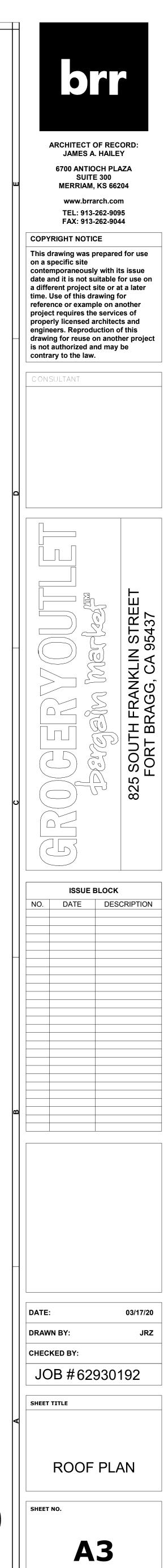
GENERAL MERCH	HBC PERIMETER
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SHELVES 24"	SHELVES 24"
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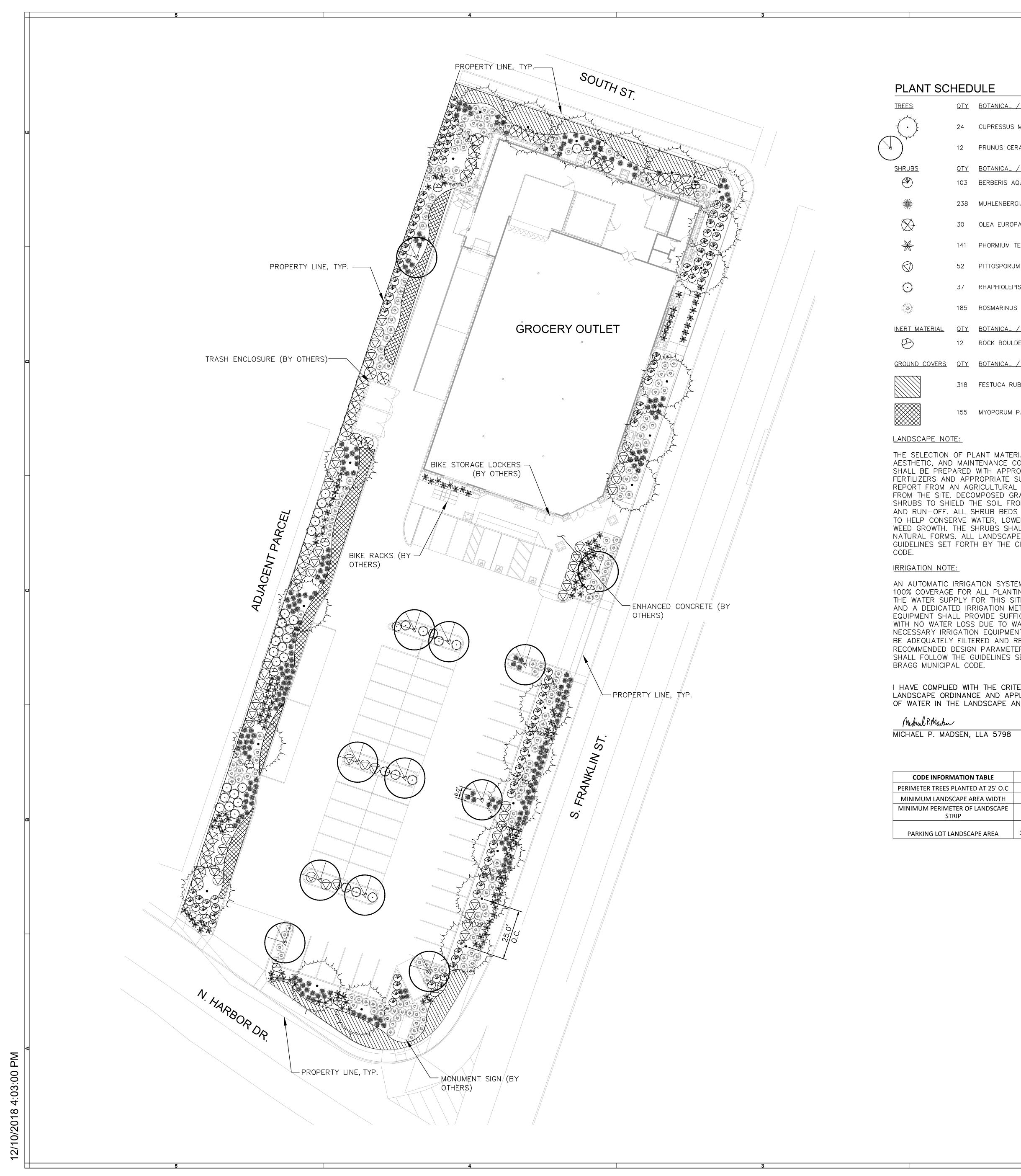


**ROOF PLAN** 1/8" = 1'-0"





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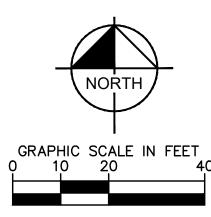
HED	ULE			
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24	CUPRESSUS MACROCARPA / MONTEREY CYPRESS	24" BOX	7'-9' HT. X 3'-5' SPR.	MODERATE
12	PRUNUS CERASIFERA / PURPLE LEAF PLUM	24" BOX	9'–11' HT. X 3'–4' SPR.	LOW
<u>QTY</u>	BOTANICAL / COMMON NAME	CONT.	SPACING	WUCOLS
103	BERBERIS AQUIFOLIUM / COMMON BARBERRY	5 GAL.	4° O.C.	LOW
238	MUHLENBERGIA DUBIA / PINE MUHLY	5 GAL.	3' O.C.	LOW
30	OLEA EUROPAEA 'LITTLE OLLIE' / LITTLE OLLIE OLIVE	5 GAL.	4' O.C.	LOW
141	PHORMIUM TENAX 'DARK DELIGHT' / DARK DELIGHT FLAX	5 GAL.	3' O.C.	LOW
52	PITTOSPORUM TOBIRA 'COMPACTUM' / COMPACT PITTOSPORUM	5 GAL.	5' O.C.	LOW
37	RHAPHIOLEPIS INDICA / INDIAN HAWTHORN	5 GAL.	5° O.C.	LOW
185	ROSMARINUS OFFICINALIS / ROSEMARY	5 GAL.	4' O.C.	LOW
<u>QTY</u>	BOTANICAL / COMMON NAME	CONT.	SPACING	WUCOLS
12	ROCK BOULDERS / 4' X 4' X 4' / LOCALLY SOURCED	-	_	-
<u>QTY</u>	BOTANICAL / COMMON NAME	CONT.	SPACING	WUCOLS
318	FESTUCA RUBRA / RED FESCUE	N/A	2.5' O.C.	LOW
155	MYOPORUM PARVIFOLIUM / TRAILING MYOPORUM	N/A	3' O.C.	LOW

THE SELECTION OF PLANT MATERIAL IS BASED ON CULTURAL, AESTHETIC, AND MAINTENANCE CONSIDERATIONS. ALL PLANTING AREAS SHALL BE PREPARED WITH APPROPRIATE SOIL AMENDMENTS, FERTILIZERS AND APPROPRIATE SUPPLEMENTS BASED UPON A SOILS REPORT FROM AN AGRICULTURAL SUITABILITY SOIL SAMPLE TAKEN FROM THE SITE. DECOMPOSED GRANITE SHALL FILL IN BETWEEN SHRUBS TO SHIELD THE SOIL FROM THE SUN, EVAPOTRANSPIRATION, AND RUN-OFF. ALL SHRUB BEDS SHALL BE MULCHED TO A 3" DEPTH TO HELP CONSERVE WATER, LOWER SOIL TEMPERATURE, AND REDUCE WEED GROWTH. THE SHRUBS SHALL BE ALLOWED TO GROW IN THEIR NATURAL FORMS. ALL LANDSCAPE IMPROVEMENTS SHALL FOLLOW THE GUIDELINES SET FORTH BY THE CITY OF FORT BRAGG MUNICIPAL

AN AUTOMATIC IRRIGATION SYSTEM SHALL BE INSTALLED TO PROVIDE 100% COVERAGE FOR ALL PLANTING AREAS SHOWN ON THE PLAN. THE WATER SUPPLY FOR THIS SITE IS A POTABLE WATER CONNECTION AND A DEDICATED IRRIGATION METER WILL BE PROVIDED. LOW VOLUME EQUIPMENT SHALL PROVIDE SUFFICIENT WATER FOR PLANT GROWTH WITH NO WATER LOSS DUE TO WATER CONTROLLERS, AND OTHER NECESSARY IRRIGATION EQUIPMENT. ALL POINT SOURCE SYSTEM SHALL BE ADEQUATELY FILTERED AND REGULATED PER THE MANUFACTURER'S RECOMMENDED DESIGN PARAMETERS. ALL IRRIGATION IMPROVEMENTS SHALL FOLLOW THE GUIDELINES SET FORTH BY THE CITY OF FORT

I HAVE COMPLIED WITH THE CRITERIA OF THE WATER EFFICIENT LANDSCAPE ORDINANCE AND APPLIED THEM FOR THE EFFICIENT USE OF WATER IN THE LANDSCAPE AND IRRIGATION DESIGN PLAN.

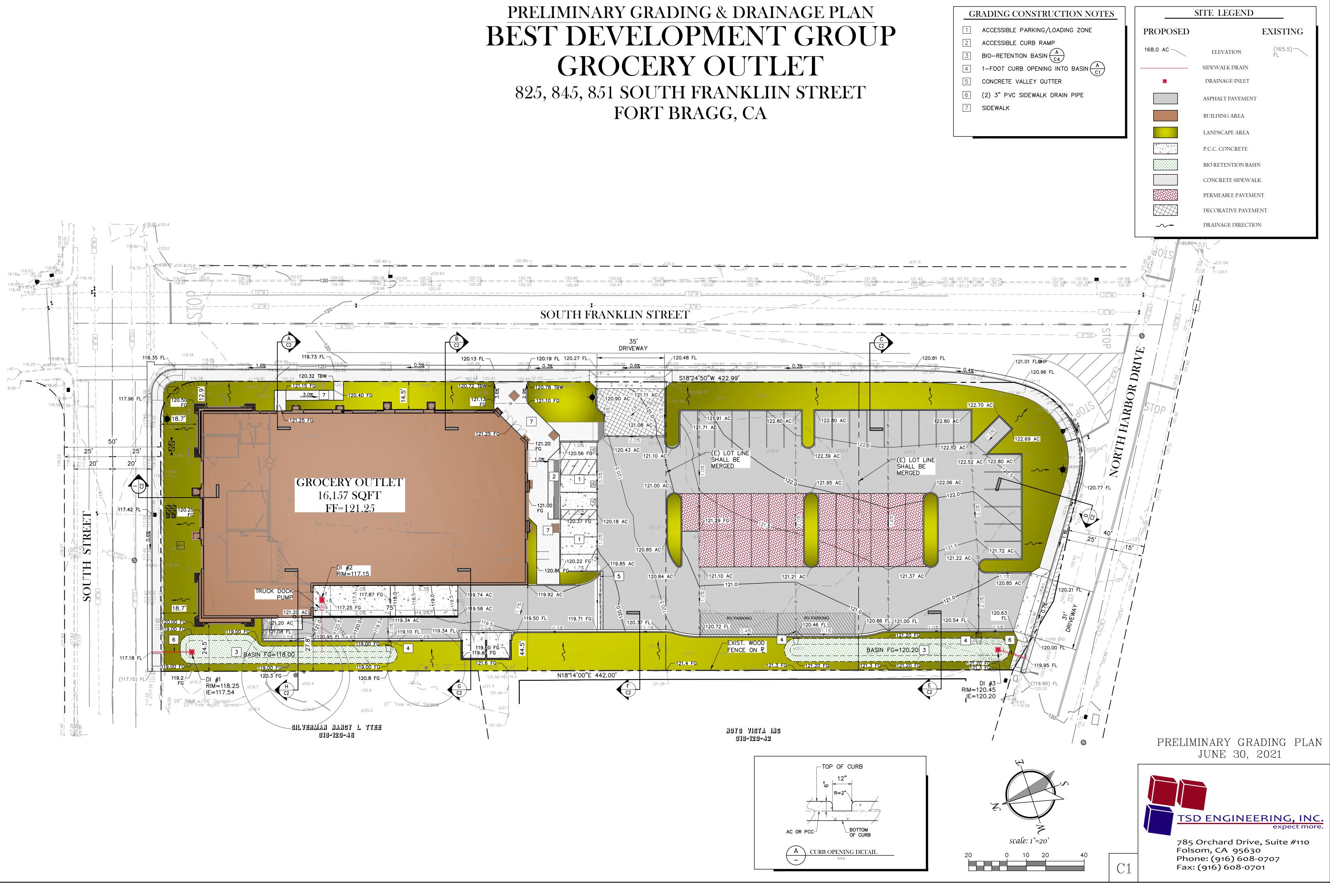
MATION TABLE	REQUIRED	PROVIDED
PLANTED AT 25' O.C	25' O.C.	YES
SCAPE AREA WIDTH	7'	YES
ETER OF LANDSCAPE TRIP	5'	YES
ANDSCAPE AREA	10% (775 SQFT)	(17.3%) 1,345 SQFT

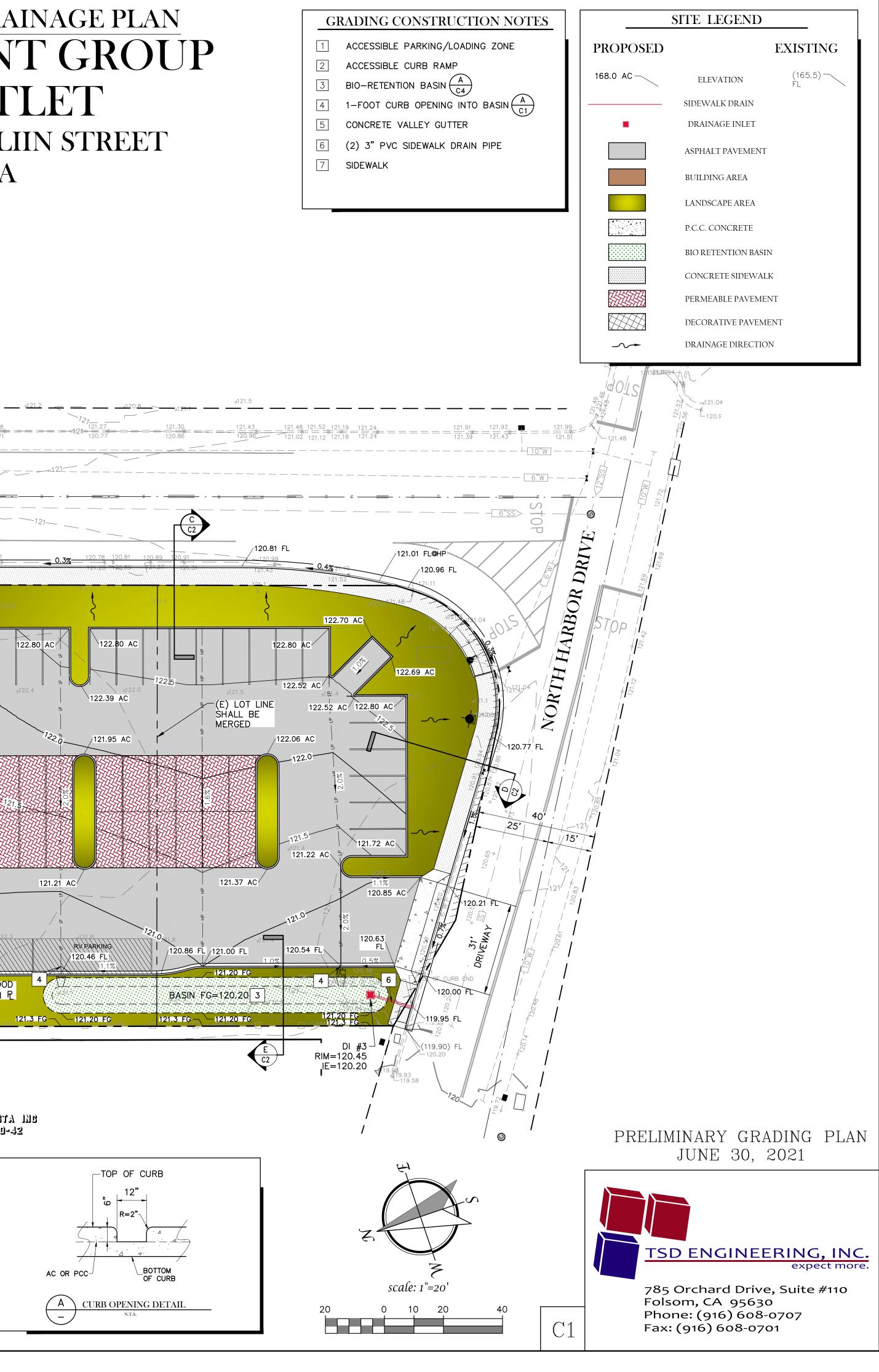


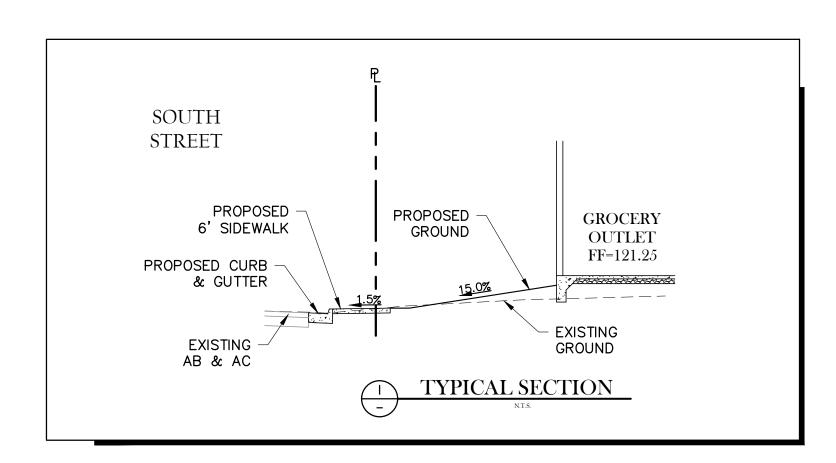
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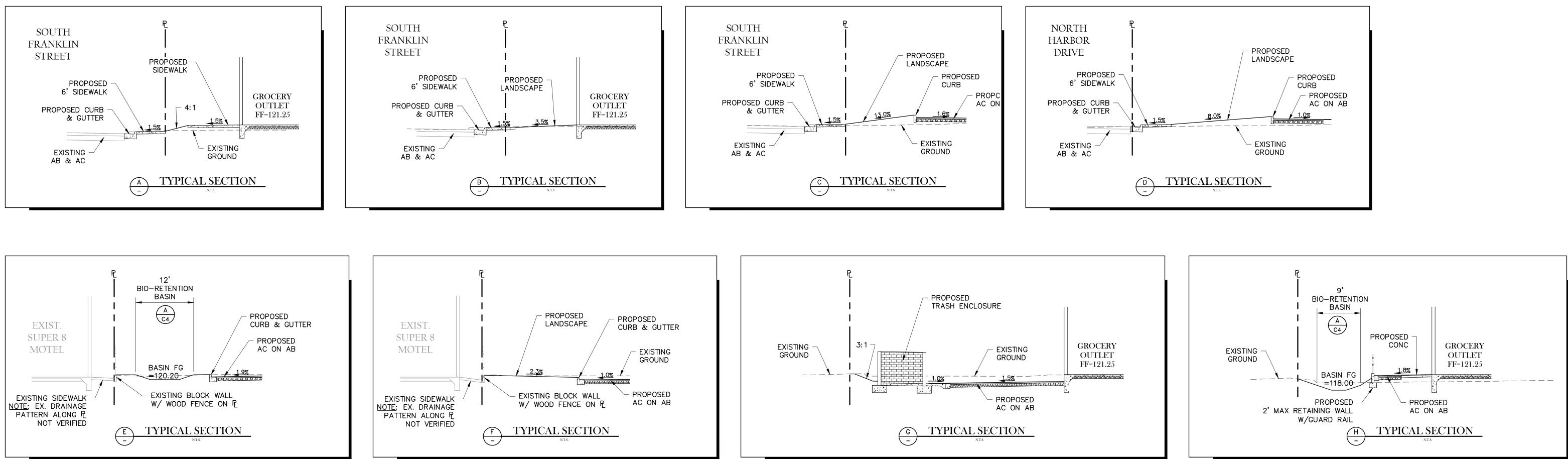


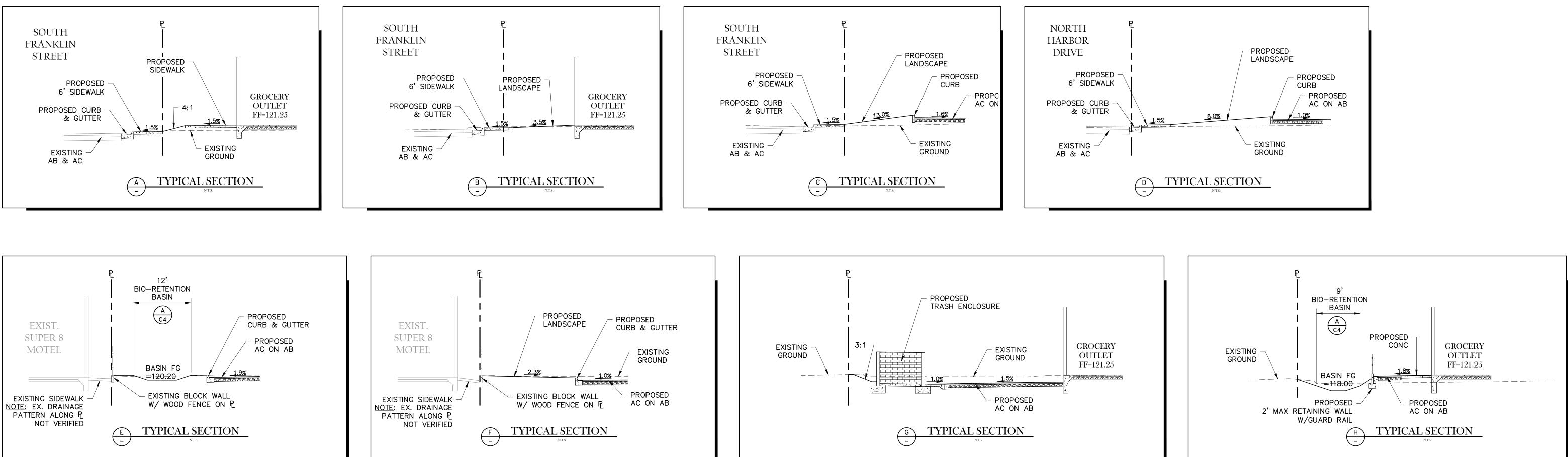
BRR Original printed on recycled paper





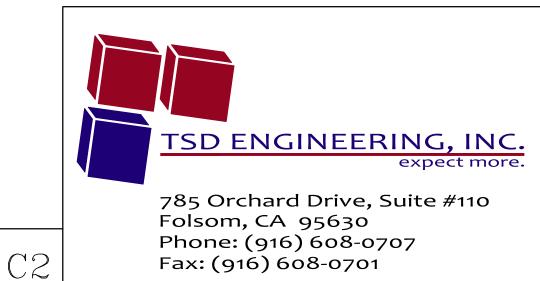


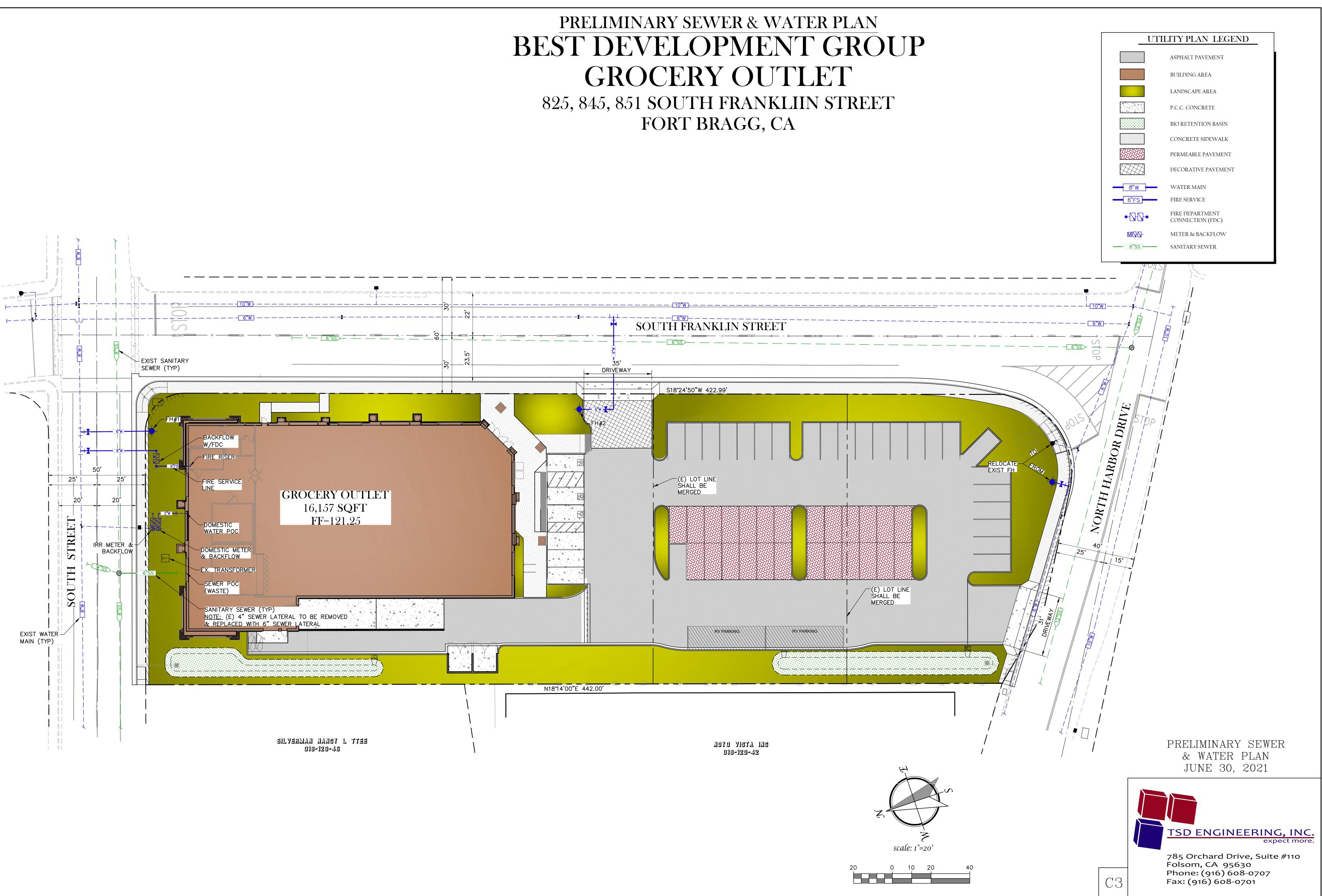


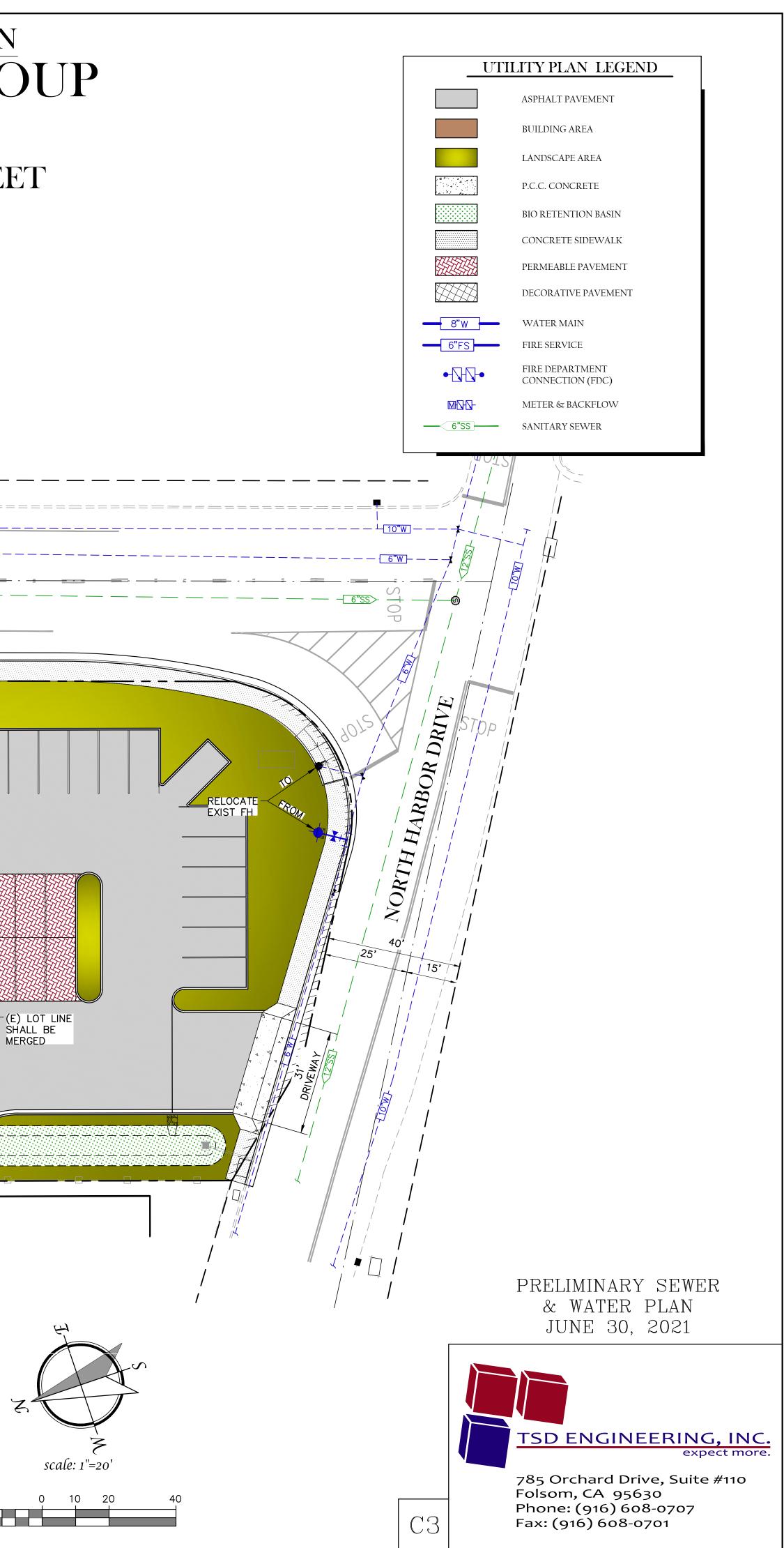


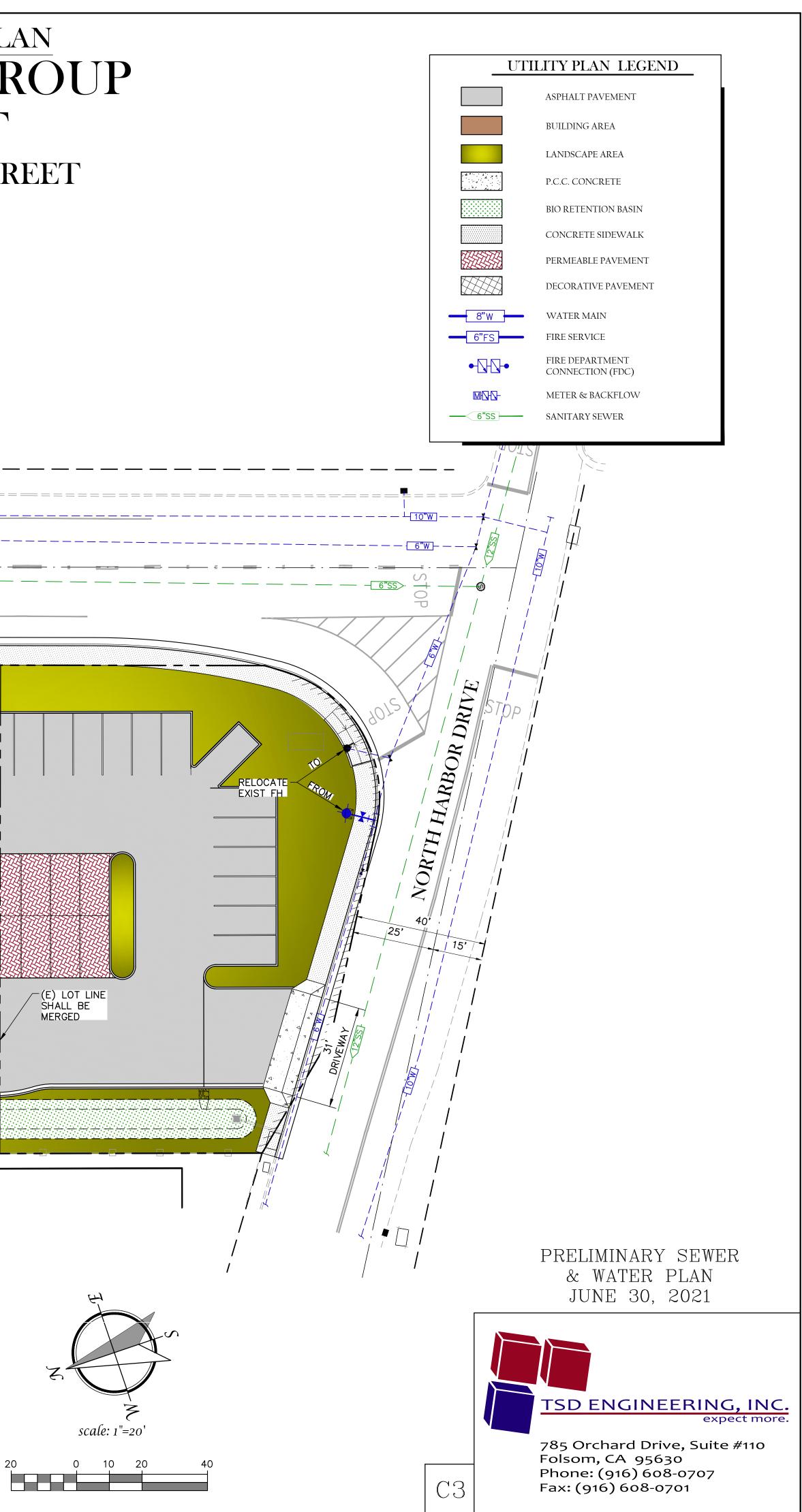
# PRELIMINARY GRADING SECTIONS BEST DEVELOPMENT GROUP **GROCERY OUTLET** 825, 845, 851 SOUTH FRANKLIIN STREET FORT BRAGG, CA

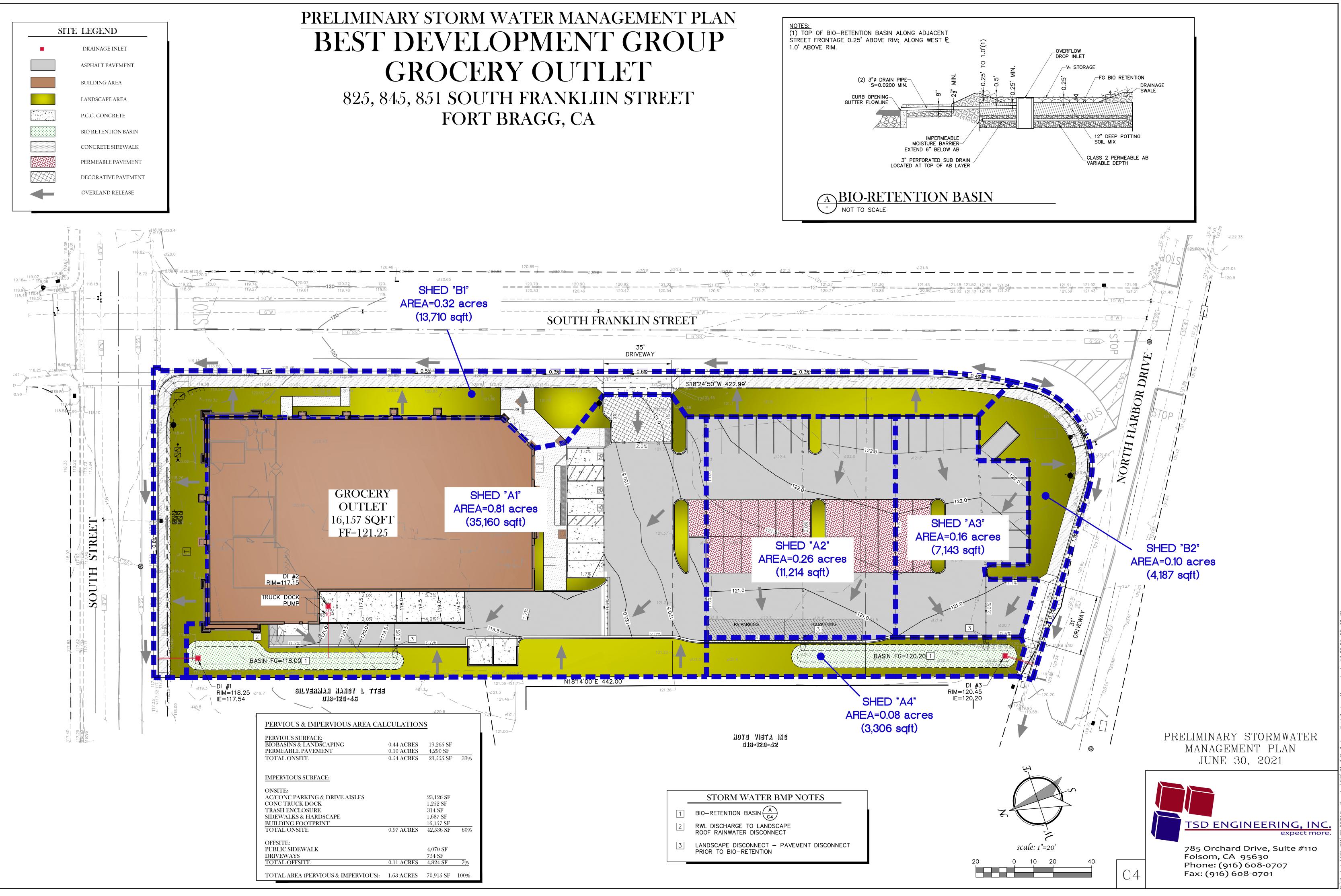
# PRELIMINARY SECTIONS JUNE 30, 2021

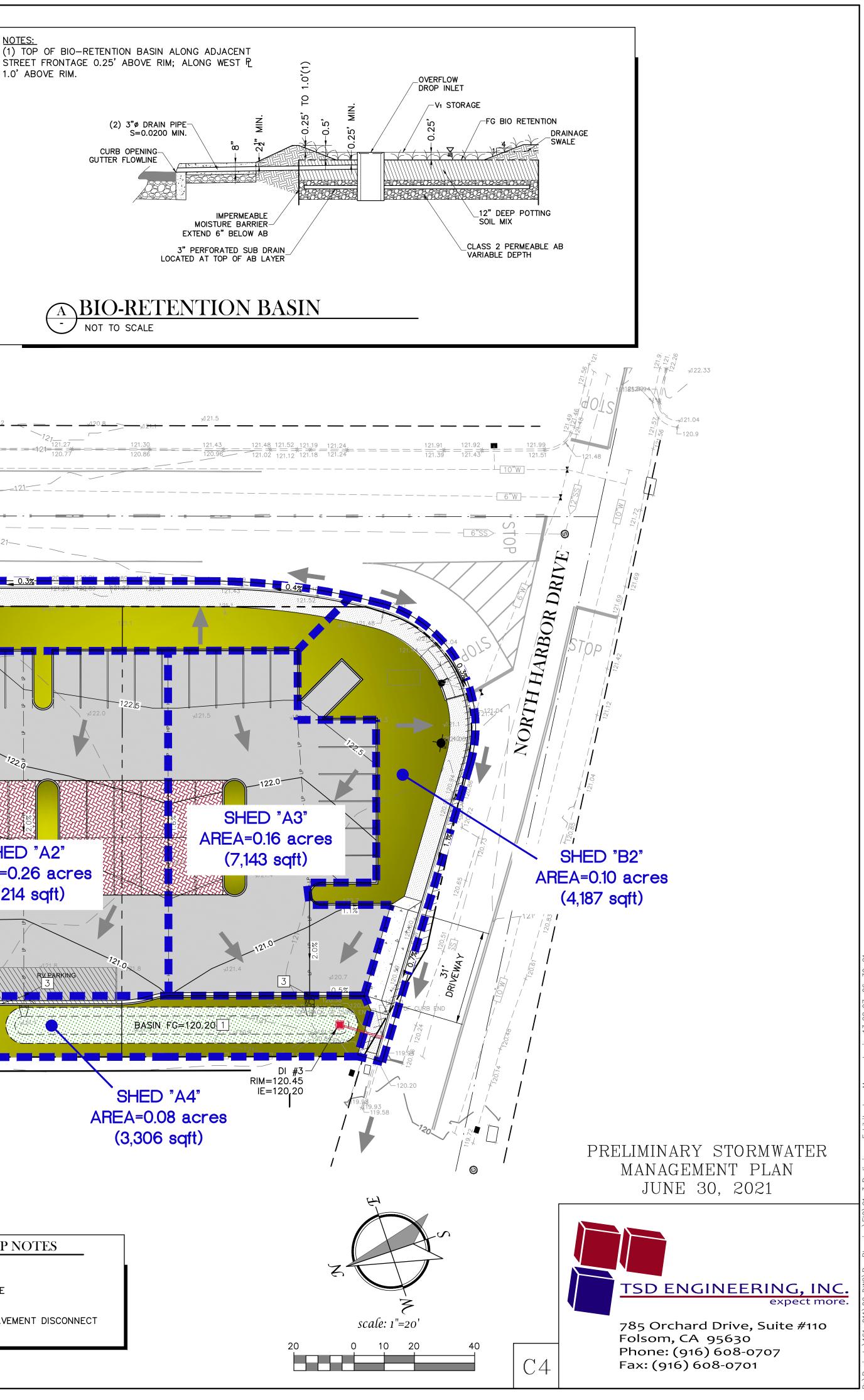


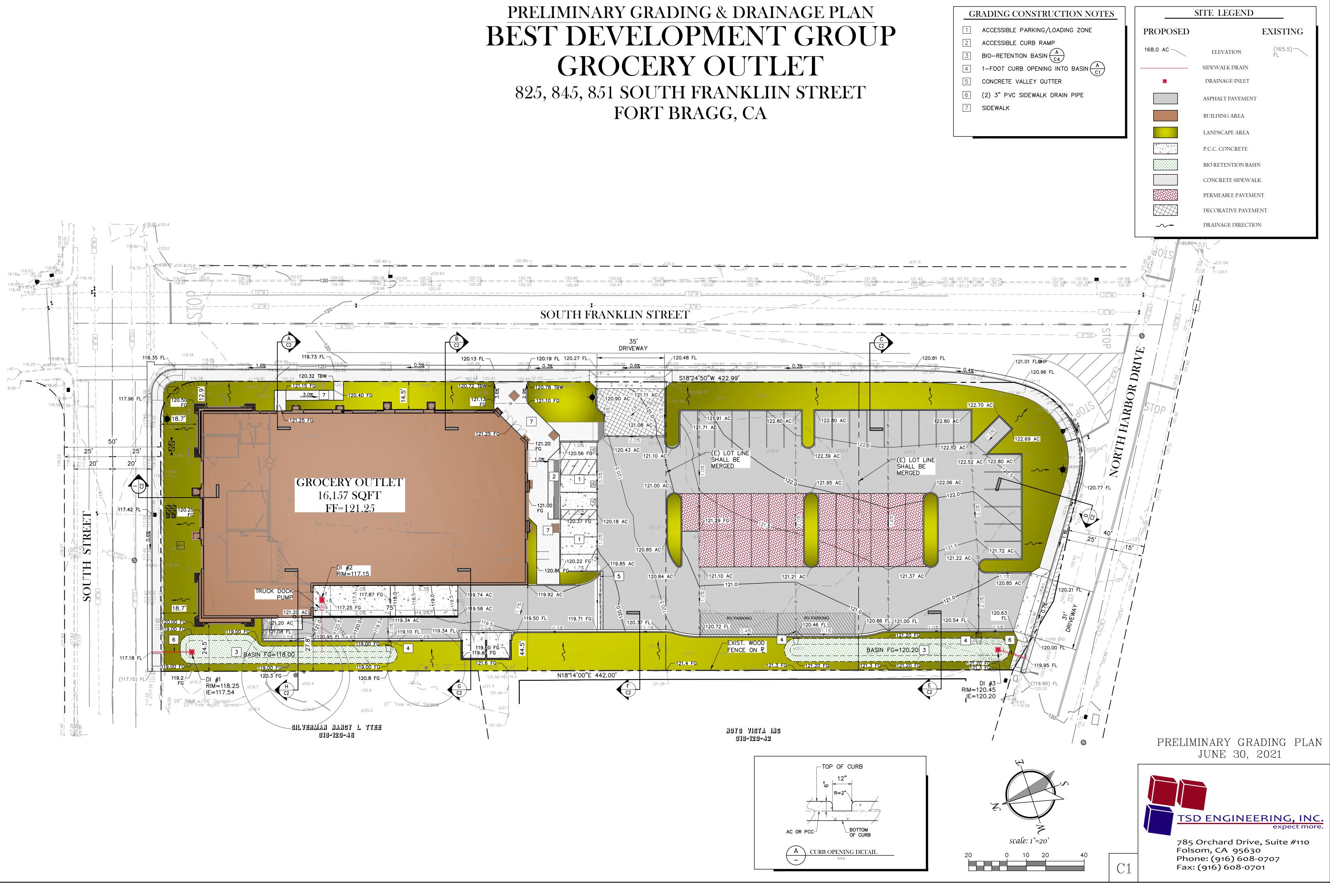


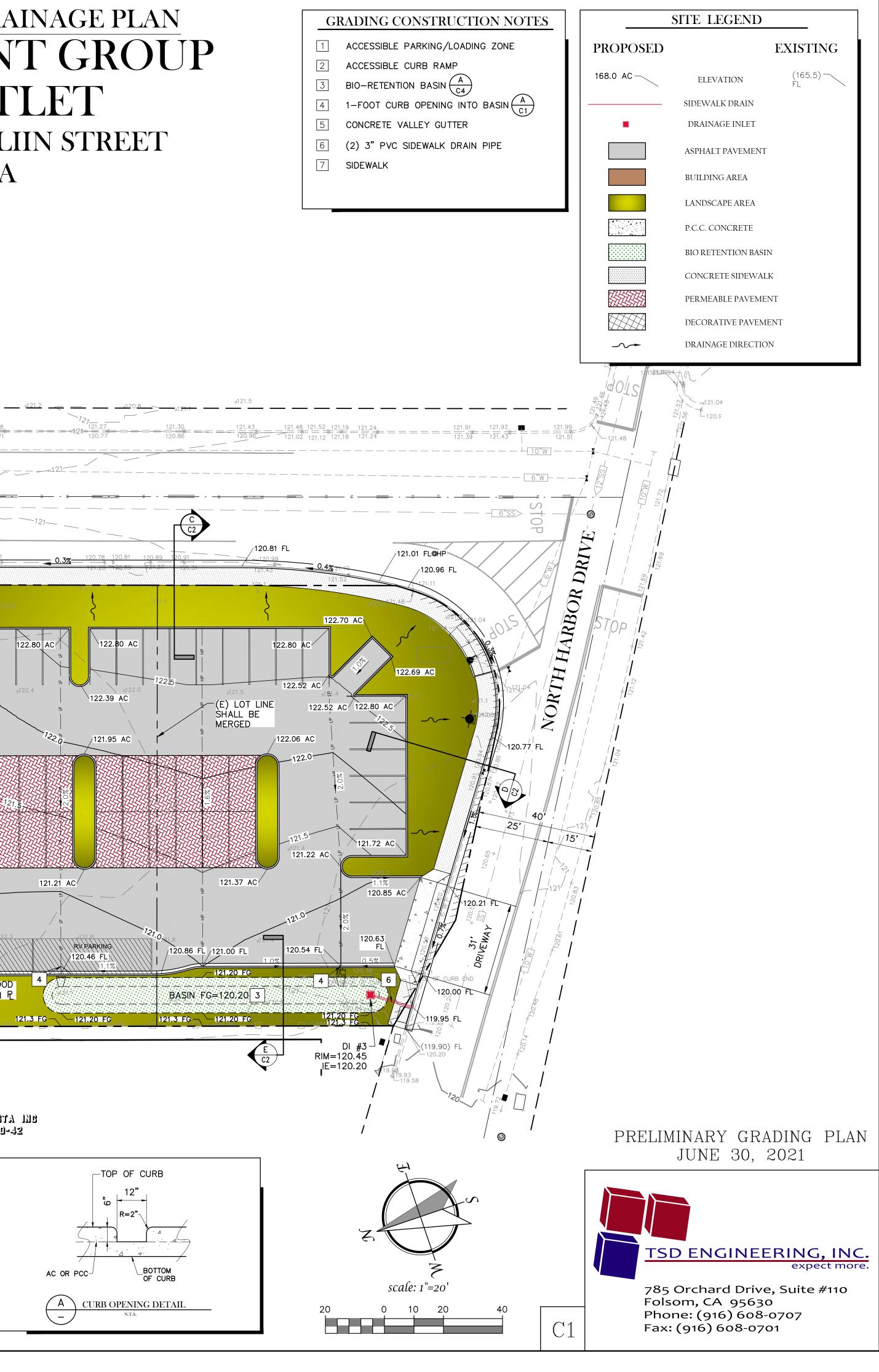


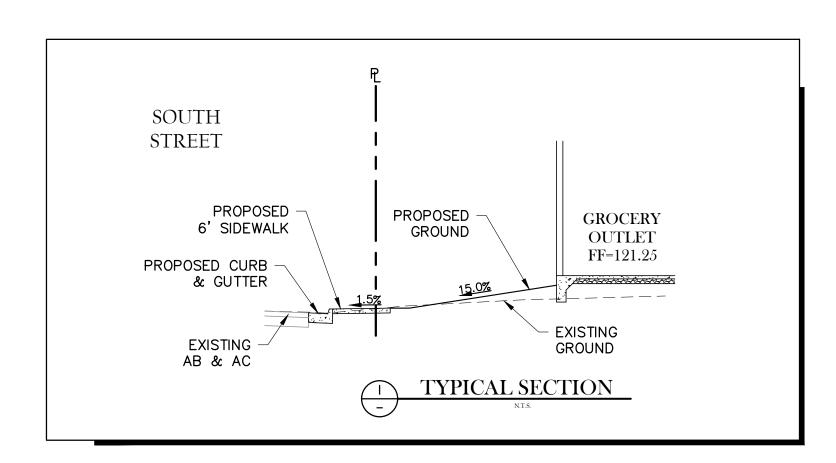


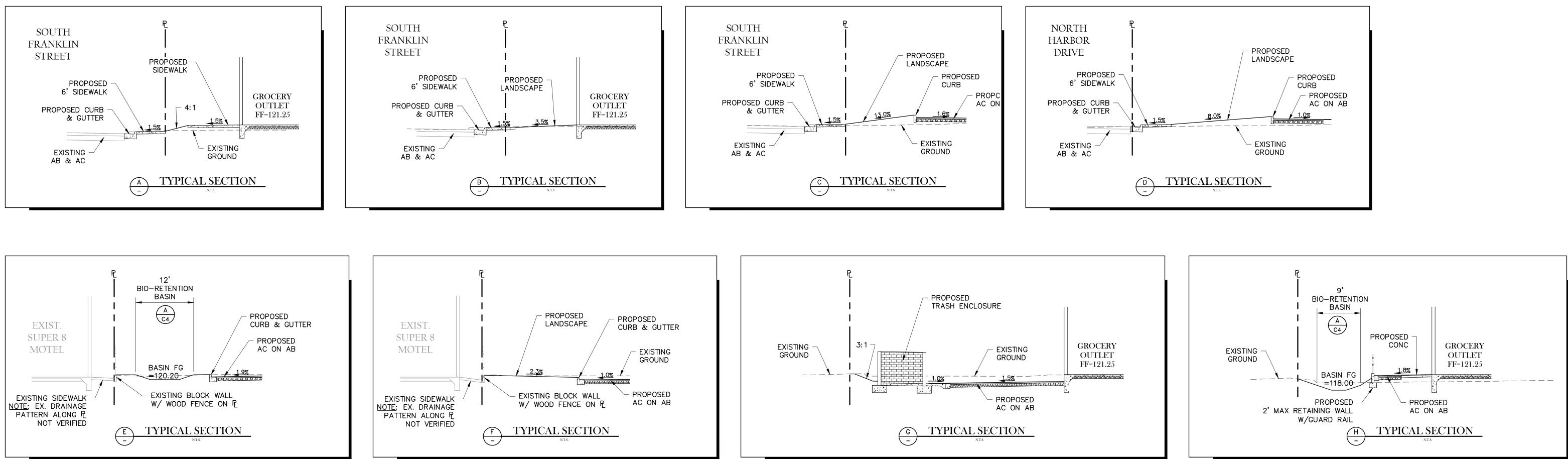


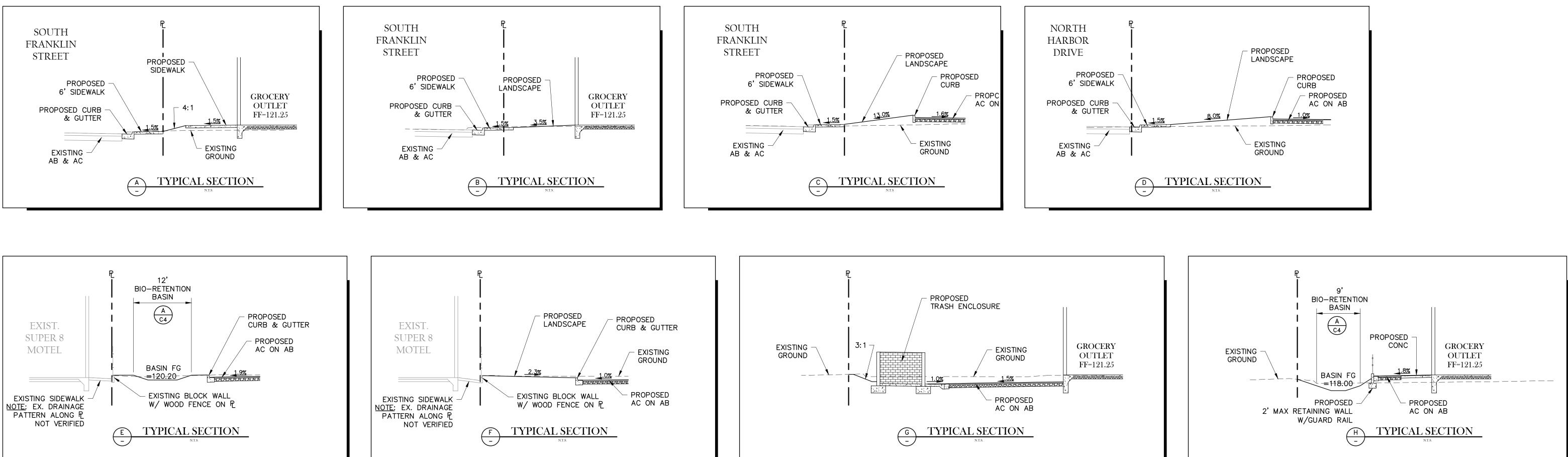






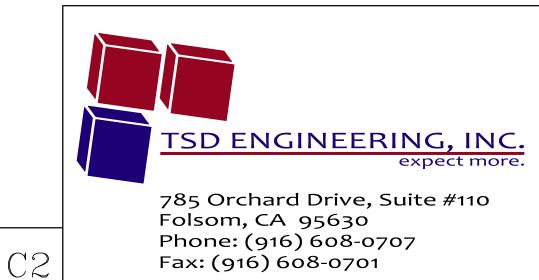


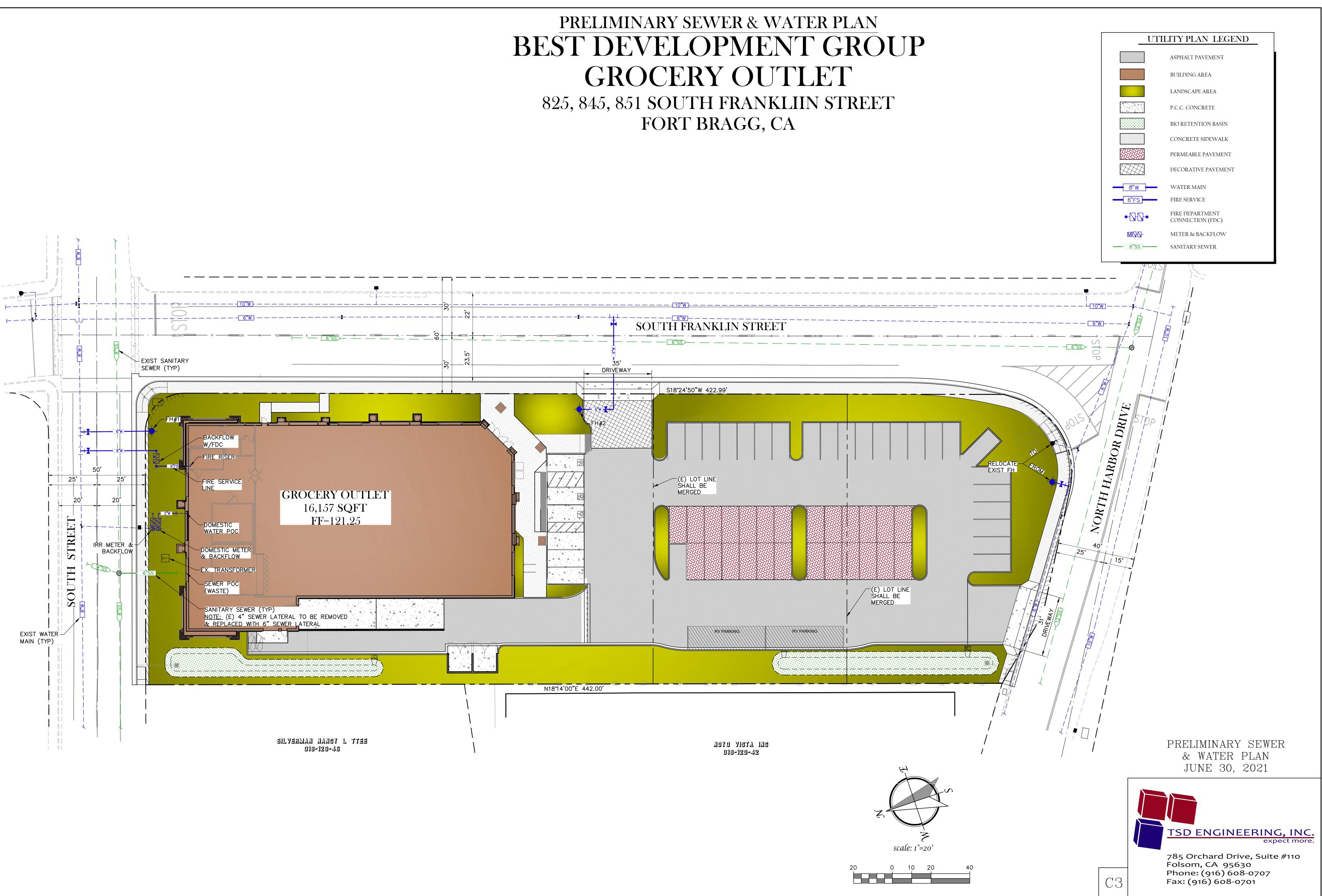


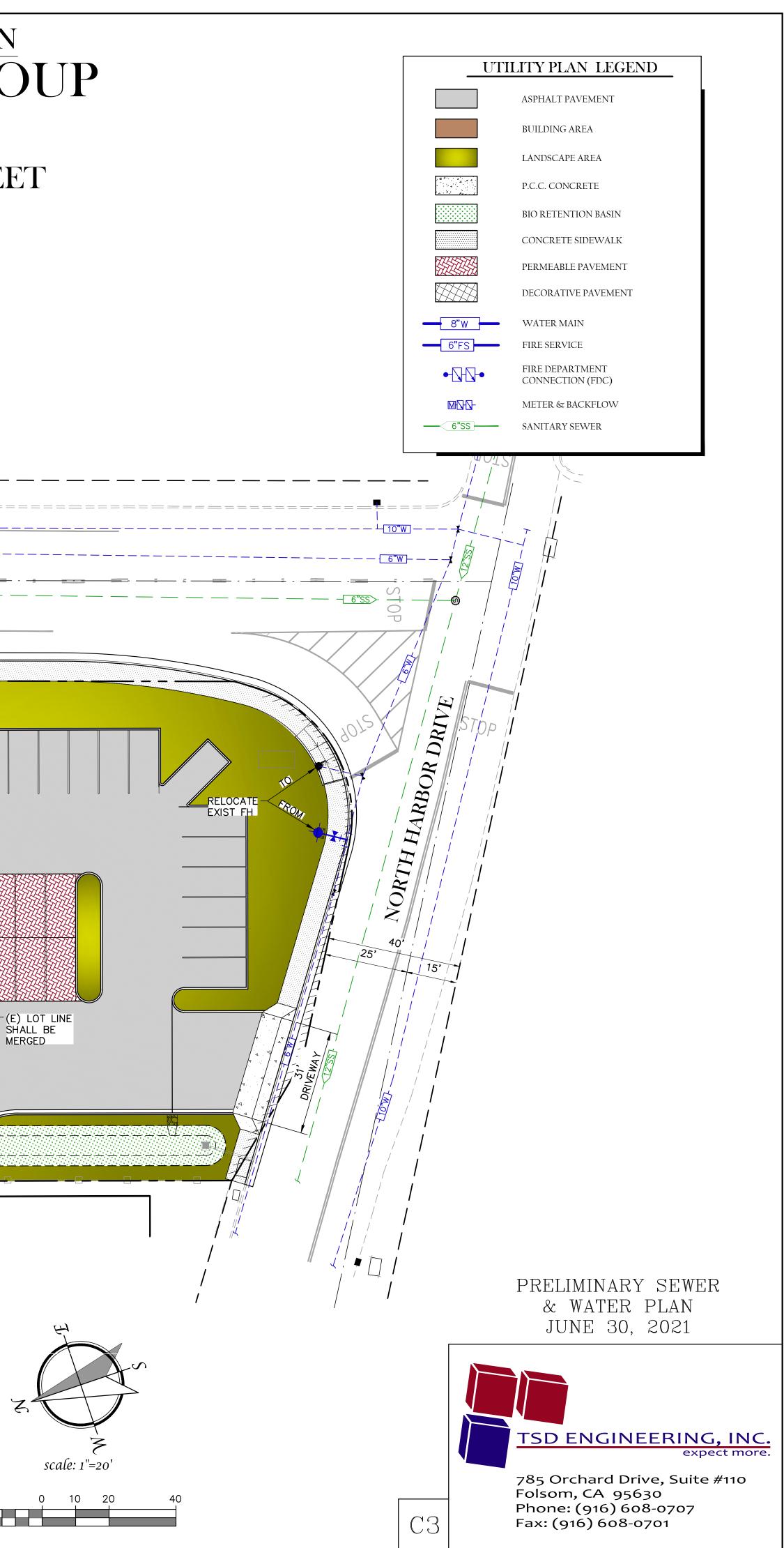


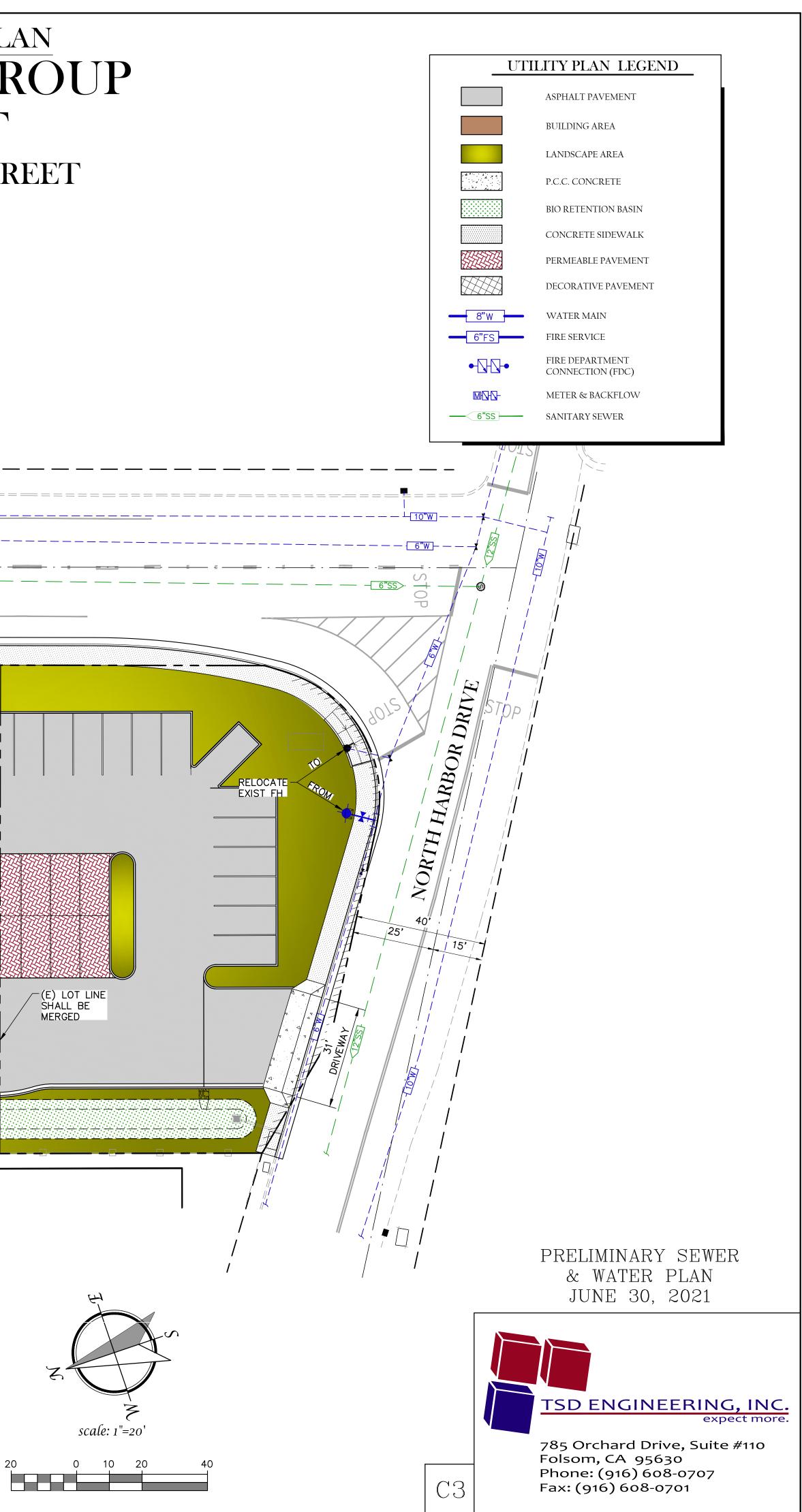
# PRELIMINARY GRADING SECTIONS BEST DEVELOPMENT GROUP **GROCERY OUTLET** 825, 845, 851 SOUTH FRANKLIIN STREET FORT BRAGG, CA

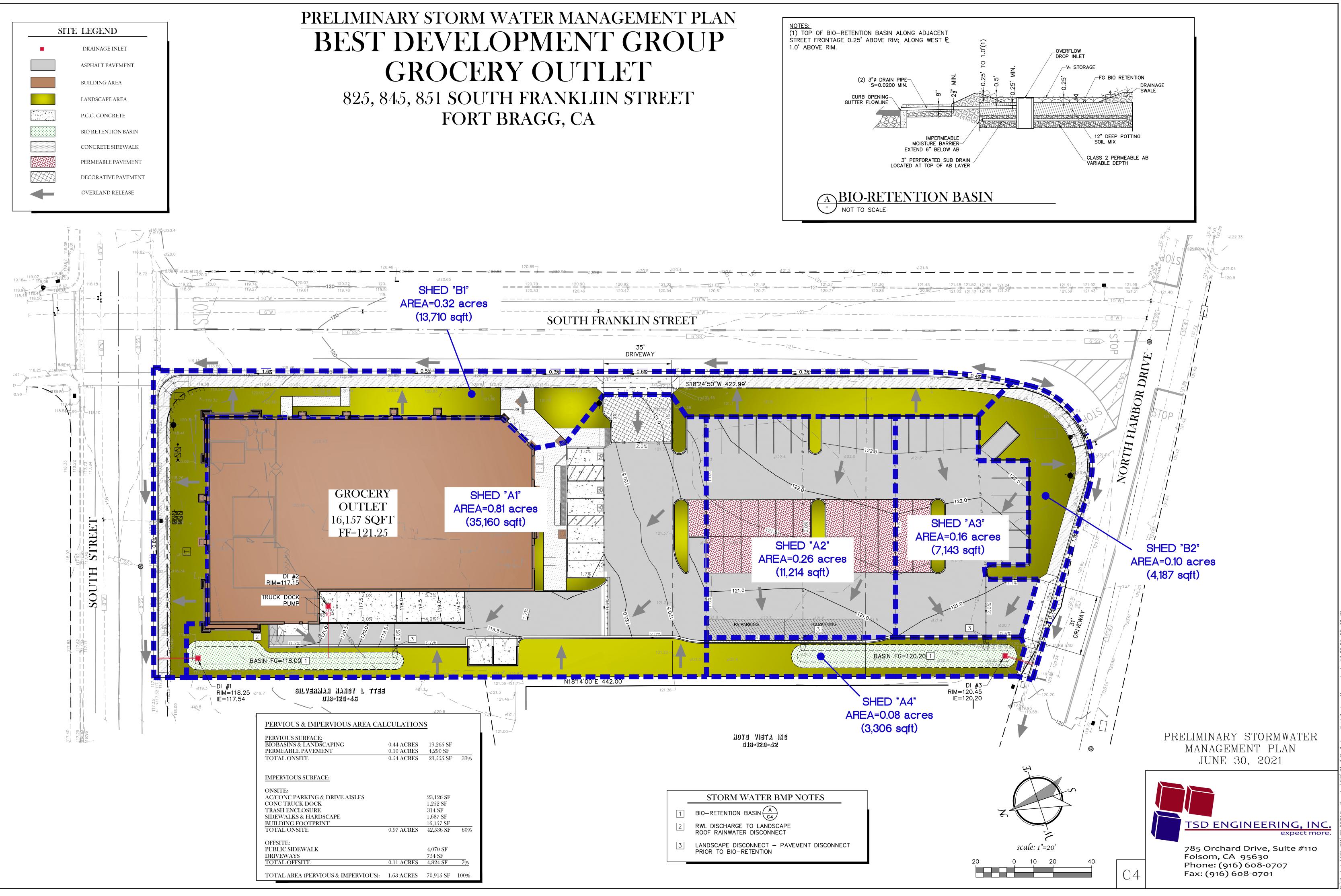
# PRELIMINARY SECTIONS JUNE 30, 2021

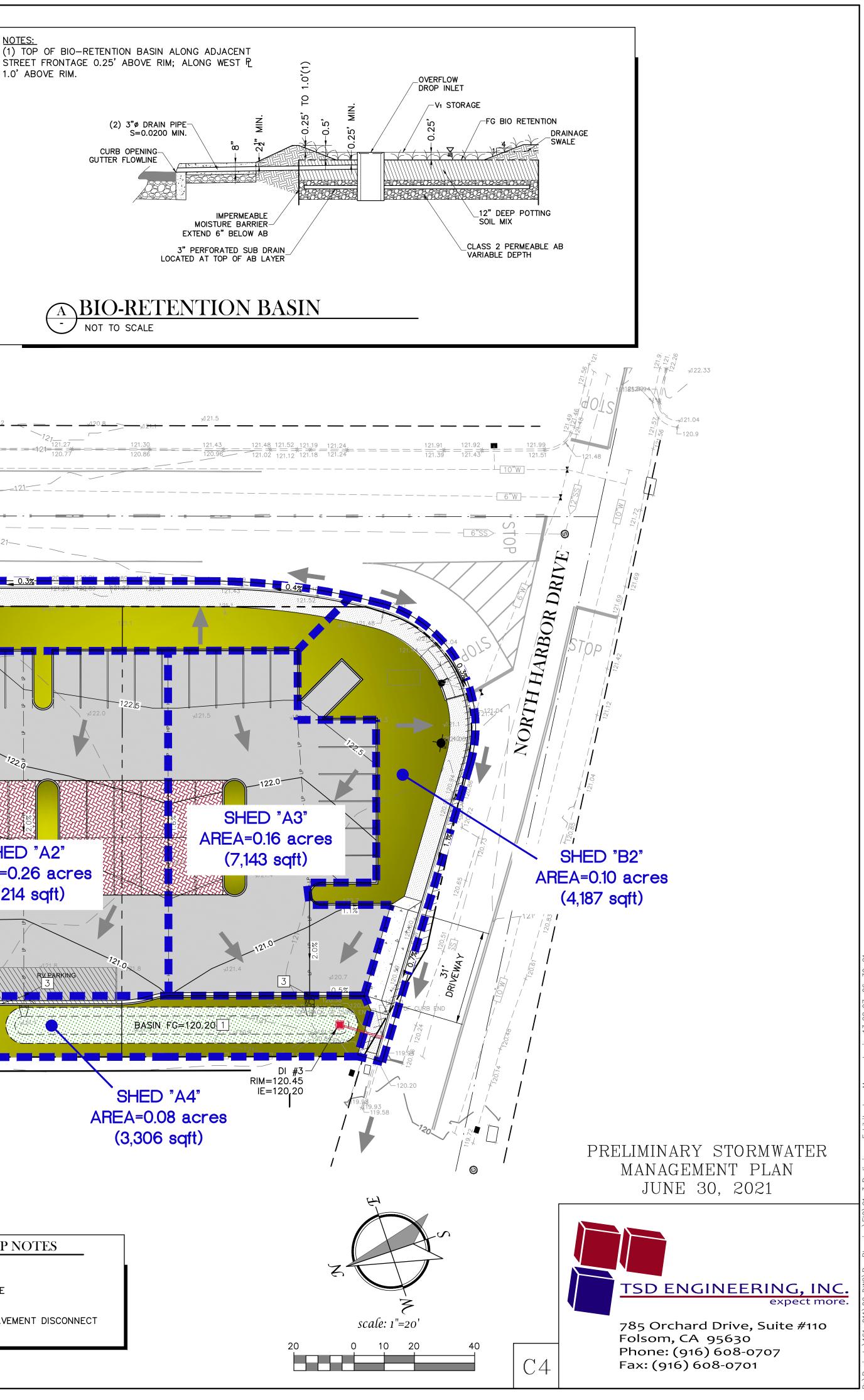












#### **VISUAL ANALYSIS**

#### Prepared by Carl M. Maxey, Architect July 19, 2002

#### THE PROPOSED PROJECT AND CONTEXT

The Fort Bragg Grocery Outlet is a proposed new construction 16,157 square foot retail grocery market to be located in the City of Fort Bragg, California one block East of California Highway 1 near the mouth of the Noyo River.

This site is bounded to the South by North Harbor Drive, to the East by South Franklin Street, to the North by South Street, and to the West by the Super 8 Motel and Chevron gas station. The parcel is mostly flat but slopes down slightly at the North end.

The market's public entrance would face South Franklin Street mid-block. The proposed building parapet height would be approximately 24 feet above sidewalk level on the South side and a little over 25 feet at the North side due to the lower sidewalk elevation there. The proposed building setback from South Street is 18'-7" from the property line, 15'-7" more than the require setback. The proposed building setback from South Franklin Street is 10'-0". The West side of the building adjacent to the motel would be setback 24'-1"; in excess of the required 20 feet setback.

A mature cypress tree along the West site boundary would be protected during construction and retained. There are currently vacant parcels across the street to the North and the East.

The surrounding neighborhood land uses include Highway Visitor Commercial to the West and South, General Commercial to the North and East, and Office Commercial to the Northeast. One block further to the East is Low Density Residential and there exists High Density Residential uses four blocks to the East.

#### WHAT IS VISUAL SIMULATION

Visual simulations are a standardized representation of proposed projects shown in context of the surroundings. The purpose of these simulations is to provide the community and decision makers an impartial visual representation of the proposed grocery store in neighborhood context alongside a photo of existing conditions.

#### HOW THESE VISUAL SIMULATION VIEWS WERE CREATED

The simulations were prepared by Carl Maxey, a certified planner and LEED AP + ND professional. The visual simulations were created by photo collage method that combines a rendered scale model view of the proposed housing facility with a photograph of the site and context.

A normal (50mm planar) lens is used to photograph the site from several vantage points and the same angle of view and eye height was used in the model to create the renderings. Several ground and aerial references were placed in the scene for position and height accuracy verification.

Four simulations were created and shown on the attached exhibits.

#### **VISUAL ANALYSIS OF THE SIMULATIONS**

This analysis focuses on urban design considerations from the community's viewpoint. CEQA Visual Resources evaluation is addressed separately by others.

There exist several established design criteria for evaluating buildings in neighborhoods. The most fundamental visual considerations are what the project would present to the community from a visual and social perspective-how the proposed design address community interests and mitigates neighborhood concerns.

Specific design elements and the general design approach appear to shape the market to fit this neighborhood environment. The building envelope would be set back from the sidewalks with a softscape interface. The building would be setback further than required by zoning constraints.

Pedestrian scale appropriate for the area would be established with the combination of building articulation, varied roof heights, application of contrasting wood siding, wood shingles, colored concrete unit masonry and stone exterior finish materials, fenestration (doors and windows) pattern and scale and the use of a wood trellis at the market entry.

It is desirable for buildings to face the street, and for building architecture and streetscape improvements to establish clear visual definition of the public right of way.

The immediate neighborhood is zoned for commercial uses consistent with the general plan and is likely to be developed at a similar height over time. Similar size buildings could be developed across South Street and South Franklin Street in the future that would balance the building massing along the streets. This would have the effect of giving stronger visual definition to the street and the intersection.

Street aspect ratio, the height of buildings or street trees compared with the distance between buildings or street trees across the street, is a measure of a sense of visual enclosure and public space delineation. Although subjective and without empirical basis, LEED for Neighborhood Development uses 1:3 ratio at the lower end of effective for desirable visual definition. A ratio of 1:1 is considered by some the lower end of urban character streets.

The existing aspect ratio across South Franklin Street is considerably less than 1:3 for a short section of the block, even less for the majority of frontage due to vacant lots and roofs that slope down toward the street. If buildings on both sides of South Franklin Avenue were developed to a height of 25 feet, the aspect ratio would be about 1:3 (it is about 75 to 80 feet between building fronts), a ratio that could give clear visual definition to South Franklin Street.

Buildings fronting the adjacent streets may not be developed in the near future to give much visual definition to the street. Planting street trees at regular intervals on both sides of the streets is a visually and cost effective intervention. Street trees that are spaced regularly on both sides of the street increasingly contribute to the sense of visual enclosure and affect the aspect ratio and visual definition

#### as they mature.

The Grocery Outlet building would provide architectural interest at street level and would not present blank facades to any public way. The market has architectural design elements that wrap around the building on four sides, a positive design quality sometimes referred to as "turning the corner".

There would be strong visual connection between private and public space because of the placement of large windows whether true or faux, landscaping design, trellis at the entry and building entrance facing the street with good pedestrian access from the sidewalk. Generally, windows, false windows and balconies on facades facing the public way help create the perception that someone could appear to look out on the street and support a perceived sense of "eyes on the street" increasing a feeling of security in the neighborhood.

Vehicular access to parking would be via driveways placed the maximum distance from the intersection.

Pedestrian access from the street is only a few feet from the sidewalk and bicycle racks are shown in front of the store. It would be optimal if the racks were located closer to the entrance.

#### **THE FOUR SELECTED VIEWS FOR SIMULATION**

We studied the proposed project and neighborhood context with the goal of representing typical daytime visual experiences of neighbors, community members and visitors to the area. Nine camera locations were photographed, considered and narrowed down to the best four views from which to create the visual simulations. These are shown on the key maps on the attached exhibits.

#### View A

View A was photographed from in front of the Harbor Lite Lodge looking North.

The building would be set quite far back from North Harbor Drive, further even than the existing structure. The parking lot would be visually prominent. The specific landscaping shown is assumed, and placed in areas designated as landscaped on the site plan. A continuous hedge is shown as a parking lot screen. Pylon signage, typical for Grocery Outlet, is absent in the design to respect local preferences.

The building entry would easy to identify because of the hip roof, the trellis, and the fact that it would be angled to the street. Building articulation on the South and East facades helps to establish human scale appropriate for Fort Bragg.

#### View B

The View B camera position is from in front of the County Social Services site as shown on the key map on the exhibit. Façade articulation establishes a human scale and visual interest at pedestrian level. Specific design elements employed to accomplish this include wall articulation, varied roof heights, lower gable roofs and pilasters, varied finish materials, and large divided lite windows. The increased setbacks that would be softscaped from the back of sidewalk to the building help reduce perceived building scale and help the neighborhood transition to single family homes.

#### View C

The View C camera position is located in front of the motel sign on South Street. This view was chosen to show the relationship with the residential neighborhood a block away. The design elements used on the South Franklin Street frontage including softscaping would be continued along South Street and even wrap around the West side of the building to the screened loading area. Setbacks along this street that serves as an entry to the residential area would be greater than on South Franklin Street.

#### View D

The View D camera position is located across the street from the existing driveway on South Franklin Street. This view was chosen to show the visibility of the horizon over the ocean when viewed across the existing onsite parking area and the Chevron site looking West. The simulation was done at a 5.5 ft. eye height. The horizon over the ocean is just visible between the existing building and the cypress tree just above the distant fence line.

#### **ADDITIONAL CONSIDERATIONS**

Proposed lighting is not evaluated because information on exterior lighting fixtures and lamping was not provided. Lighting fixtures that are shielded to prevent direct light from the site to project beyond the property would be desirable. Ambient light from the building interior and patio area should be enough when combined with the municipal streetlights to provide most of the street side illumination of the public way. Broad spectral distribution and color rendition of warm tone lighting could provide good visibility at lower light levels than higher levels of cool tone lighting with narrow spectral distribution and color rendition.

#### Conclusions

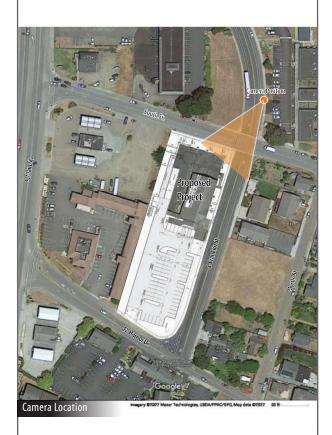
Clear design effort was made to minimize the visual impact of a 16,000 square foot building in this setting through the use of exterior materials variation, large windows on three sides, significant use of architectural detail and building envelope articulation, and the absence of large scale signage. Future development across South Franklin and South Street at a similar scale can be expected and would help establish clearer visual definition of the streets. Site organization would place the most active sides of the market furthest from the residential areas. The building would direct sounds from the loading area toward Highway 1 and away from residential uses.





# View B Visual Simulation Fort Bragg Grocery Outlet

Field of View: 46 degrees (Zeiss 50/f1.4 Planar lens) View Origin and Direction shown below Shadows: 2:00 PM 23 June 2022





CARL M. MAXEY, AICP ARCHITECT 831.236.0817 carlmaxeyarchitect@pm.me

uly 15, 2022





## View A Visual Simulation Fort Bragg Grocery Outlet

Field of View: 46 degrees (Zeiss 50/f1.4 Planar lens) View Origin and Direction shown below Shadows: 2:15 PM 23 June 2022





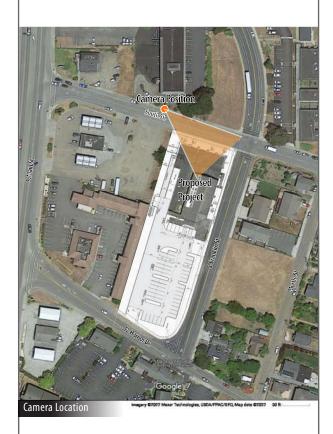
CARL M. MAXEY, AICP ARCHITECT 831.236.0817 carlmaxeyarchitect@pm.me

ıly 15, 2022



# View C Visual Simulation Fort Bragg Grocery Outlet

Field of View: 46 degrees (Zeiss 50/f1.4 Planar lens) View Origin and Direction shown below Shadows: 2:30 PM 23 June 2022





CARL M. MAXEY, AICP ARCHITECT 831.236.0817 carlmaxeyarchitect@pm.me

ly 15, 2022



## View D Visual Simulation Fort Bragg Grocery Outlet

Field of View: 46 degrees (Zeiss 50/f1.4 Planar lens) View Origin and Direction shown below Shadows: 1:00 PM 18 July 2022 5.5 Ft. Eye Height above Sidewalk





CARL M. MAXEY, AICP ARCHITECT 831.236.0817 carlmaxeyarchitect@pm.me ıly 15, 2022

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# **GROCERY OUTLET**

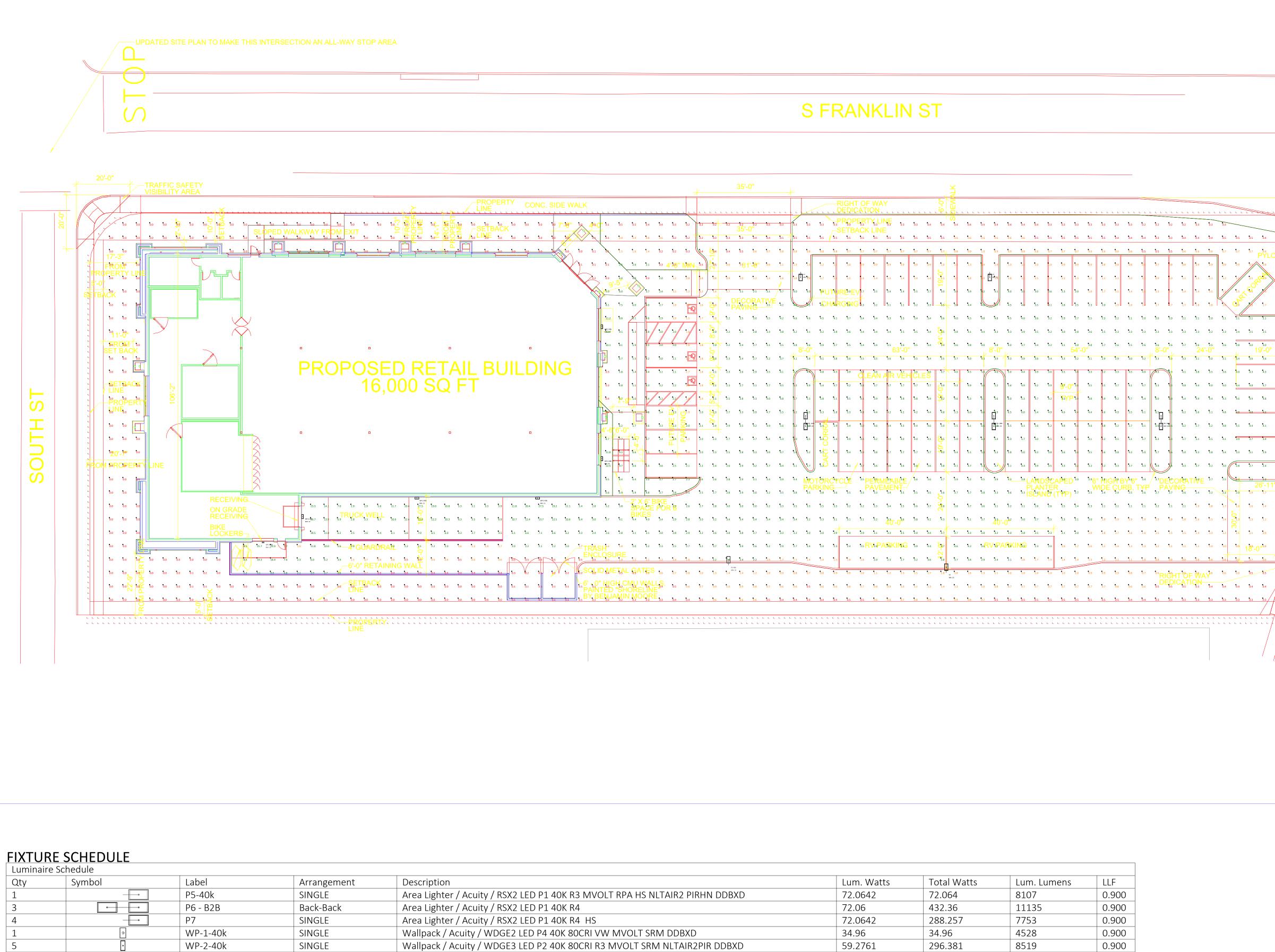
# Proposed Lighting Layout

SHEET L01 : LIGHTING SCHEDULE

SHEET LO2 : PHOTOTMETRIC STUDY

SHEET LO3 : SUMMARY PAGE

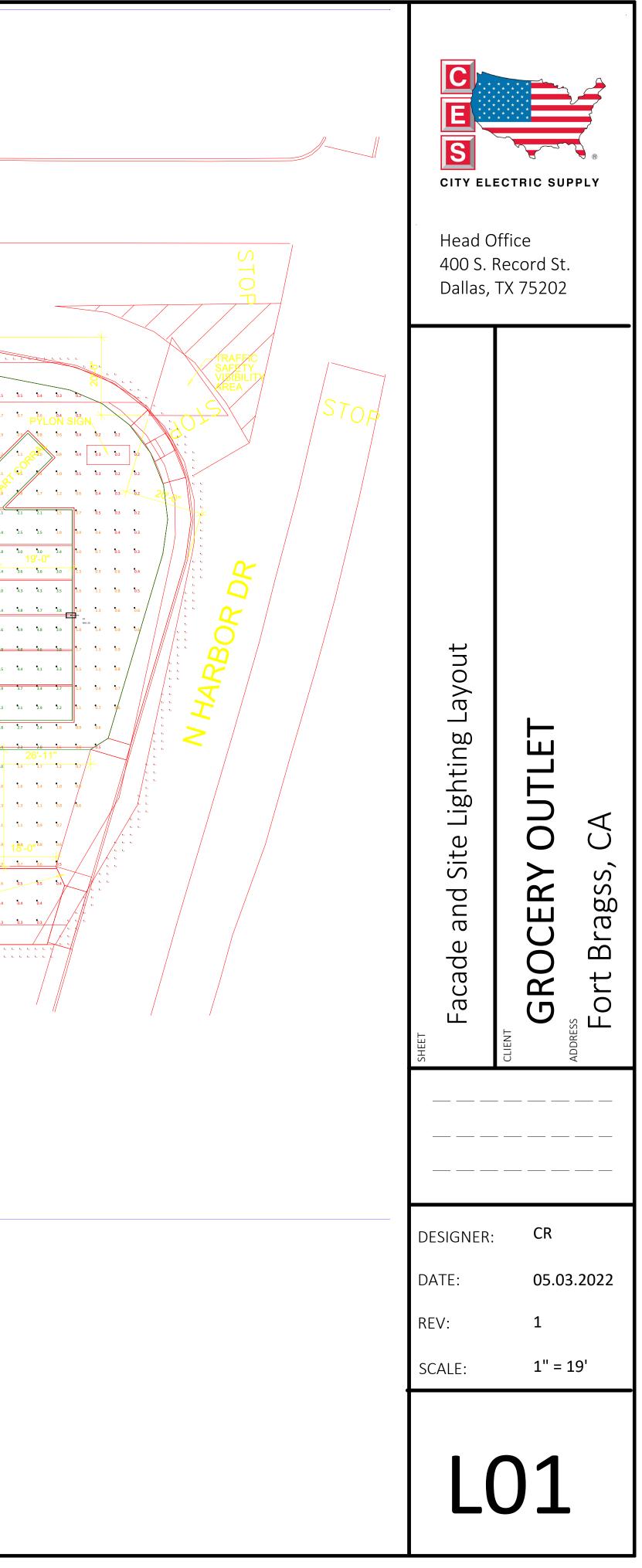


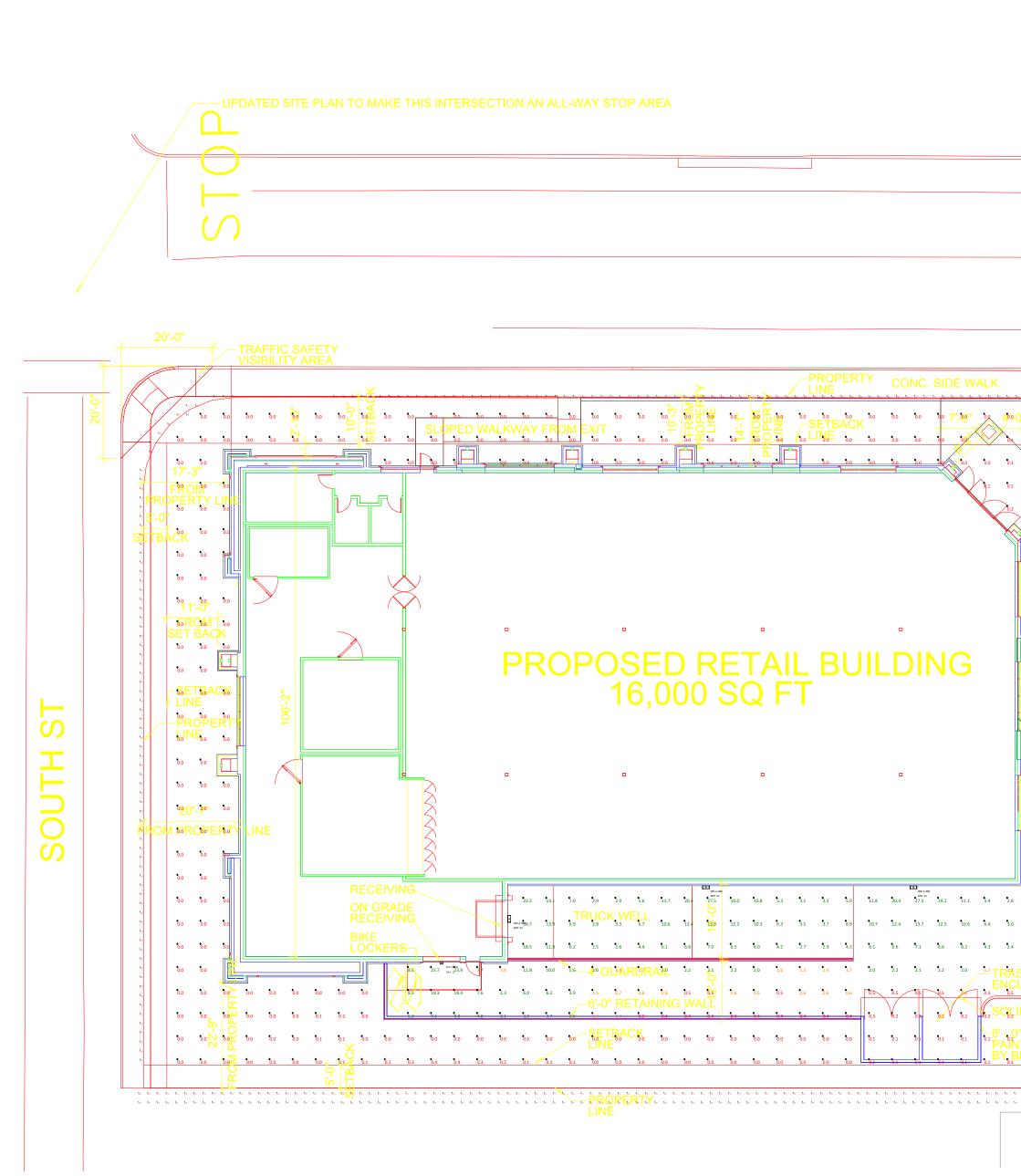


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	72.0642	288.257	7753	0.900
W MVOLT SRM DDBXD	34.96	34.96	4528	0.900
3 MVOLT SRM NLTAIR2PIR DDBXD	59.2761	296.381	8519	0.900





# STATISTICAL SUMMARY

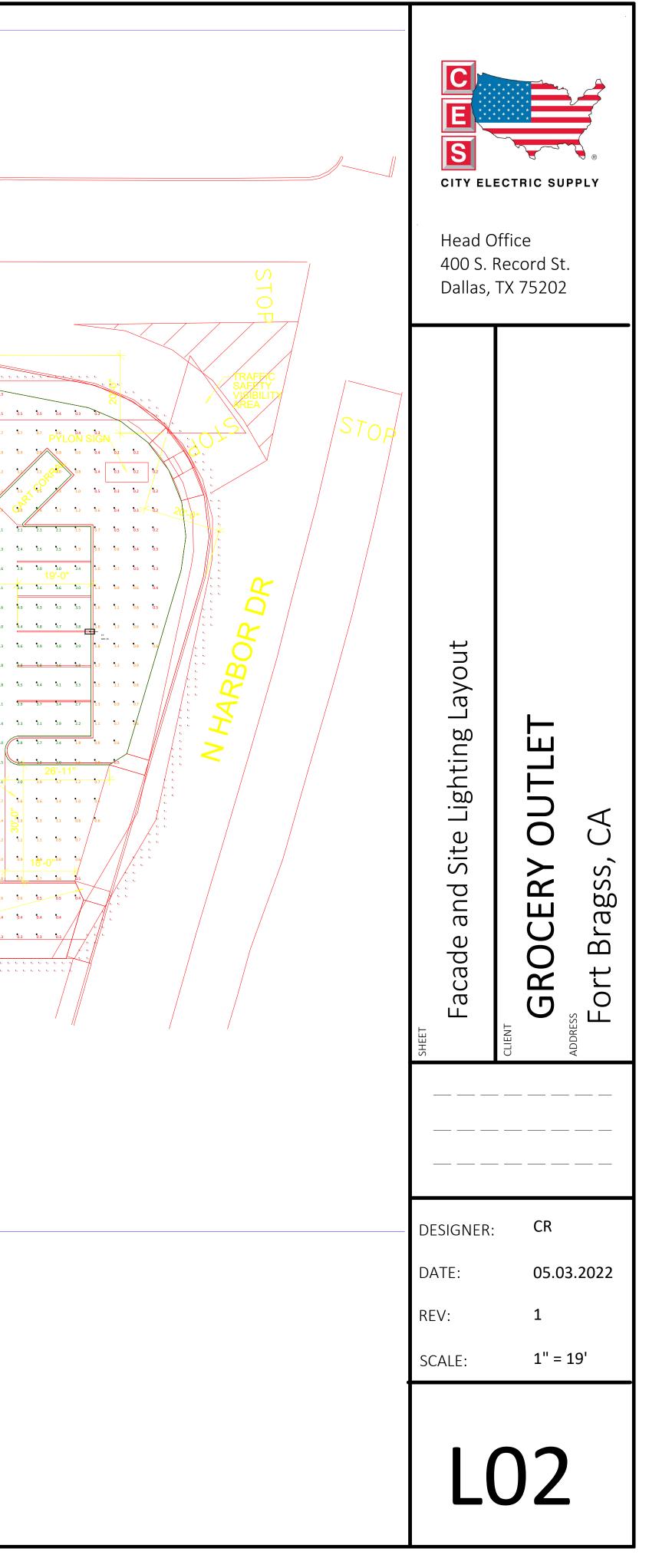
LPD Area Summary			
Label	Area	Total Watts	LPD
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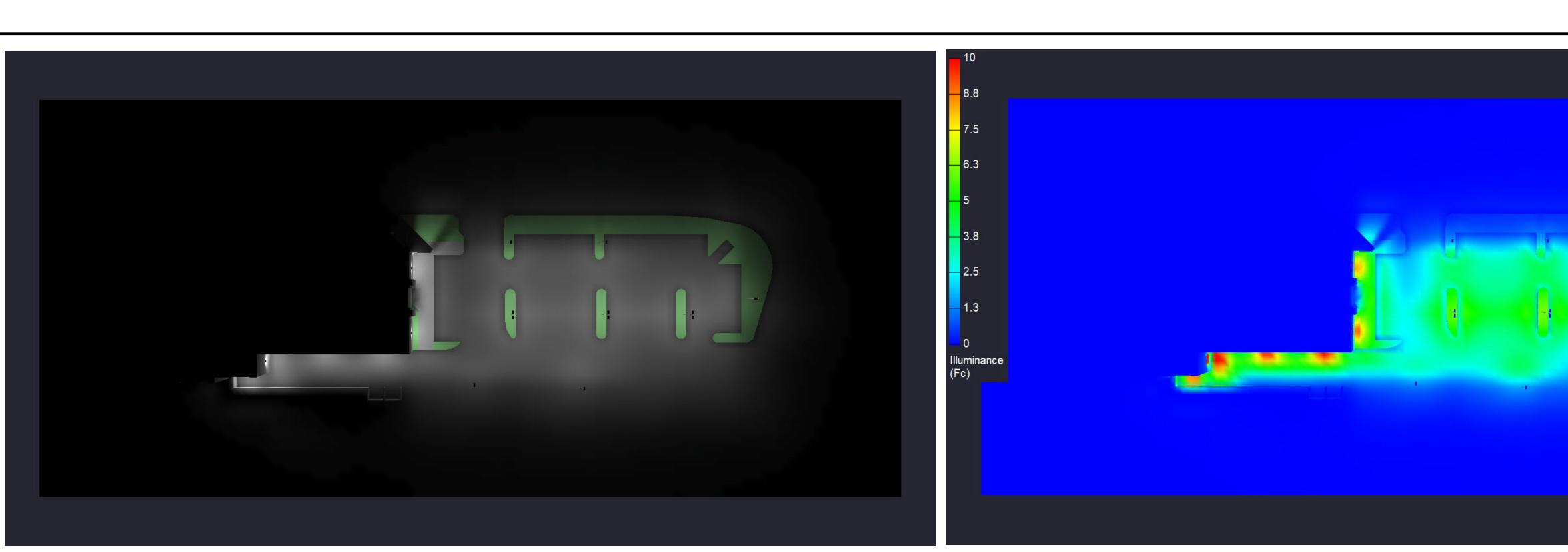
Calculation Summary
Label
Parking Lot
Plan East Entrance
Plan North Entrance
Property Line
Truck Well

# S FRANKLIN ST

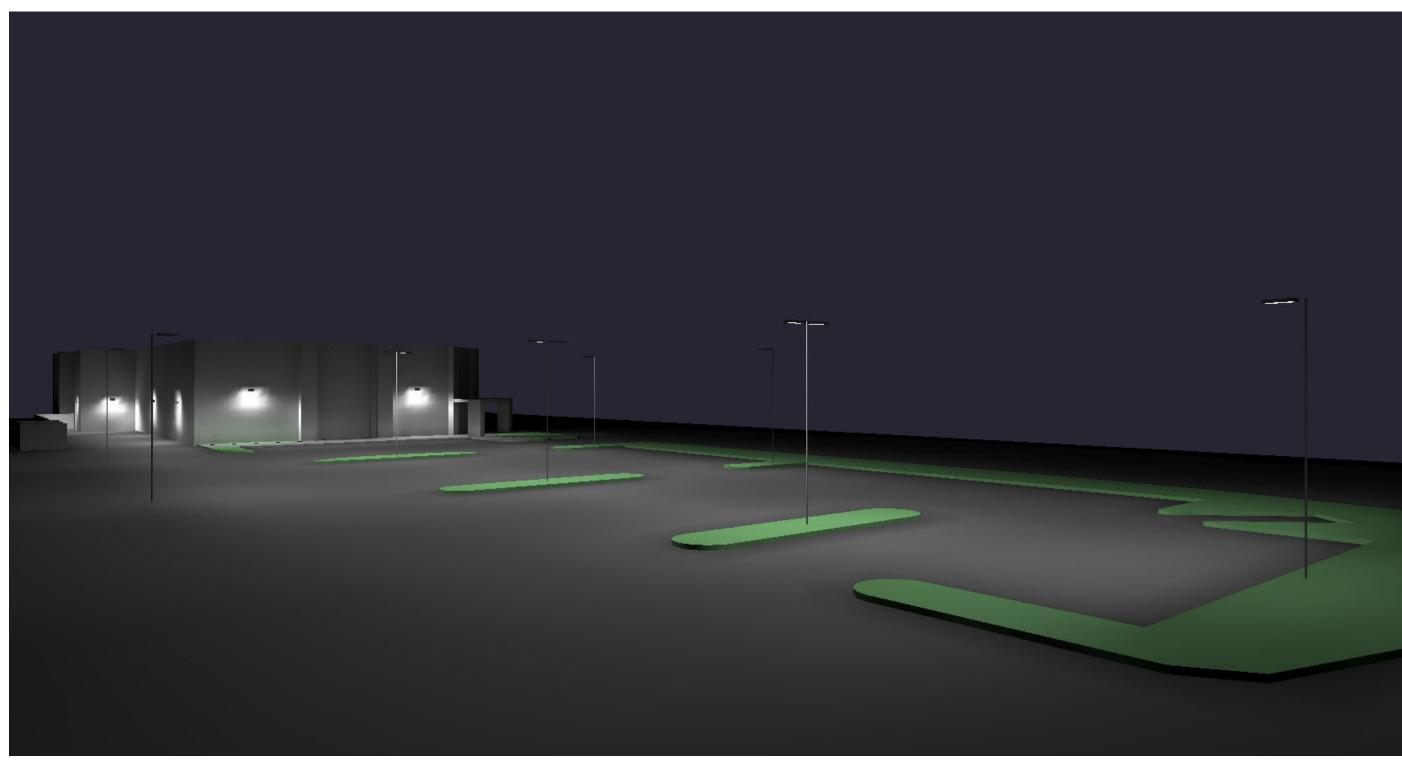
<del>/</del>	35'-0"	ALK		
	RIGHT OF WA	0 - 0		
		NF		
	35'-0"	" <del>03</del> 03 03 04 04 04 04 04 04 04 04 E	04 04 03 03 03 03 03 03 03 03 0	0.2 0.2 0.2 0.2 0.3 0.3 0.3
	<u>b3</u> <u>b3</u> <u>b4</u> <u>b4</u> <u>b5</u> <u>b5</u> <u>b5</u> <u>b5</u> <u>b5</u> <u>b5</u> <u>b5</u> <u>b5</u>	0.5 0.5 0.5 0.5 0.6 0.6 0.6 0.6 0.6	0.6 0.5 0.5 0.5 0.5 0.5 0.4 0.4 0	0.4 0.3 0.3 0.4 0.4 0.4 0.5
0.1 0x 1.5 1.6 1.4 0.2 0.2 0.3 0.4 0.4	0.4 0.5 0.5 0.7 0.8 0.8 0.8 0.8 0.7 0.7 0.7	0.7 0.7 0.7 0.7 0.7 0.8 0.9 1.0 0.9 0.9	0.8 0.8 0.7 0.7 0.6 0.6 0.6 0.6 0.6	0.5 0.5 0.6 0.6 0.6 0.7
0.1 0.1 2 2.6 2.1 0.3 4'20" MAN 0.5	0.6 0.6 1'-0" 0.9 1.1 1.3 1.3 1.2 1.2 1.0 0.9 0.9	0.9 0.9 0.9 0.9 1.0 1.1 1.3 1.4 1.4 1.3	3 12 1.0 1.0 0.9 0.9 0.9 0.8 0.8 0.8 0.8 0	0.5 0.7 0.8 0.8 0.9 0.9 0.9
b2 b3 \$40 b3 20 1.2 b.8 b8 b8	09 10 12 14 16 18 """" 18 17 18 15 14 14	14 14 14 14 15 18 19 T	3 <b>1</b> 1.5 1.4 1.3 1.3 1.2 1.1 1.1 1.0 1	10 0.9 1.0 1.1 1.1 1.1 1.2
50 50 37 24 15 12 14	17 21 25 3.1 3.7 40 40 <b>10 11 RE30EV</b> 27 25	2.4 2.4 2.5 2.7 3.0 3.4 3.9 4.2 4.1 4.0	0 35 3.0 2.6 2.3 2.0 1.8 1.7 1.5 1.4 1	13 13 14 14 15 15
8.1 7.5 6.0 1.0 2.7 1.8 1.6 3.8	21 DECORATIVE 12 SCHARGING 13 32	31 31 32 33 35 30 44 45 45	5 4.0 3.5 <b>3</b> .1 2.8 2.5 2.3 2.0 1.9 1.8 1	17 17 17 18 18 1X
	22 25 30 35 42 46 46 45 4.1 3.7 3.4 3.4	3.3 3.3 3.4 3.4 3.6 4.0 4.5 4.8 4.8 4.5	5 4.0 3.6 3.2 2.9 2.7 2.5 2.3 2.2 2.1 2	2.0 2.0 2.0 2.1 2.1 2.0 2.1
	22 25 28 33 38 42 41 42 38 36 34 34	34 35 35 34 35 38 41 44 43 43	a 39 35 32 30 28 26 25 23 23 3	2.3 2.3 2.3 2.3 2.3 2.2 2.3
$\overline{\mathbf{x}}$			5.9 5.5 3.2 3.0 2.8 2.6 2.5 2.3 2.3 2	
	22 24 27 31 35 38 36 39 37 35 34 34 8'-0''	35 36 35 34 34 36 38 40 38 40 63'-0" ↓ 8'-0" ↓	3.7 3.4 3.2 3.1 3.0 2.8 2.7 2.6 2.5 2 54'-0"	2.6 $2.6$ $2.7$ $2.6$ $2.5$ $2.68'-0''$ $24'-0''$
6.7 5.5 4.2 3.0 2.1 18 30	23 24 27 32 37 41 38 41 38 36 35 35	3.6 3.6 3.5 3.4 3.5 3.7 4.0 4.3 3.9 4.3	3.9 3.6 3.4 3.3 3.2 3.1 2.9 2.9 3.0 5	3.2 3.3 3.3 3.1 3.0 3.1
	2.3 2.6 2.9 3.5 4.1 4 4.8 4.3 3.9 3 3.6 CLEAN	AIR VEH CLES 3.7 4.0 4.5 5.0 4.6 5.0	4.4 3.9 3.6 3.5 3.4 3.3 3.2 3.3 3.5 4	1.0 <b>4.3 4.1 3.8 3.5 3.6</b>
	23 27 31 37 45 83 49 54 47 42 38 37	17 3.7 3.7 3.7 <b>3</b> .8 3.6 3.2 3.6	5 4.9 4.2 3.9 97_0"31 3.5 3.5 3.7 4.1 4	1.7 5.3 5.3 4.8 4.4 4.0 4.0
04 +7-9 1 50 4 32 22 11 19 -21	2.5 2.8 3.3 4.0 4.8 5.7 5.3 5.8 5.1 4.5 4.1 3.9	3.8 3.8 3.9 3.2 4.6 5.3 b.1 5.6 6.0	5.3 4.7 4.2 <b>1</b> 0YP33 3.8 3.9 4.2 4.7 5	5.4 6.0 6.0 5.4 4.9 4.4 4.3
	27 33 39 47 55 52 👘5 63 58 53 48 44	4.2 4.2 4.4 4.8 5.3 6.0 6.6 <b>6</b> 5.5	5 6.0 5.4 4.9 4.6 4.4 4.4 4.6 4.9 5.5 6	5.1 6.5 6.2 5.6 5.1 4.8
	2.9 3.5 4.2 4.9 5.6 12 14 14 15 5.9 5.4 5.6 4.6	A.4 4.3 4.4 4.6 5.0 5.5 6.1 6.6 14.20 6.5	5 6.1 5.6 5.2 4.8 4.8 4.6 4.8 5.2 5.7 6	5.1 6.6 mm.2006 6.2 5.7 5.2 4.8
	27 3.1 3.7 4.4 5.3 40 6.5 6.2 5.6 4.9 4.5 4.2	4.0 4.0 4.1 = 4.5 5.0 5.7 5.4 5.4 6.3	3 5.7 5.0 4.5 4.2 4.1 4.1 4.2 4.5 5.1 5	6.7 6.3 6.3 5.7 5.1 4.5 4.1
	25 28 33 39 47 5A 52 55 44 38 38	5.7 5.7 5.7 5.7 5.1 5.8 5.3 5.8	3 5.0 4.3 3.8 3.6 3.6 3.5 3.6 3.8 4.3 5	5.7 <b>5.6 5.0 4.3 3.8 3.</b> 4
			1 4.4 5.9 5.5 5.3 5.2 5.2 5.2 5.7 4	1.3 4.8 4.3 3.7 3.2 3.0
		125AB135 3.6 3.7 3.9 4.2 4.5 3.9 4.2 MENT		
6.6 6.9 5.9 4.8 3.7 2.8 25 2.5 2.7		3.4 3.5 3.5 3.5 3.6 •	33 ISIAND (TYP) 27 25 24 24 25	2.6 2.7 2.7 2.6 2.4 2.2 2.V
	3.0 3.0 3.0 3.2 3.3 3.5 3.3 3.5 3.3 3.2 3.2 3.3			=
BIKES 3.0 3.7 4.1 4.4 4.0 3.4 2.9 2.8 3.0 3.2	3.4 3.4 3.4 3.4 3.4 3.2 3.3 3.1 3.1 3.1 3.2	40'-0 <sup>3,6</sup> 3.8 4.1 4.3 4.1 3.7 40'-0 <sup>3,2</sup>	· 3.0 2.7 2.5 2.3 2.1 2.0 1.9 1.9 1.9	
	3.8 3.8 3.7 3.5 3.3 3.2 3.0 3.0 2.9 2.9 3.1			
<b>Pia Shi</b> e <b>18</b> 20 22 23 25 27 32 37	38 39 36 32 29 27 24 24 23 24 25 RV24P	ARKING 3.9 4.4 647 4.6 4.2 3.6RV3PAR4	KING 23 20 19 17 16 15 14 13 .	13 12 11 11 11 10 10
	1 <u>24 22 19 17 15 14</u> 14 15 16 18 20	Si l		
	*****         *****           1.4         1.2         1.0         0.9         0.8         0.7         0.8         0.9         0.9         1.0         1.1	<u></u>	<u> </u>	
	1.0 0.9 0.8 0.7 0.6 0.5 0.5 0.6 0.6 0.6 0.7 0.8			
AINTED ONORELINE	1.0 0.9 0.8 0.7 0.8 0.5 0.6 0.6 0.7 0.8	uy 10 11 13 14 13 12 10 0.8 0.7	u, u, u, u, 0,7 0,7 0,7 0,6 0,6 0	
BY BENJAMIN MOORE 03 04 04 05 06	<u>06 0.6 0.5 0.4 0.4 0.3 0.4 0.4 0.5 0.5 0.6</u>	<u>0.6 0.7 0.8 0.9 0.9 0.9 0.8 0.7 0.5 0.5</u>	<u>0.5 0.5 0.5 0.5 0.5 0.5 0.5 0.4 5</u>	0.4 0.3 0.3 0.3 0.3 0.3 0.3
				An A

CalcType	Units	Avg	Max	Min	Avg/Min	Max/Min
Illuminance	Fc	3.13	7.0	0.5	6.26	14.00
Illuminance	Fc	1.18	2.4	0.5	2.36	4.80
Illuminance	Fc	0.94	4.0	0.2	4.70	20.00
Illuminance	Fc	0.14	0.5	0.0	N.A.	N.A.
Illuminance	Fc	9.12	27.5	2.4	3.80	11.46
	Illuminance Illuminance Illuminance Illuminance	IlluminanceFcIlluminanceFcIlluminanceFcIlluminanceFcIlluminanceFc	IlluminanceFc3.13IlluminanceFc1.18IlluminanceFc0.94IlluminanceFc0.14	IlluminanceFc3.137.0IlluminanceFc1.182.4IlluminanceFc0.944.0IlluminanceFc0.140.5	Illuminance         Fc         3.13         7.0         0.5           Illuminance         Fc         1.18         2.4         0.5           Illuminance         Fc         0.94         4.0         0.2           Illuminance         Fc         0.14         0.5         0.0	Illuminance         Fc         3.13         7.0         0.5         6.26           Illuminance         Fc         1.18         2.4         0.5         2.36           Illuminance         Fc         0.94         4.0         0.2         4.70           Illuminance         Fc         0.14         0.5         0.0         N.A.





Plan View Grayscale



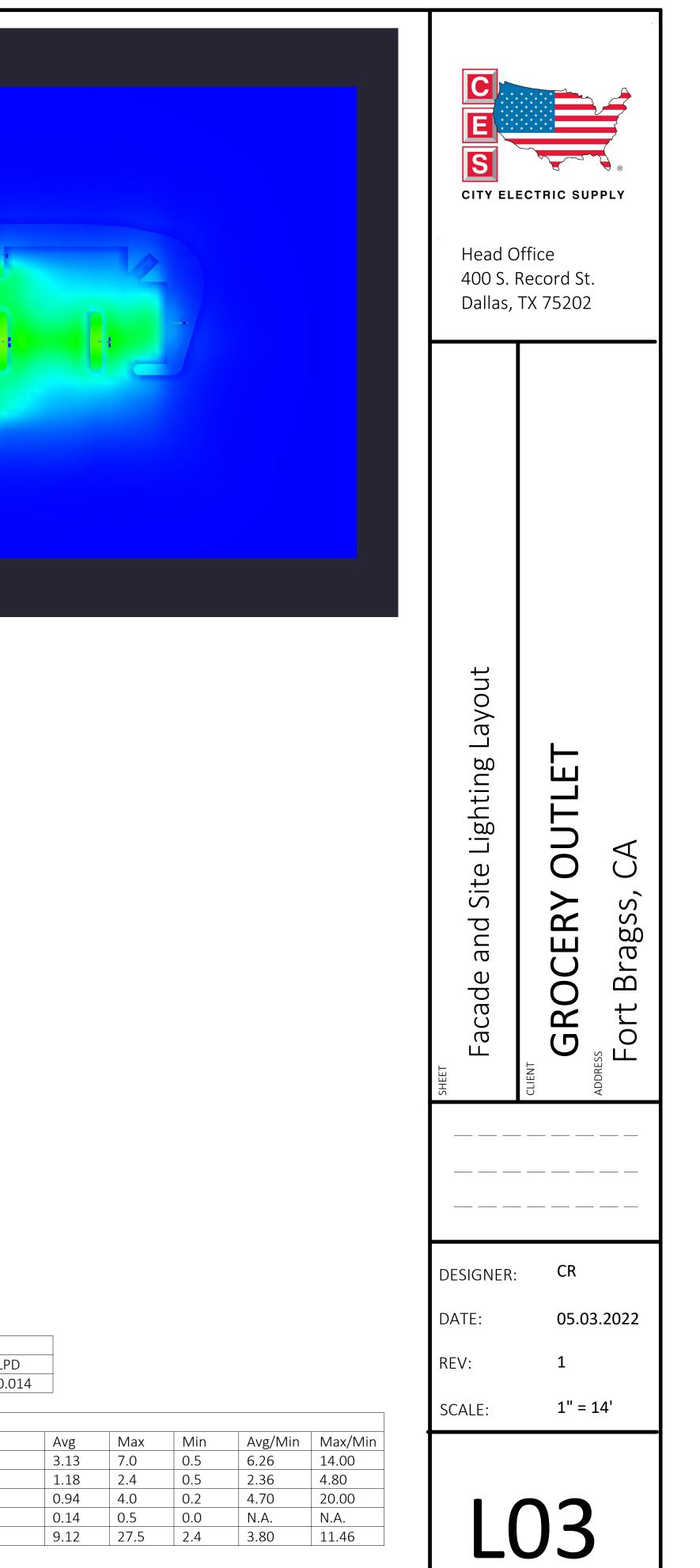
Side View

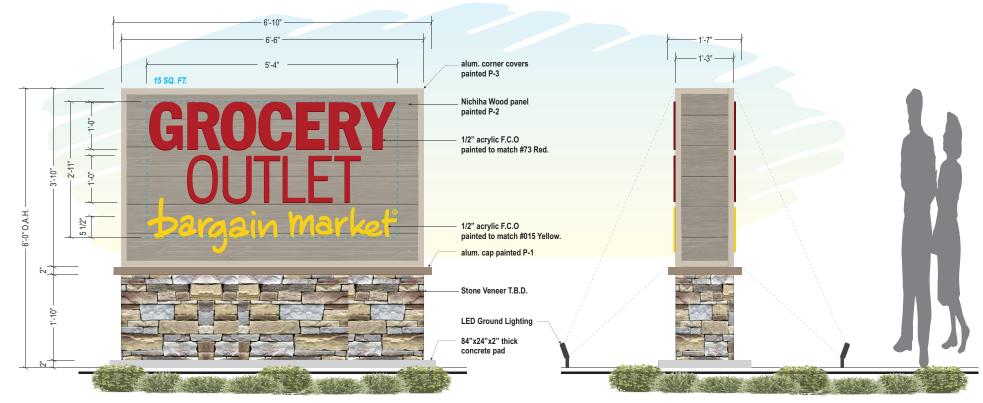
# FIXTURE SCHEDULE

Luminair	e Schedule								LPD Area Summary			
Qty	Symbol	Label	Arrangement	Description	Lum. Watts	Total Watts	Lum. Lumens	LLF	Label	Area	Total Watts	LPD
1		P5-40k	SINGLE	Area Lighter / Acuity / RSX2 LED P1 40K R3 MVOLT	72.0642	72.064	8107	0.900	GO Fort Braggs CA	80083	1124.022	0.014
				RPA HS NLTAIR2 PIRHN DDBXD							1	
3		P6 - B2B	Back-Back	Area Lighter / Acuity / RSX2 LED P1 40K R4	72.06	432.36	11135	0.900	Calculation Summary			
4		P7	SINGLE	Area Lighter / Acuity / RSX2 LED P1 40K R4 HS	72.0642	288.257	7753	0.900	Label	CalcType	U	Jnits
1		WP-1-40k	SINGLE	Wallpack / Acuity / WDGE2 LED P4 40K 80CRI VW	34.96	34.96	4528	0.900	Parking Lot	Illuminand	ce Fo	С
				MVOLT SRM DDBXD					Plan East Entrance	Illuminand	ce Fo	С
5	•	WP-2-40k	SINGLE	Wallpack / Acuity / WDGE3 LED P2 40K 80CRI R3	59.2761	296.381	8519	0.900	Plan North Entrance	Illuminand	ce Fo	С
				MVOLT SRM NLTAIR2PIR DDBXD					Property Line	Illuminand	ce Fo	С
									Truck Well	Illuminand	ce Fo	С

Plan View Pseudo

# STATISTICAL SUMMARY





SIGN B: D/F Monument Sign External Lighting Scale: 1" = 1'-0"

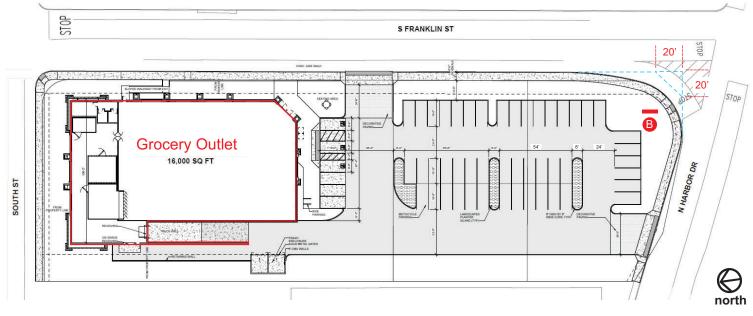
SIDE VIEW Scale: 1" = 1'-0"

#### COLORS AND MATERIALS:



1) This sign is intended to be installed in accordance with the requirements of Article 600 of the National Electrical Code and/or other applicable local codes. This includes proper grounding and bonding of the sign.

<ol> <li>The location of the disconnect switch after installation shall comply with the Srtical 600.6 (A)(1)</li> </ol>	) of the National Electrical Code		NFO		FILE	ELECT.	SPECIFICATIONS
SIGN SYSTEMS         5201 Pentecost Drive           C.S.C.L. # 718965         1-800-481-SIGN	JOB #: 00000 CLIENT: GROCERY OUTLET CONTACT: DATE: 3-6-19 PROJECT LOCATION: 825 S. FRANKLIN ST	SALESPERSON: SEAN CAMF DRAWN BY: BAM PAGE 1 OF 2 CLIENT APPROVAL	BELL	REVISIONS: <u>4-24-19 bam</u> <u>5-29-21 bam</u> <u>06-24-21 IL</u> <u>7-7-15 bam</u>	NOTED FILE NAME: GROCERY OUTLET fort bragg	120 Volt 277 Volt Other  one box above	See Drawing for Specifications
DESIGN MANUFACTURING INSTALLATION MAINTENANCE		LANDLORD APPROVAL	DATE	<u>9-18-15 bam</u>		MUST be checked prior to any mfg.	This Design Layout is specific to 120 wolt electrical power for approved illuminated signape, Any other voltage at job site that requires additional install https will be an exite charge Copyright 2000 USS United Sign Systems This artwork/design is sole peopenty of USS United Sign Systems and cannot be reproduced without written permission of Johnson Sign Systems



SITE PLAN

1) This sign is intended to be installed in accordance with the requirements of Article 600 of the National Electrical Code and/or other applicable local codes. This includes proper grounding and bonding of the sign.

<ol> <li>The location of the disconnect switch after installation shall comply with the Srtical 600.6 (A)(1)</li> </ol>	I) of the National Electrical Code	JOB INFO	FILE	ELECT.	SPECIFICATIONS
UNITED         5201 Pentecost Drive           Modesto, Calif. 95356         1-800-481-SIGN           C.S.C.L. # 718965         FAX (209) 543-1326	CONTACT: DATE: 3-6-19 PROJECT LOCATION: 825 S. FRANKLIN ST	SALESPERSON: SEAN CAMPBELL DRAWN BY: BAM PAGE 2 OF 2 CLIENT APPROVAL DATE	4-24-19 bam     NOTED       4-10-20 bam     FILE NAME:       6-2-21bam     GROCERY OUTLET       7715 bam     fort bragg	120 Volt 277 Volt Other  one box above MUST be checked	See Drawing for Specifications
DESIGN MANUFACTURING INSTALLATION MAINTENANCE	FORT BRAGG, CA	LANDLORD APPROVAL DATE	9-18-15 pam	prior to any mfg.	This Design Layout is specific to 120 volt electrical power for approved illuminated signage, Any other voltage at job site that requires additional install trips will be an entra charge Copyright 2000 USS United Sign Systems This artwork/design is sole property of USS United Sign Systems and cannot be reproduced without written permission of Johnson Sign Systems



Building Front Elevation / Scale 3/32"=1'-0"

 This sign is intended to be installed in accordance with the requirements of Article 600 of the National Electrical Code and/or other applicable local codes. This includes proper grounding and bonding of the sign.

2) The location of the disconnect switch after installation shall comply with the Srtical 600.6 (A)(1	) of the National Electrical Code	JOB INFO	FILE	ELECT.	SPECIFICATIONS
SIGN SYSTEMS C.S.C.L. # 7189655201 Pentecost Drive Modesto, Calif. 95356 1-800-481-SIGN FAX (209) 543-1326DESIGN MANUFACTURING INSTALLATION MAINTENANCE	DATE: 3-6-19 PROJECT LOCATION: 825 S. FRANKLIN ST	SALESPERSON: SEAN CAMPBELL DRAWN BY: BAM PAGE 1 OF 3 CLIENT APPROVAL DATE	4-24-19 bam     NOTED       1-15-17 bam     FILE NAME:       72-215 bam     GROCERY OUTLET       0-18-15 bam     fort bragg	120 Volt 277 Volt Other one box above MUST be checked prior to any mfg.	See Drawing for Specifications

1/4" x 2" mounting

screws with shields

12 volt wiring

power supply

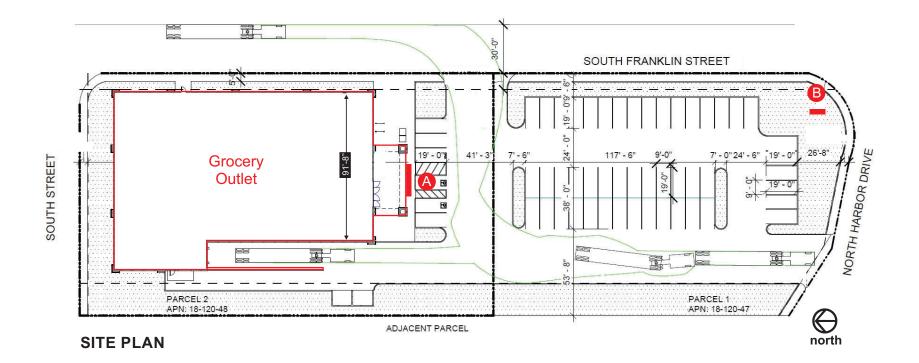
behind the

wall raceways

(min. 4 per letter)

12 volt

ō-



1) This sign is intended to be installed in accordance with the requirements of Article 600 of the National Electrical Code and/or other applicable local codes. This includes proper grounding and bonding of the sign.

<ol> <li>The location of the disconnect switch after installation shall comply with the Srtical 600.6 (A)(</li> </ol>	) of the National Electrical Code	JOB INFO	FILE	ELECT.	SPECIFICATIONS
5201 Pentecost Drive Modesto, Calif. 95356 1-800-481-SIGN	JOB #: 00000 CLIENT: GROCERY OUTLET CONTACT: DATE: 3-6-19	SALESPERSON: SEAN CAMPBELL DRAWN BY: BAM PAGE 3 OF 3		120 Volt 277 Volt Other	See Drawing for Specifications
C.S.C.L. # 718965 FAX (209) 543-1326	PROJECT LOCATION: 825 S. FRANKLIN ST	CLIENT APPROVAL DATE	7-2-15 bam     GROCERY OUTLET       7-7-15 bam     fort bragg	one box above MUST be checked	
DESIGN MANUFACTURING INSTALLATION MAINTENANCE	FORT BRAGG, CA	LANDLORD APPROVAL DATE		prior to any mfg.	This Design Layout is specific to 120 volt electrical power for approved illuminated signage, Any other voltage at job site that requires additional install typs will be an entra charge Copyright 2010 USS United Sign Systems This artwork/design is sole peoperty of USS United Sign Systems and cannot be reproduced without written permission of Johnson Sign Systems

#### EXHIBIT "A" RESULTANT PARCEL A

All that real property situate in the City of Fort Bragg, County of Mendocino, State of California, being a portion of Section 18, Township 18 North, Range 17 West, M.D.M., described as follows:

All of Tracts One and Two described in Grant Deed recorded in Book 2458, Page 701, and all of Parcel 1 described in Grant Deed recorded in Book 2379, Page 263, Official Records of Mendocino County, more particularly described as follows:

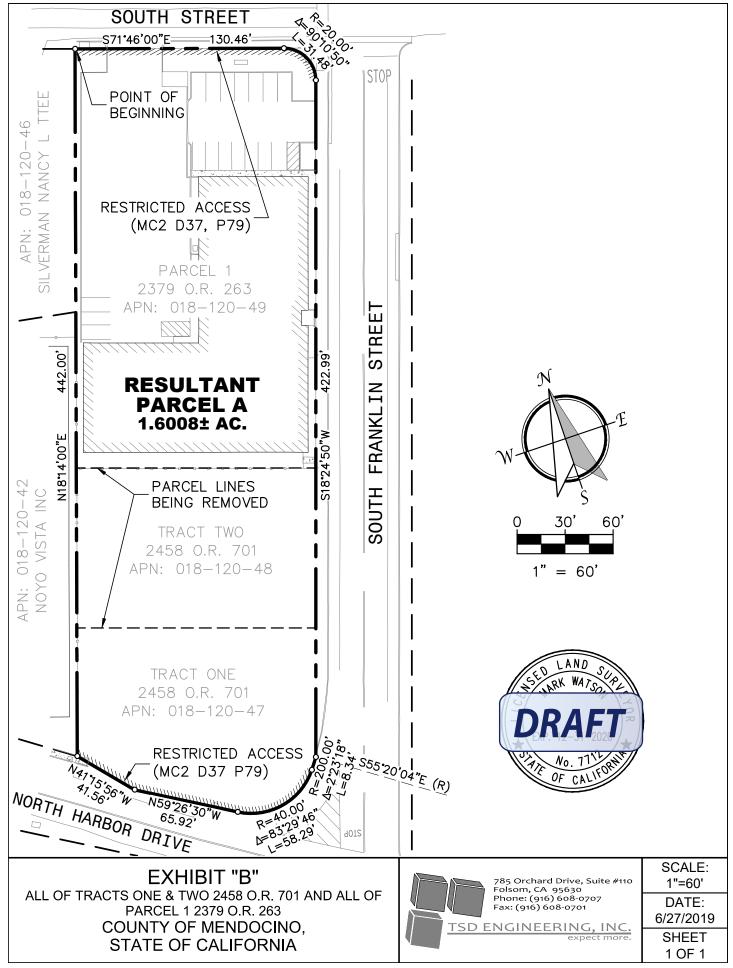
**BEGINNING** at the northwest corner of said Parcel 1; thence along the boundary line of said parcel 1 and said Tracts One and Two the following eight (8) courses:

- 1. South 71°46'00" East 130.46 feet to a tangent curve to the right, having a radius of 20.00 feet
- Along said curve, through a central angle of 90°10'50", an arc distance of 31.48 feet
- South 18°24'50" West 422.99 feet to a point on a non-tangent curve to the right, having a radius of 200.00 feet, a radial line through said point bearing South 55°20'04" East
- 4. Along said curve, through a central angle of 2°23'18", an arc distance of 8.34 feet to a tangent curve to the right, having a radius of 40.00 feet
- 5. Along said curve, through a central angle of 83°29'46", an arc distance of 58.29 feet
- 6. North 59°26'30" West 65.92 feet
- 7. North 41°15'56" West 41.56 feet
- 8. North 18°14'00" East 442.00 feet to the **POINT OF BEGINNING**

Containing 69,733 square feet, more or less.

End of description.







First American Title

# **First American Title Company**

3001 I Street, Suite 100 Sacramento, CA 95816

Escrow Officer: Phone: Fax No.: E-Mail: Lesley Kaufman (916)490-4512 (714)689-5184 LKaufman@firstam.com

E-Mail Loan Documents to: Buyer: Property: MidtowneDocs@firstam.com Best Development Group, LLC 851, 845 and 825, South Franklin Street Fort Bragg, CA 95437

#### PRELIMINARY REPORT

In response to the above referenced application for a policy of title insurance, this company hereby reports that it is prepared to issue, or cause to be issued, as of the date hereof, a Policy or Policies of Title Insurance describing the land and the estate or interest therein hereinafter set forth, insuring against loss which may be sustained by reason of any defect, lien or encumbrance not shown or referred to as an Exception below or not excluded from coverage pursuant to the printed Schedules, Conditions and Stipulations of said Policy forms.

The printed Exceptions and Exclusions from the coverage and Limitations on Covered Risks of said policy or policies are set forth in Exhibit A attached. *The policy to be issued may contain an arbitration clause. When the Amount of Insurance is less than that set forth in the arbitration clause, all arbitrable matters shall be arbitrated at the option of either the Company or the Insured as the exclusive remedy of the parties.* Limitations on Covered Risks applicable to the CLTA and ALTA Homeowner's Policies of Title Insurance which establish a Deductible Amount and a Maximum Dollar Limit of Liability for certain coverages are also set forth in Exhibit A. Copies of the policy forms should be read. They are available from the office which issued this report.

Please read the exceptions shown or referred to below and the exceptions and exclusions set forth in Exhibit A of this report carefully. The exceptions and exclusions are meant to provide you with notice of matters which are not covered under the terms of the title insurance policy and should be carefully considered.

# It is important to note that this preliminary report is not a written representation as to the condition of title and may not list all liens, defects, and encumbrances affecting title to the land.

This report (and any supplements or amendments hereto) is issued solely for the purpose of facilitating the issuance of a policy of title insurance and no liability is assumed hereby. If it is desired that liability be assumed prior to the issuance of a policy of title insurance, a Binder or Commitment should be requested.

Dated as of November 15, 2018 at 7:30 A.M.

The form of Policy of title insurance contemplated by this report is:

To Be Determined

A specific request should be made if another form or additional coverage is desired.

Title to said estate or interest at the date hereof is vested in:

Dominic J. Affinito and Juliette C. Affinito, husband and wife, as Community Property

The estate or interest in the land hereinafter described or referred to covered by this Report is:

Fee

The Land referred to herein is described as follows:

(See attached Legal Description)

At the date hereof exceptions to coverage in addition to the printed Exceptions and Exclusions in said policy form would be as follows:

- 1. Detailed tax information to be provided under separate cover.
- 2. The following matters shown or disclosed by the filed or recorded map referred to in the legal description:Various Notes And Recitals
- 3. Abutter's rights of ingress and egress to or from South Street and South Franklin Street and North Harbor Drive, have been dedicated or relinquished on the filed Map.
- 4. Intentionally Deleted
- 5. A Deed of Trust to secure an original indebtedness of \$3,500,000.00 recorded August 6, 2010 as Instrument No. 2010-10989 of Official Records. Dated: July 28, 2010
  Trustor: Dominic J. Affinito and Juliette C. Affinito, husband and wife as community property
  Trustee: StoneTree Financial, Inc. a California corporation Beneficiary: David Pick Family Partnership, L.P.

Notes:

a. If this deed of trust is to be eliminated in the policy or policies contemplated by this report/commitment, we will require all of the following prior to the recordation of any documents or the issuance of any policy of title insurance:

i. Original note and deed of trust.

ii. Payoff demand statement signed by all present beneficiaries.

iii. Request for reconveyance signed by all present beneficiaries.

b. If the payoff demand statement or the request for reconveyance is to be signed by a servicer, we will also require a full copy of the loan servicing agreement executed by all present beneficiaries. c. If any of the beneficial interest is presently held by trustees under a trust agreement, we will require a certification pursuant to Section 18100.5 of the California Probate Code in a form satisfactory to the Company

The above deed of trust states that it secures an equity line/revolving line of credit.

- 6. The fact that the land lies within the boundaries of the The Fort Bragg Redevelopment Project Area, as disclosed by various documents of record.
- 7. Water rights, claims or title to water, whether or not shown by the public records.

(Affects Parcels One and Two)

8. Rights of parties in possession.

### INFORMATIONAL NOTES

Note: The policy to be issued may contain an arbitration clause. When the Amount of Insurance is less than the certain dollar amount set forth in any applicable arbitration clause, all arbitrable matters shall be arbitrated at the option of either the Company or the Insured as the exclusive remedy of the parties. If you desire to review the terms of the policy, including any arbitration clause that may be included, contact the office that issued this Commitment or Report to obtain a sample of the policy jacket for the policy that is to be issued in connection with your transaction.

1. The property covered by this report is vacant land.

(Affects PARCELS ONE AND TWO)

2. According to the latest available equalized assessment roll in the office of the county tax assessor, there is located on the land a(n) Commercial Structure known as 825 South Franklin Street, Fort Bragg, California.

(Affects PARCEL THREE)

3. According to the public records, there has been no conveyance of the land within a period of twentyfour months prior to the date of this report, except as follows:

None

The map attached, if any, may or may not be a survey of the land depicted hereon. First American expressly disclaims any liability for loss or damage which may result from reliance on this map except to the extent coverage for such loss or damage is expressly provided by the terms and provisions of the title insurance policy, if any, to which this map is attached.

#### LEGAL DESCRIPTION

Real property in the City of Fort Bragg, County of Mendocino, State of California, described as follows:

PARCEL ONE: (APN: 018-120-47-00)

ALL THAT REAL PROPERTY SITUATE IN THE CITY OF FORT BRAGG, COUNTY OF MENDOCINO, STATE OF CALIFORNIA AND BEING A PORTION OF SECTION 18, TOWNSHIP 18 NORTH, RANGE 17 WEST, M.D.M., MORE PARTICULARLY DESCRIBED AS FOLLOWS:

ALL BEARINGS USED IN THIS DESCRIPTION ARE IN TERMS OF THE CALIFORNIA STATE GRID ZONE II.

COMMENCING AT THE NORTHWEST CORNER OF PARCEL 1, AS DELINEATED UPON THAT CERTAIN PARCEL MAP FILED IN MAP CASE 2, DRAWER 37, PAGE 79, MENDOCINO COUNTY RECORDS; SAID POINT ALSO BEING IN THE SOUTHERLY RIGHT OF WAY OF SOUTH STREET; THENCE FROM SAID POINT OF COMMENCEMENT AND ALONG THE WESTERLY BOUNDARY OF SAID PARCELS 1, 2 AND 3, SOUTH 18° 14' 00" WEST, 361.81 FEET, TO THE POINT OF BEGINNING; THENCE FROM SAID POINT OF BEGINNING, SOUTH 71° 35' 10" EAST, 149.38 FEET, TO A POINT IN THE WESTERLY RIGHT OF WAY OF FRANKLIN STREET; THENCE ALONG SAID RIGHT OF WAY OF FRANKLIN STREET, SOUTH 18° 24' 50" WEST, 80.77 FEET; THENCE ALONG A CURVE CONCAVE TO THE NORTHWEST, HAVING A CENTRAL ANGLE OF 2° 23' 17" A RADIUS OF 206.00 FEET, AN ARC LENGTH OF 8.34 FEET, TO A POINT OF COMPOUND CURVE, ALSO BEING CONCAVE TO THE NORTHWEST, HAVING A CENTRAL ANGLE OF 83° 29' 46", A RADIUS OF 40.00 FEET, AN ARC LENGTH OF 58.92 FEET TO A POINT IN THE NORTHERLY RIGHT OF WAY OF NORTH HARBOR DRIVE; THENCE ALONG SAID NORTHERLY RIGHT OR WAY, NORTH 59° 26' 30" WEST, 65.92 FEET; THENCE NORTH 41° 15' 56" WEST 41.56 FEET TO A POINT IN THE WESTERLY BOUNDARY OF SAID PROPERTY; THENCE LEAVING SAID RIGHT OR WAY OF NORTH HARBOR DRIVE, AND ALONG SAID WESTERLY PROPERTY BOUNDARY, NORTH 18° 14' 00" EAST, 80.19 FEET TO THE POINT OF BEGINNING.

PARCEL TWO: (APN: 018-120-48-00)

ALL THAT REAL PROPERTY SITUATE IN THE CITY OF FORT BRAGG, COUNTY OF MENDOCINO, STATE OF CALIFORNIA AND BEING A PORTION OF SECTION 18, TOWNSHIP 18 NORTH, RANGE 17 WEST, M.D.M., MORE PARTICULARLY DESCRIBED AS FOLLOWS:

ALL BEARINGS USED IN THIS DESCRIPTION ARE IN TERMS OF THE CALIFORNIA STATE GRID ZONE II.

COMMENCING AT THE NORTHWEST CORNER OF PARCEL 1, AS DELINEATED UPON THAT CERTAIN PARCEL MAP FILED IN MAP CASE 2, DRAWER 37, PAGE 79, MENDOCINO COUNTY RECORDS; SAID POINT ALSO BEING IN THE SOUTHERLY RIGHT OF WAY OF SOUTH STREET; THENCE FROM SAID POINT OF COMMENCEMENT AND ALONG THE WESTERLY BOUNDARY OF SAID PARCELS 1 AND 2, SOUTH 18° 14' 00" WEST, 261.81 FEET, TO THE POINT OF BEGINNING; THENCE FROM SAID POINT OF BEGINNING, SOUTH 71° 35' 10" EAST, 149.69 FEET, TO A POINT IN THE WESTERLY RIGHT OF WAY OF FRANKLIN STREET; THENCE ALONG SAID RIGHT OF WAY OF FRANKLIN STREET, SOUTH 18° 24' 50" WEST, 100.00 FEET; THENCE LEAVING SAID RIGHT OF WAY OF FRANKLIN STREET, NORTH 71° 35' 10" WEST, 149.38 FEET; TO A POINT IN THE WESTERLY BOUNDARY OF SAID PROPERTY; THENCE ALONG SAID WESTERLY BOUNDARY, NORTH 18° 14' 00" EAST, 100.00 FEET, TO THE POINT OF BEGINNING.

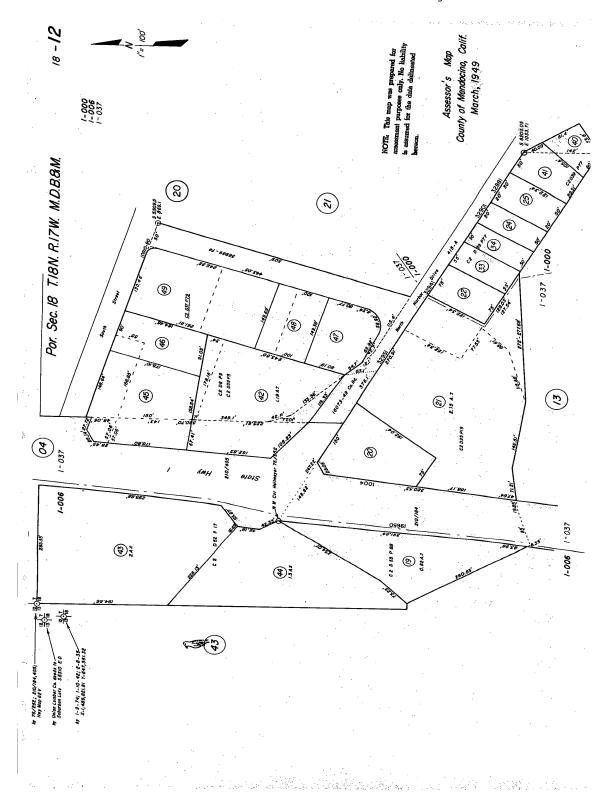
PARCEL THREE: (APN: 018-120-49-00)

BEING A PORTION OF SECTION 18, TOWNSHIP 18 NORTH, RANGE 17 WEST, M.D.N., MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF PARCEL 1 AS DELINEATED UPON THAT CERTAIN PARCEL MAP FILED IN MAP CASE 2, DRAWER 37, PAGE 79, MENDOCINO COUNTY RECORDS; SAID POINT ALSO

BEING IN THE SOUTHERLY RIGHT OF WAY OF SOUTH STREET; THENCE FROM SAID POINT OF BEGINNING AND ALONG SAID RIGHT OF WAY, SOUTH 71° 46' 00" EAST, 130.46 FEET; THENCE ALONG A TANGENT CURVE CONCAVE TO THE SOUTHWEST, HAVING A CENTRAL ANGLE OF 90° 10' 50", A RADIUS OF 20.00 FEET, AN ARC LENGTH OF 31.48 FEET, TO A POINT IN THE WESTERLY RIGHT OF WAY OF FRANKLIN STREET; THENCE ALONG SAID RIGHT OF WAY OF FRANKLIN STREET, SOUTH 18° 24' 50" WEST, 242.22 FEET; THENCE LEAVING SAID RIGHT OF WAY OF FRANKLIN STREET, NORTH 71° 35' 10" WEST, 149.69 FEET TO THE WESTERLY LINE OF PARCEL 2 AS DELINEATED UPON ABOVE SAID MAP; THENCE ALONG THE WESTERLY BOUNDARY OF SAID PARCELS 2 AND 1, NORTH 18° 14' 00" EAST, 261.81 FEET TO THE POINT OF BEGINNING.

Order Number: **3427-5831251** Page Number: 7



### NOTICE

Section 12413.1 of the California Insurance Code, effective January 1, 1990, requires that any title insurance company, underwritten title company, or controlled escrow company handling funds in an escrow or subescrow capacity, wait a specified number of days after depositing funds, before recording any documents in connection with the transaction or disbursing funds. This statute allows for funds deposited by wire transfer to be disbursed the same day as deposit. In the case of cashier's checks or certified checks, funds may be disbursed the next day after deposit. In order to avoid unnecessary delays of three to seven days, or more, please use wire transfer, cashier's checks, or certified checks whenever possible.

#### EXHIBIT A LIST OF PRINTED EXCEPTIONS AND EXCLUSIONS (BY POLICY TYPE)

#### **CLTA STANDARD COVERAGE POLICY – 1990**

EXCLUSIONS FROM COVERAGE

The following matters are expressly excluded from the coverage of this policy and the Company will not pay loss or damage, costs, attorneys' fees or expenses which arise by reason of:

- (a) Any law, ordinance or governmental regulation (including but not limited to building or zoning laws, ordinances, or regulations) restricting, regulating, prohibiting or relating (i) the occupancy, use, or enjoyment of the land; (ii) the character, dimensions or location of any improvement now or hereafter erected on the land; (iii) a separation in ownership or a change in the dimensions or area of the land or any parcel of which the land is or was a part; or (iv) environmental protection, or the effect of any violation of these laws, ordinances or governmental regulations, except to the extent that a notice of the enforcement thereof or a notice of a defect, lien, or encumbrance resulting from a violation or alleged violation affecting the land has been recorded in the public records at Date of Policy.
  - (b) Any governmental police power not excluded by (a) above, except to the extent that a notice of the exercise thereof or notice of a defect, lien or encumbrance resulting from a violation or alleged violation affecting the land has been recorded in the public records at Date of Policy.
- Rights of eminent domain unless notice of the exercise thereof has been recorded in the public records at Date of Policy, but not
  excluding from coverage any taking which has occurred prior to Date of Policy which would be binding on the rights of a purchaser
  for value without knowledge.
- 3. Defects, liens, encumbrances, adverse claims or other matters:
  - (a) whether or not recorded in the public records at Date of Policy, but created, suffered, assumed or agreed to by the insured claimant;
  - (b) not known to the Company, not recorded in the public records at Date of Policy, but known to the insured claimant and not disclosed in writing to the Company by the insured claimant prior to the date the insured claimant became an insured under this policy;
  - (c) resulting in no loss or damage to the insured claimant;
  - (d) attaching or created subsequent to Date of Policy; or
  - (e) resulting in loss or damage which would not have been sustained if the insured claimant had paid value for the insured mortgage or for the estate or interest insured by this policy.
- 4. Unenforceability of the lien of the insured mortgage because of the inability or failure of the insured at Date of Policy, or the inability or failure of any subsequent owner of the indebtedness, to comply with the applicable doing business laws of the state in which the land is situated.
- 5. Invalidity or unenforceability of the lien of the insured mortgage, or claim thereof, which arises out of the transaction evidenced by the insured mortgage and is based upon usury or any consumer credit protection or truth in lending law.
- 6. Any claim, which arises out of the transaction vesting in the insured the estate of interest insured by this policy or the transaction creating the interest of the insured lender, by reason of the operation of federal bankruptcy, state insolvency or similar creditors' rights laws.

#### EXCEPTIONS FROM COVERAGE - SCHEDULE B, PART I

This policy does not insure against loss or damage (and the Company will not pay costs, attorneys' fees or expenses) which arise by reason of:

1. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records.

Proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the public, records.

- 2. Any facts, rights, interests, or claims which are not shown by the public records but which could be ascertained by an inspection of the land or which may be asserted by persons in possession thereof.
- 3. Easements, liens or encumbrances, or claims thereof, not shown by the public records.
- 4. Discrepancies, conflicts in boundary lines, shortage in area, encroachments, or any other facts which a correct survey would disclose, and which are not shown by the public records.
- 5. (a) Unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) water rights, claims or title to water, whether or not the matters excepted under (a), (b) or (c) are shown by the public records.
- 6. Any lien or right to a lien for services, labor or material not shown by the public records.

#### CLTA/ALTA HOMEOWNER'S POLICY OF TITLE INSURANCE (12-02-13) EXCLUSIONS

In addition to the Exceptions in Schedule B, You are not insured against loss, costs, attorneys' fees, and expenses resulting from:

- 1. Governmental police power, and the existence or violation of those portions of any law or government regulation concerning:
  - a. building;
  - b. zoning;
  - c. land use;

- d. improvements on the Land;
- e. land division; and
- f. environmental protection.
- This Exclusion does not limit the coverage described in Covered Risk 8.a., 14, 15, 16, 18, 19, 20, 23 or 27.
- The failure of Your existing structures, or any part of them, to be constructed in accordance with applicable building codes. This Exclusion
  does not limit the coverage described in Covered Risk 14 or 15.
  - The right to take the Land by condemning it. This Exclusion does not limit the coverage described in Covered Risk 17.
- 4. Risks:

3.

- a. that are created, allowed, or agreed to by You, whether or not they are recorded in the Public Records;
- b. that are Known to You at the Policy Date, but not to Us, unless they are recorded in the Public Records at the Policy Date; c. that result in no loss to You; or
- d. that first occur after the Policy Date this does not limit the coverage described in Covered Risk 7, 8.e., 25, 26, 27 or 28.
- 5. Failure to pay value for Your Title.
- 6. Lack of a right:
  - a. to any land outside the area specifically described and referred to in paragraph 3 of Schedule A; and b. in streets, alleys, or waterways that touch the Land.
  - This Exclusion does not limit the coverage described in Covered Risk 11 or 21.
- 7. The transfer of the Title to You is invalid as a preferential transfer or as a fraudulent transfer or conveyance under federal bankruptcy, state insolvency, or similar creditors' rights laws.
- 8. Contamination, explosion, fire, flooding, vibration, fracturing, earthquake, or subsidence.
- 9. Negligence by a person or an Entity exercising a right to extract or develop minerals, water, or any other substances.

#### LIMITATIONS ON COVERED RISKS

Your insurance for the following Covered Risks is limited on the Owner's Coverage Statement as follows: For Covered Risk 16, 18, 19, and 21 Your Deductible Amount and Our Maximum Dollar Limit of Liability shown in Schedule A. The deductible amounts and maximum dollar limits shown on Schedule A are as follows:

	Your Deductible Amount	Our Maximum Dollar Limit of Liability
Covered Risk 16:	1% of Policy Amount Shown in Schedule A or \$2,500 (whichever is less)	\$10,000
Covered Risk 18:	1% of Policy Amount Shown in Schedule A or \$5,000 (whichever is less)	\$25,000
Covered Risk 19:	1% of Policy Amount Shown in Schedule A or \$5,000 (whichever is less)	\$25,000
Covered Risk 21:	1% of Policy Amount Shown in Schedule A or \$2,500 (whichever is less)	\$5,000

## 2006 ALTA LOAN POLICY (06-17-06)

EXCLUSIONS FROM COVERAGE

The following matters are expressly excluded from the coverage of this policy, and the Company will not pay loss or damage, costs, attorneys' fees, or expenses that arise by reason of:

- 1. (a) Any law, ordinance, permit, or governmental regulation (including those relating to building and zoning) restricting, regulating, prohibiting, or relating to
  - (i) the occupancy, use, or enjoyment of the Land;
  - (ii) the character, dimensions, or location of any improvement erected on the Land;
  - (iii) the subdivision of land; or
  - (iv) environmental protection;

or the effect of any violation of these laws, ordinances, or governmental regulations. This Exclusion 1(a) does not modify or limit the coverage provided under Covered Risk 5.

(b) Any governmental police power. This Exclusion 1(b) does not modify or limit the coverage provided under Covered Risk 6.

- 2. Rights of eminent domain. This Exclusion does not modify or limit the coverage provided under Covered Risk 7 or 8.
- 3. Defects, liens, encumbrances, adverse claims, or other matters
  - (a) created, suffered, assumed, or agreed to by the Insured Claimant;

(b) not Known to the Company, not recorded in the Public Records at Date of Policy, but Known to the Insured Claimant and not disclosed in writing to the Company by the Insured Claimant prior to the date the Insured Claimant became an Insured under this policy;

(c) resulting in no loss or damage to the Insured Claimant;

(d) attaching or created subsequent to Date of Policy (however, this does not modify or limit the coverage provided under Covered Risk 11, 13, or 14); or

- (e) resulting in loss or damage that would not have been sustained if the Insured Claimant had paid value for the Insured Mortgage.
- 4. Unenforceability of the lien of the Insured Mortgage because of the inability or failure of an Insured to comply with applicable doing-business laws of the state where the Land is situated.
- 5. Invalidity or unenforceability in whole or in part of the lien of the Insured Mortgage that arises out of the transaction evidenced by the Insured Mortgage and is based upon usury or any consumer credit protection or truth-in-lending law.
- 6. Any claim, by reason of the operation of federal bankruptcy, state insolvency, or similar creditors' rights laws, that the transaction creating the lien of the Insured Mortgage, is
  - (a) a fraudulent conveyance or fraudulent transfer, or
  - (b) a preferential transfer for any reason not stated in Covered Risk 13(b) of this policy.
- Any lien on the Title for real estate taxes or assessments imposed by governmental authority and created or attaching between Date of Policy and the date of recording of the Insured Mortgage in the Public Records. This Exclusion does not modify or limit the coverage provided under Covered Risk 11(b).

The above policy form may be issued to afford either Standard Coverage or Extended Coverage. In addition to the above Exclusions from Coverage, the Exceptions from Coverage in a Standard Coverage policy will also include the following Exceptions from Coverage:

#### EXCEPTIONS FROM COVERAGE

[Except as provided in Schedule B - Part II,[ t[or T]his policy does not insure against loss or damage, and the Company will not pay costs, attorneys' fees or expenses, that arise by reason of:

#### [PART I

[The above policy form may be issued to afford either Standard Coverage or Extended Coverage. In addition to the above Exclusions from Coverage, the Exceptions from Coverage in a Standard Coverage policy will also include the following Exceptions from Coverage:

- (a) Taxes or assessments that are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the Public Records; (b) proceedings by a public agency that may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the Public Records.
- 2. Any facts, rights, interests, or claims that are not shown by the Public Records but that could be ascertained by an inspection of the Land or that may be asserted by persons in possession of the Land.
- 3. Easements, liens or encumbrances, or claims thereof, not shown by the Public Records.
- 4. Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land and not shown by the Public Records.
- 5. (a) Unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) water rights, claims or title to water, whether or not the matters excepted under (a), (b), or (c) are shown by the Public Records.
- 6. Any lien or right to a lien for services, labor or material not shown by the public records.

#### PART II

In addition to the matters set forth in Part I of this Schedule, the Title is subject to the following matters, and the Company insures against loss

or damage sustained in the event that they are not subordinate to the lien of the Insured Mortgage:]

#### 2006 ALTA OWNER'S POLICY (06-17-06)

EXCLUSIONS FROM COVERAGE

The following matters are expressly excluded from the coverage of this policy, and the Company will not pay loss or damage, costs, attorneys' fees, or expenses that arise by reason of:

- 1. (a) Any law, ordinance, permit, or governmental regulation (including those relating to building and zoning) restricting, regulating, prohibiting, or relating to
  - (i) the occupancy, use, or enjoyment of the Land;
  - (ii) the character, dimensions, or location of any improvement erected on the Land;
  - (iii) the subdivision of land; or
  - (iv) environmental protection;

or the effect of any violation of these laws, ordinances, or governmental regulations. This Exclusion 1(a) does not modify or limit the coverage provided under Covered Risk 5.

(b) Any governmental police power. This Exclusion 1(b) does not modify or limit the coverage provided under Covered Risk 6.

2. Rights of eminent domain. This Exclusion does not modify or limit the coverage provided under Covered Risk 7 or 8.

- 3. Defects, liens, encumbrances, adverse claims, or other matters
- (a) created, suffered, assumed, or agreed to by the Insured Claimant;

(b) not Known to the Company, not recorded in the Public Records at Date of Policy, but Known to the Insured Claimant and not disclosed in writing to the Company by the Insured Claimant prior to the date the Insured Claimant became an Insured under this policy;

(c) resulting in no loss or damage to the Insured Claimant;

(d) attaching or created subsequent to Date of Policy (however, this does not modify or limit the coverage provided under Covered Risk 9 or 10); or

(e) resulting in loss or damage that would not have been sustained if the Insured Claimant had paid value for the Title.

4. Any claim, by reason of the operation of federal bankruptcy, state insolvency, or similar creditors' rights laws, that the transaction vesting the Title as shown in Schedule A, is

- (a) a fraudulent conveyance or fraudulent transfer, or
- (b) a preferential transfer for any reason not stated in Covered Risk 9 of this policy.
- 5. Any lien on the Title for real estate taxes or assessments imposed by governmental authority and created or attaching between Date of Policy and the date of recording of the deed or other instrument of transfer in the Public Records that vests Title as shown in Schedule A.

The above policy form may be issued to afford either Standard Coverage or Extended Coverage. In addition to the above Exclusions from Coverage, the Exceptions from Coverage in a Standard Coverage policy will also include the following Exceptions from Coverage:

#### EXCEPTIONS FROM COVERAGE

This policy does not insure against loss or damage, and the Company will not pay costs, attorneys' fees or expenses, that arise by reason of: [The above policy form may be issued to afford either Standard Coverage or Extended Coverage. In addition to the above Exclusions from Coverage, the Exceptions from Coverage in a Standard Coverage policy will also include the following Exceptions from Coverage:

- (a) Taxes or assessments that are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the Public Records; (b) proceedings by a public agency that may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the Public Records.
- 2. Any facts, rights, interests, or claims that are not shown by the Public Records but that could be ascertained by an inspection of the Land or that may be asserted by persons in possession of the Land.
- 3. Easements, liens or encumbrances, or claims thereof, not shown by the Public Records.
- 4. Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land and not shown by the Public Records.
- 5. (a) Unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) water rights, claims or title to water, whether or not the matters excepted under (a), (b), or (c) are shown by the Public Records.
- 6. Any lien or right to a lien for services, labor or material not shown by the Public Records.
- 7. [Variable exceptions such as taxes, easements, CC&R's, etc. shown here.]

#### ALTA EXPANDED COVERAGE RESIDENTIAL LOAN POLICY (07-26-10)

EXCLUSIONS FROM COVERAGE

The following matters are expressly excluded from the coverage of this policy, and the Company will not pay loss or damage, costs, attorneys' fees, or expenses that arise by reason of:

- 1. (a) Any law, ordinance, permit, or governmental regulation (including those relating to building and zoning) restricting, regulating, prohibiting, or relating to
  - (i) the occupancy, use, or enjoyment of the Land;
  - (ii) the character, dimensions, or location of any improvement erected on the Land;
  - (iii) the subdivision of land; or
  - (iv) environmental protection;

or the effect of any violation of these laws, ordinances, or governmental regulations. This Exclusion 1(a) does not modify or limit the coverage provided under Covered Risk 5, 6, 13(c), 13(d), 14 or 16.

(b) Any governmental police power. This Exclusion 1(b) does not modify or limit the coverage provided under Covered Risk 5, 6, 13(c), 13(d), 14 or 16.

- 2. Rights of eminent domain. This Exclusion does not modify or limit the coverage provided under Covered Risk 7 or 8.
- 3. Defects, liens, encumbrances, adverse claims, or other matters
- (a) created, suffered, assumed, or agreed to by the Insured Claimant;

(b) not Known to the Company, not recorded in the Public Records at Date of Policy, but Known to the Insured Claimant and not disclosed in writing to the Company by the Insured Claimant prior to the date the Insured Claimant became an Insured under this policy; (c) resulting in no loss or damage to the Insured Claimant:

(d) attaching or created subsequent to Date of Policy (however, this does not modify or limit the coverage provided under Covered Risk 11, 16, 17, 18, 19, 20, 21, 22, 23, 24, 27 or 28); or

(e) resulting in loss or damage that would not have been sustained if the Insured Claimant had paid value for the Insured Mortgage.

- 4. Unenforceability of the lien of the Insured Mortgage because of the inability or failure of an Insured to comply with applicable doing-business laws of the state where the Land is situated.
- 5. Invalidity or unenforceability in whole or in part of the lien of the Insured Mortgage that arises out of the transaction evidenced by the Insured Mortgage and is based upon usury or any consumer credit protection or truth-in-lending law. This Exclusion does not modify or limit the coverage provided in Covered Risk 26.
- 6. Any claim of invalidity, unenforceability or lack of priority of the lien of the Insured Mortgage as to Advances or modifications made after the

Insured has Knowledge that the vestee shown in Schedule A is no longer the owner of the estate or interest covered by this policy. This Exclusion does not modify or limit the coverage provided in Covered Risk 11.

- 7. Any lien on the Title for real estate taxes or assessments imposed by governmental authority and created or attaching subsequent to Date of Policy. This Exclusion does not modify or limit the coverage provided in Covered Risk 11(b) or 25.
- 8. The failure of the residential structure, or any portion of it, to have been constructed before, on or after Date of Policy in accordance with applicable building codes. This Exclusion does not modify or limit the coverage provided in Covered Risk 5 or 6.
- 9. Any claim, by reason of the operation of federal bankruptcy, state insolvency, or similar creditors' rights laws, that the transaction creating the lien of the Insured Mortgage, is
  - (a) a fraudulent conveyance or fraudulent transfer, or
- (b) a preferential transfer for any reason not stated in Covered Risk 27(b) of this policy.
- 10. Contamination, explosion, fire, flooding, vibration, fracturing, earthquake, or subsidence.
- 11. Negligence by a person or an Entity exercising a right to extract or develop minerals, water, or any other substances.



# First American Title

#### **Privacy Information**

#### We Are Committed to Safeguarding Customer Information

In order to better serve your needs now and in the future, we may ask you to provide us with certain information. We understand that you may be concerned about what we will do with such information - particularly any personal or financial information. We agree that you have a right to know how we will utilize the personal information you provide to us. Therefore, together with our subsidiaries we have adopted this Privacy Policy to govern the use and handling of your personal information.

#### Applicability

This Privacy Policy governs our use of the information that you provide to us. It does not govern the manner in which we may use information we have obtained from any other source, such as information obtained from a public record or from another person or entity. First American has also adopted broader guidelines that govern our use of personal information regardless of its source. First American calls these guidelines its Fair Information Values.

#### Types of Information

- Depending upon which of our services you are utilizing, the types of nonpublic personal information that we may collect include: Information we receive from you on applications, forms and in other communications to us, whether in writing, in r
  - Information we receive from you on applications, forms and in other communications to us, whether in writing, in person, by telephone or any other means; Information about your transactions with us, our affiliated companies, or others; and
  - Information we receive from a consumer reporting agency.

#### Use of Information

We request information from you for our own legitimate business purposes and not for the benefit of any nonaffiliated party. Therefore, we will not release your information to nonaffiliated parties except: (1) as necessary for us to provide the product or service you have requested of us; or (2) as permitted by law. We may, however, store such information indefinitely, including the period after which any customer relationship has ceased. Such information may be used for any internal purpose, such as quality control efforts or customer analysis. We may also provide all of the types of nonpublic personal information listed above to one or more of our affiliated companies. Such affiliated companies include financial service providers, such as title insurers, property and casualty insurers, and trust and investment advisory companies, or companies involved in real estate services, such as appraisal companies, home warranty companies and escrow companies. Furthermore, we may also provide all the information we collect, as described above, to companies that perform marketing services on our behalf, on behalf of our affiliated companies or to other financial institutions with whom we or our affiliated companies have joint marketing agreements.

#### Former Customers

Even if you are no longer our customer, our Privacy Policy will continue to apply to you.

#### Confidentiality and Security

We will use our best efforts to ensure that no unauthorized parties have access to any of your information. We restrict access to nonpublic personal information about you to those individuals and entities who need to know that information to provide products or services to you. We will use our best efforts to train and oversee our employees and agents to ensure that your information will be handled responsibly and in accordance with this Privacy Policy and First American's Fair Information Values. We currently maintain physical, electronic, and procedural safeguards that comply with federal regulations to guard your nonpublic personal information.

#### Information Obtained Through Our Web Site

First American Financial Corporation is sensitive to privacy issues on the Internet. We believe it is important you know how we treat the information about you we receive on the Internet. In general, you can visit First American or its affiliates' Web sites on the World Wide Web without telling us who you are or revealing any information about yourself. Our Web servers collect the domain names, not the e-mail addresses, of visitors. This information is aggregated to measure the number of visits, average time spent on the site, pages viewed and similar information. First

American uses this information to measure the use of our site and to develop ideas to improve the content of our site. There are times, however, when we may need information from you, such as your name and email address. When information is needed, we will use our best efforts to let you know at the time of collection how we will use the personal information. Usually, the personal information we collect is used only by us to respond to your inquiry, process an order or allow you to access specific account/profile information. If you choose to share any personal information with us, we will only use it in accordance with the policies outlined above.

#### **Business Relationships**

First American Financial Corporation's site and its affiliates' sites may contain links to other Web sites. While we try to link only to sites that share our high standards and respect for privacy, we are not responsible for the content or the privacy practices employed by other sites.

#### Cookies

Some of First American's Web sites may make use of "cookie" technology to measure site activity and to customize information to your personal tastes. A cookie is an element of data that a Web site can send to your browser, which may then store the cookie on your hard drive.

FirstAm.com uses stored cookies. The goal of this technology is to better serve you when visiting our site, save you time when you are here and to provide you with a more meaningful and productive Web site experience.

#### Fair Information Values

Fairness We consider consumer expectations about their privacy in all our businesses. We only offer products and services that assure a favorable balance between consumer benefits and consumer

Public Record We believe that an open public record creates significant value for society, enhances consumer choice and creates consumer opportunity. We actively support an open public record and emphasize its importance and contribution to our economy.

**Use** We believe we should behave responsibly when we use information about a consumer in our business. We will obey the laws governing the collection, use and dissemination of data. **Accuracy** We will take reasonable steps to help assure the accuracy of the data we collect, use and disseminate. Where possible, we will take reasonable steps to correct inaccurate information, we will take all reasonable steps to assist consumers in identifying the source of the erroneous data so that the consumer can secure the required corrections.

Education We endeavor to educate the users of our products and services, our employees and others in our industry about the importance of consumer privacy. We will instruct our employees on our fair information values and on the responsible collection and use of data. We will encourage others in our industry to collect and use information in a responsible manner. Security We will maintain appropriate facilities and systems to protect against unauthorized access to and corruption of the data we maintain.

Form 50-PRIVACY (9/1/10)

Page 1 of 1

Privacy Information (2001-2010 First American Financial Corporation)

Prelim Par APN 18-12		
Order No. Escrow No.	ł	
Loan No. WHEN RECORDED MAIL TO: DOMINIC J. AFFINITO JULIETTE C. AFFINITO 400 S. MAIN STREET FORT BRAGG, CA 95437		00019757 Recorded at the request of FIRST AMERICAN TITLE CO Book 2379 Page 263 12/06/1996 11:04A Fee: \$10.00 No of Pages:2 OFFICIAL RECORDS MENDOCINO COUNTY CALIF MARSHA A. YOUNG, RECORDER
MAIL TAX STATEMENTS TO: SAME AS ABOVE	\$20,00 PAID FILED Exempt	SPACE ABOVE THIS LINE FOR RECORDER'S USE DOCUMENTARY TRANSFER TAX \$NONE Computed on the consideration or value of property conveyed, OR Computed on the consideration or value less liens or encumbrances remaining at time of sale. <u>As declared by the undersigned Grantor</u> Signature of Declarant or Agent determining tax - Firm Name
APN #18-120-36,37	GRANT	DEED
FOR A VALUABLE CONSIDERATION CITY OF FORT BRAGG, a Mu	·	
hereby GRANT(S) to DOMINIC J. wife, as Community Prope		JULIETTE C. AFFINITO, husband and
	t Bragg, docino	, State of California, described
	REKXANS REXKXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX	ĨĨĨĨĨĨĨĨĨĨĨĨĨĨĨĨĨĨĨĨĨĨĨĨĨĨĨĨĨĨĨĨĨĨĨĨĨĨ
See DESCRIPTION attached here	to and made a pai	t hereof

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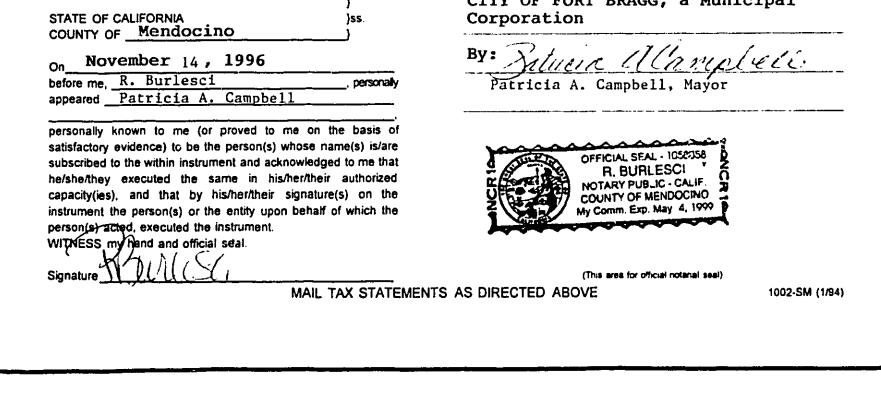
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# Parcel 1

# DESCRIPTION

All that real property situate in the City of Fort Bragg, County of Mendocino. State of California and being a portion of Section 18, Township 18 North, Range 17 West, M.D.M. more particularly described as follows:

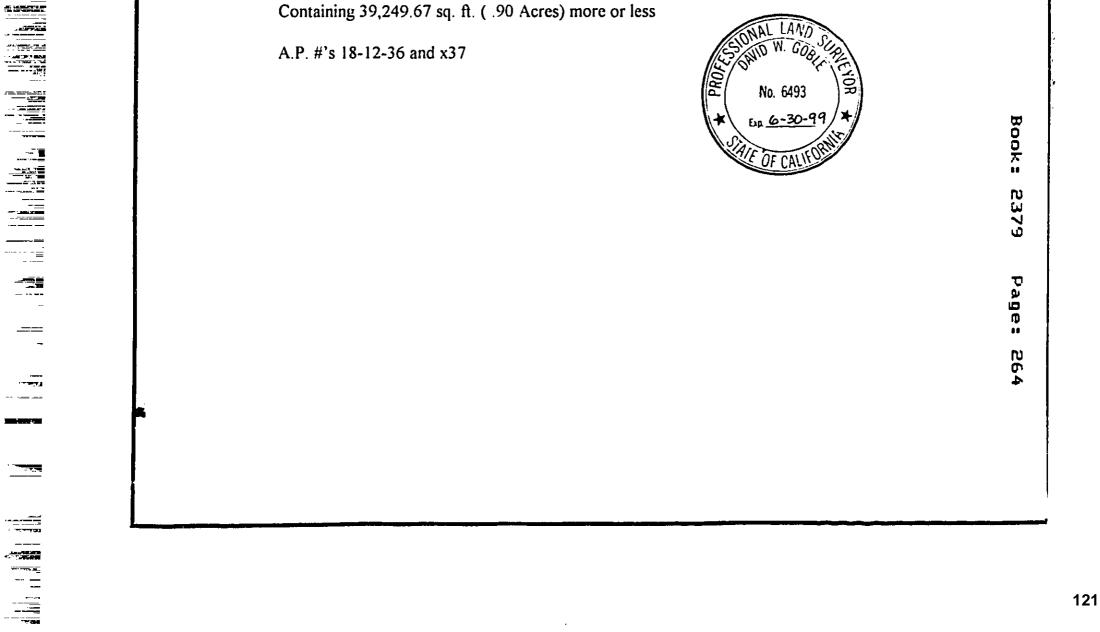
All bearings used in this description are in terms of the California State Grid Zone II.

Beginning at the northwest corner of Parcel 1 as delineated upon that certain Parcel Map filed in Map Case 2, Drawer 37, Page 79, Mendocino County Records; said point also being in the southerly Right of Way of South Street; thence from said point of beginning and along said Right of Way, South 71° 46' 00" East, 130.46 feet; thence along a tangent curve concave to the southwest, having a central angle of 90° 10' 50", a radius of 20.00 feet, an arc length of 31.48 feet, to a point in the westerly Right of Way of Franklin Street; thence along said right of way of Franklin Street, South 18° 24' 50" West, 242.22 feet; thence leaving said right of way of Franklin Street, North 71° 35' 10" West, 149.69 feet to the westerly line of Parcel 2 as delineated upon above said map; thence along the westerly boundary of said Parcels 2 & 1, North 18° 14' 00" East, 261.81 feet to the point of beginning.

Containing 39,249.67 sq. ft. (.90 Acres) more or less

10110-7

1.1



Order No. 170305 Escrow No. Loan No.

WHEN RECORDED MAIL TO:

Dominic J. Affinito Juliette C. Affinito 400 S. Main Street Fort Bragg, CA 95437

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-4

275.00 DOCUMENTARY TRANSFER TAX \$

XX\_\_\_ Computed on the consideration or value of property conveyed; OR \_\_\_\_Computed on the consideration or value less liens or encumbrances remaining at time of sale.

00019086 Recorded at the request of FIRST AMERICAN TITLE CO Book 2458 Page 701 11/18/1997 10:38A No of Pages:3 Fee: \$13.00

> OFFICIAL RECORDS MENDOCINO COUNTY CALIF MARSHA A. YOUNG, RECORDER

SPACE ABOVE THIS LINE FOR RECORDER'S USE

As declared by the undersigned Grantor Signature of Declarant or Agent determining tax - Firm Name

# **GRANT DEED**

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,

City of Fort Bragg, a Municipal Corporation

hereby GRANT(S) to

18-120-47

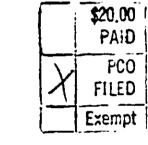
Dominic J. Affinito and Juliette C. Affinito, husband and wife, as Community Property

the real property in the City of County of

Fort Bragg Mendocino

, State of California, described as

SEE LEGAL DESCRIPTION ATTACHED HERETO AND MADE A PART HEREOF



Dated

September 10, 1997

STATE OF CALIFORNIA COUNTY OF	} }ss. }
On October 29, 1997 Marilyn Canclini	before me,
personally appeared Lindy Peters	°

personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s) or the entity upon behalf of which the person(s) acted, executed the instrument. WITNESS my hand and official seal,

Signature

MAIL TAX STATEMENTS TO:

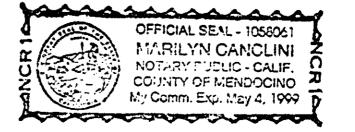
SAME AS ABOVE

City of Fort Bragg, a Municipal Corporation By: Peters, Mayor Lindv ATTEST: 'Carpenter', DeeLynh R. City Clerk

(This area for official notarial seal)

1002-SM (1/94)

∎122 **=** 



Order No. 170305

## LEGAL DESCRIPTION

The land referred to herein is situated in the State of California, County of Mendocino, City of Fort Bragg and is described as follows:

TRACT ONE: Prelim Parcel One APN 18-120-47

All that real property situate in the City of Fort Bragg, County of Mendocino, State of California and being a portion of Section 18, Township 18 North, Range 17 West, M.D.M., more particularly described as follows:

All bearings used in this description are in terms of the California State Grid Zone II.

Commencing at the Northwest corner of Parcel 1, as delineated upon that certain Parcel Map filed in Map Case 2, Drawer 37, page 79, Mendocino County Records; said point also being in the Southerly Right of Way of South Street; thence from said point of commencement and along the Westerly boundary of said Parcels 1, 2 and 3, South 18°14'00" West, 361.81 feet, to the point of beginning; thence from said point of beginning, South 71°35'10" East, 149.38 feet, to a point in the Westerly Right of Way of Franklin Street; thence along said right of way of Franklin Street, South 18°24'50" West, 80.77 feet; thence along a curve concave to the Northwest, having a central angle of 2°23'17" a radius of 200.00 feet, an arc length of 8.34 feet, to a point of compound curve, also being concave to the Northwest, having a central angle of 83°29'46", a radius of 40.00 feet, an arc length of 58.29 feet to a point in the Northerly right of way of North Harbor Drive; thence along said Northerly right or way, North 59°26'30" West, 65.92 feet; thence North 41°15'56" West 41.56 feet to a point in the Westerly boundary of said property; thence leaving said right or way of North Harbor Drive, and along said Westerly property boundary, North 18°14'00" East, 80.19 feet to the point of beginning.

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TRACT TWO Prelim Parcel 2 APN 18-120-48

All that real property situate in the City of Fort Bragg, County of Mendocino, State of California and being a portion of Section 18, Township 18 North, Range 17 West, M.D.M., more particularly described as follows:

All bearings used in this description are in terms of the California State<sup>®</sup> Grid Zone II.

Commencing at the Northwest corner of Parcel 1, as delineated upon that certain Parcel Map filed in Map Case 2, Drawer 37, page 79, Mendocino County Records; said point also being in the Southerly Right of Way of South Street; thence from said point of commencement and along the Westerly boundary of

Page 4

.... CONTINUED

Order No. 170305

said Parcels 1 and 2, South 18°14'00" West, 261.81 feet, to the point of beginning; thence from said point of beginning, South 71°35'10" East, 149.69 feet, to a point in the Westerly Right of Way of Franklin Street; thence along said right of way of Franklin Street, South 18°24'50" West, 100.00 feet; thence leaving said right of way of Franklin Street, North 71°35'10" West, 149.38 feet; to a point in the Westerly boundary of said property; thence along said Westerly boundary, North 18°14'00" East, 100.00 feet, to the point of beginning.

APN 18-120-48

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Page 5

## RESOLUTION NO. \_\_\_\_-2023

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FORT BRAGG. CALIFORNIA CERTIFYING THE ENVIRONMENTAL IMPACT REPORT FOR THE BEST DEVELOPMENT GROCERY OUTLET (SCH: 2022050308); ADOPTING THE CALIFORNIA ENVIRONMENTAL QUALITY FINDINGS; ADOPTING **MITIGATION** ACT AND Α MONITORING AND REPORTING PROGRAM

WHEREAS, Best Development ("Applicant"), submitted an applicant for a Coastal Development Permit (CDP 2-22), Design Review (DR 7-22), and Parcel Merger (MGR 1-22) to construct a Grocery Outlet Market ("Project" or "retail store"). The proposed Project includes the demolition of an existing 16,436 SF vacant former office building and associated 47-space parking lot and wooden fencing along the property line, and as conditioned, the construction and operation of a 16,157 SF, one-story, retail store with a 54-space parking lot (as conditioned) and associated improvements and infrastructure located at 825, 845, and 851 South Franklin Street; and

**WHEREAS,** the California Environmental Quality Act, Public Resources Code, Section 21000 *et seq.* ("CEQA"), requires that the City consider the environmental effects of the Project prior to approving any entitlements for the Project; and

**WHEREAS,** the City Council directed staff to prepare an EIR to evaluate the impact of the proposed project on the environment pursuant to CEQA and Title 14, California Code of Regulations, Section 15000 et seq. ("CEQA Guidelines") and the City's CEQA Implementation Procedures; and

WHEREAS, the City engaged the services of De Novo Planning Group (De Novo) which prepared an EIR for the Project pursuant to CEQA Title 14, California Code of Regulations, Section 15000 et seq. ("CEQA Guidelines") and the City's CEQA Implementation Procedures; and

**WHEREAS**, De Novo prepared a Notice of Preparation of the EIR which provided for a public review period from May 19, 2022 through June 20, 2022; and

**WHEREAS**, the City held a hybrid scoping meeting (both in person and by Zoom) on June 7, 2022; and

**WHEREAS**, a Draft EIR (State Clearinghouse No. 2022050308) was prepared for the Project and circulated for more than the required 45-day public review and comment period, beginning on September 15, 2022 and ending on October 31, 2022; and

WHEREAS, during this period, on October 11, 2022, a public hearing was held by the City Council to receive comments on the Draft EIR in accordance with the provisions of the Fort Bragg Municipal Code; and

**WHEREAS,** by the end of the public review and comment period, the City received 27 letters and/or e-mail comments from agencies and individuals; and

**WHEREAS**, written and oral comments on the Draft EIR have been received, and responses to those comments have been prepared in the form of a Final EIR for the Project, which incorporates the Draft EIR by reference; and

**WHEREAS**, revisions were necessary to the Draft EIR in response to the comments received; and

WHEREAS, on April 11, 2023 the Final EIR was posted on the City's website; and

**WHEREAS,** on April 26, 2023, additional revisions were made to the Final EIR which included a consistency analysis with the City's Design Guidelines; and

WHEREAS, pursuant to Public Resources Code Section 21092.5, on April 26, 2023, the City posted the revised Final EIR and provided public notice regarding availability of the revised Final EIR and circulated the proposed responses to comments on the Draft EIR; and

WHEREAS, on May 10, 2023, the Planning Commission held a duly noticed public hearing at which time it considered all of the testimony presented as well as written testimony that had been timely submitted; and

**WHEREAS**, as a result of the testimony a modification was made to Mitigation Measure 3.6-1 to specify the timing of when the noise wall had to be installed; and

WHEREAS, after the close of the public hearing the Planning Commission adopted a resolution recommending that the City Council certify the EIR, adopt the required CEQA findings, and adopt the Mitigation and Monitoring Program, as well as recommended that the City Council approve the Project; and

WHEREAS, numerous written comments were received after the close of the public comment period and not timely submitted to be included in the Planning Commission packet; and

**WHEREAS,** as a result of those comments additional changes were made to the revised Final EIR which were posted on the City's website on May 31, 2023; and

WHEREAS, on June 5, 2023, at a specially scheduled meeting, the City Council held a duly noticed public hearing on the proposed Project and considered all information related to the EIR, including the Draft and Final EIR, all reports and attachments prepared or presented by City staff, pertinent documents provided during previous public meetings, all oral and written testimony and the full record of proceedings on the Project;

## NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF FORT BRAGG DOES HEREBY RESOLVE AS FOLLOWS:

## SECTION 1. Findings.

The above recitals are true and correct and are incorporated herein by reference.

- A. The EIR for the Project consists of the Draft EIR dated September 2022 and Appendices A H thereto and the Final EIR dated May 31, 2023 and appendices A H thereto (collectively, the "EIR").
- B. None of the comments made during the Planning Commission meeting of May 10, 2023 or in the late comments which were received on the date of the hearing provided any new information or evidence which would require recirculation of the EIR.
- C. The changes set forth in the FEIR, including the additional revisions made on April 26 and May 31, 2023 do not require recirculation of the EIR. The changes do not disclose any new or increased significant impacts. The changes merely clarify and amplify information that was already contained in the EIR.
- D. The change made to Mitigation Measure 3.6-1 does not require recirculation as it merely adds clarifying language as to the timing of the sound wall.
- E. After mitigation, all project impacts are less than significant.

**SECTION 2.** Actions. The City Council hereby takes the following actions.

- A. The City Council hereby certifies the EIR as described in Section 1 above.
- B. The City Council hereby adopts the Findings of Fact attached hereto as Exhibit A.
- C. The City Council hereby adopts the Mitigation Monitoring and Reporting Program ("MMRP") attached hereto as Exhibit B.

**SECTION 3.** Summaries of Information. All summaries of information in the findings are based on the substantial evidence in the record. The absence of any particular fact from any such summary is not an indication that a particular finding is not based in part on that fact. The absence of any particular fact from any such summary is not an indication that a particular finding is not an indication that a particular finding is not based in part on that fact.

**SECTION 4.** Custodian of Record. The documents and materials that constitute the record of proceedings on which these findings and approval are based are located in the *Community Development Department, City of Fort Bragg 416 N Main Street, Fort Bragg CA 95437.* The Custodian of Records is *City Clerk* who can be reached at 707-961-2823 or *Jlemos@fortbargg.com.* 

**SECTION 5.** Effective Date. This Resolution shall become effective immediately.

The above and foregoing Resolution was introduced by Councilmember \_\_\_\_\_\_seconded by Councilmember \_\_\_\_\_, and passed and adopted at a regular meeting of the City Council of the City of Fort Bragg held on the 5th day of June 2023, by the following vote:

AYES: NOES: ABSENT: ABSTAIN: RECUSE:

> Bernie Norvell Mayor

ATTEST:

Cristal Munoz Acting City Clerk



# FINDINGS OF FACT

FOR THE

BEST DEVELOPMENT GROCERY OUTLET (SCH: 2022050308)

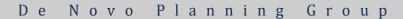
## April 2023

Prepared for:

City of Fort Bragg Community Development Department 416 N. Franklin Street Fort Bragg, CA 95437

Prepared by:

De Novo Planning Group 1020 Suncast Lane, Suite 106 El Dorado Hills, CA 95762 (916) 580-9818



# FINDINGS OF FACT

## FOR THE

# BEST DEVELOPMENT GROCERY OUTLET (SCH: 2022050308)

## April 2023

Prepared for:

City of Fort Bragg Community Development Department 416 N. Franklin Street Fort Bragg, CA 95437

Prepared by:

De Novo Planning Group 1020 Suncast Lane, Suite 106 El Dorado Hills, CA 95762 (916) 580-9818

# FINDINGS OF FACT

Section

# Page Number

I.	Introduction	1
II.	General Findings and Overview	2
III.	Findings and Recommendations Regarding Significant Impacts Which Are Mitigated to	
	a Less than Significant Level	5
IV.	Findings and Recommendations Regarding Those Impacts Which are Less Than	
	Significant or Less Than Cumulatively Considerable10	)
V.	Project Alternatives	2

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# FINDINGS FOR THE

# BEST DEVELOPMENT GROCERY OUTLET

REQUIRED UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (Public Resources Code, § 21000 et seq.)

# I. INTRODUCTION

The California Environmental Quality Act (CEQA) (Public Resources Code, § 21000 et seq.) requires the City of Fort Bragg (City), as the CEQA lead agency, to: 1) make written findings when it approves a project for which an environmental impact report (EIR) was certified, and 2) identify overriding considerations for significant and unavoidable impacts identified in the EIR. (Pub. Resources Code, § 21081.) Because the

This document explains the City's findings regarding the potentially significant impacts identified in the environmental impact report (EIR) prepared for the Best Development Grocery Outlet Project (Project). As all potentially significant impacts can be mitigated below a level of significance, the City is not required to make findings regarding the feasibility of alternatives. (CEQA Guidelines § 15091.) Nevertheless, this document makes findings regarding the feasibility of the project alternatives considered in the EIR for the decision makers' consideration. There is no statement of overriding considerations because the Project would not result in any significant impact, or a less than significant impact with implementation of the mitigation measures included in the EIR for the Project.

As required under CEQA, the Final EIR describes the Project, adverse environmental impacts of the Project, and mitigation measures and alternatives that would substantially reduce or avoid those impacts. The information and conclusions contained in the Final EIR reflect the City's independent judgment.

The Final EIR (which includes the Draft EIR, comments, responses to comments, and revisions to the Draft EIR) for the Project, examined the proposed Project and three alternatives to the Project including: (1) No Project (No Build) Alternative; (2) Building Reuse Alternative; and (3) Decreased Density Alternative.

The Findings are presented for adoption by the City Council, as the City's findings under CEQA and the CEQA Guidelines (Cal. Code Regs., title 14, § 15000 et seq.) relating to the Project. The Findings provide the written analysis, substantial evidence, and conclusions of this City Council regarding the Project's environmental impacts, mitigation measures, and alternatives to the Project.

# II. GENERAL FINDINGS AND OVERVIEW

## **Project Overview**

The Project site is located at 825, 845, and 851 S. Franklin Street in the City of Fort Bragg, Mendocino County, California. The northern portion of the Project site contains an existing structure and pavement and the southern portion of the site is vacant with a dirt driveway. A 16,436 square-foot (sf) vacant former office building and associated 47-space parking lot are located in the northern half of the site. The building, locally referred to as the "Old Social Services Building", has not been leased since 2010 but has been used as storage since then. Wooden fencing is currently located along the western property line and adjacent to the south side of the building. Shrubs and trees are located in the northern portion of the site. The southern-most lot is vacant with one-third bare soil and two-thirds covered with annual grasses and forbs with scattered shrubs.

The proposed Project includes demolition of the existing 16,436-sf vacant former office building and parking area and subsequent development and operation of a 16,157-sf Grocery Outlet (retail grocery store) with associated improvements on the Project site. Grocery Outlet is a value grocer, meaning that it sells brand name products at bargain prices due to their opportunity buying style. Associated improvements include a parking lot, loading dock and trash enclosure, circulation and access improvements, and utility infrastructure.

The Project would also include a merger of three existing parcels (lots) to create one 71,002 sf (1.63 acres) parcel to accommodate the footprint of the proposed retail store within the resulting parcel.

The underlying purpose of the proposed Project is to construct and operate a Grocery Outlet retail store at a location within the City of Fort Bragg on which the existing General Plan and zoning designations allow for such a use.

Refer to EIR Chapter 2.0, Project Description, for a more complete description of the details of the proposed Project.

### PROCEDURAL BACKGROUND

**Notice of Preparation Public Circulation:** The City of Fort Bragg circulated an Initial Study (IS) and Notice of Preparation (NOP) of an EIR for the proposed Project on May 19, 2022 to the State Clearinghouse, CDFW, Other Public Agencies, Organizations and Interested Persons. A public scoping meeting was held on June 7, 2022. Concerns raised in response to the NOP were considered during preparation of the Draft EIR. The IS, NOP, and comments received on the NOP by interested parties, including those received at the public Scoping Meeting, are presented in Appendix A of the Draft EIR. The commenters are provided below.

- California Department of Toxic Substances Control (June 17, 2022);
- Jacob Patterson (June 8, 2022 and June 14, 2022);
- Janet Kabel (May 19, 2022);
- Leslie Kashiwada (June 20, 2022);
- Renz Martin (June 18, 2022);

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• Sherwood Valley Band of Pomo Indians (June 1, 2022).

**Notice of Availability and Draft EIR:** The City published a public Notice of Availability (NOA) for the Draft EIR on September 15, 2022 inviting comment from the general public, agencies, organizations, and other interested parties. The NOA was filed with the State Clearinghouse (SCH # 2022050308) and the County Clerk, and was published in a local newspaper pursuant to the public noticing requirements of CEQA. The 45-day public review period for the Draft EIR began on September 15, 2022 and ended on October 31, 2022 at 5:00 p.m.

The Draft EIR contains a description of the Project, description of the environmental setting, identification of Project impacts, and mitigation measures for impacts found to be significant, as well as an analysis of Project alternatives, identification of significant irreversible environmental changes, growth-inducing impacts, and cumulative impacts. The Draft EIR identifies issues determined to have no impact or a less-than-significant impact, and provides detailed analysis of potentially significant and significant impacts. Comments received in response to the NOP were considered in preparing the analysis in the Draft EIR.

**Final EIR:** The City of Fort Bragg received 29 comment letters on the Draft EIR during the public review period. In accordance with CEQA Guidelines Section 15088, the Final EIR responds to the comments received during the public review period. The Final EIR also contains minor edits to the Draft EIR, which are included in Chapter 3.0, Errata.

The comments received did not provide evidence of any new significant impacts or "significant new information" that would require recirculation of the Draft EIR pursuant to CEQA Guidelines Section 15088.5. The revisions merely, clarify, amplify, or make insignificant revisions to the Draft EIR.

### RECORD OF PROCEEDINGS AND CUSTODIAN OF RECORD

For purposes of CEQA and the findings set forth herein, the record of proceedings for the City's findings and determinations consists of the following documents and testimony, at a minimum:

- The NOP, comments received on the NOP, and all other public notices issued by the City in relation to the Project (e.g., NOA).
- The Draft EIR and Final EIR, including comment letters, and technical materials cited in the documents.
- All non-draft and/or non-confidential reports and memoranda prepared by the City and consultants in relation to the EIR.
- Minutes and transcripts of the discussions regarding the Project and/or Project components at public hearings held by the City.
- Staff reports associated with City Council meetings on the Project.
- Those categories of materials identified in Public Resources Code § 21167.6(e).

The City Clerk is the custodian of the administrative record. The documents and materials that constitute the administrative record are available for review at the City of Fort Bragg, 416 N. Franklin Street, Fort Bragg, CA 95437, or online at:

# **CEQA** FINDINGS

https://www.city.fortbragg.com/departments/community-development/active-planning-reportsand-studies

## FINDINGS REQUIRED UNDER CEQA

Public Resources Code § 21002 provides that "public agencies should not approve projects as proposed if there are feasible alternatives or feasible mitigation measures available which would substantially lessen the significant environmental effects of such projects[.]" Further, the procedures required by CEQA "are intended to assist public agencies in systematically identifying both the significant effects of proposed projects and the feasible alternatives or feasible mitigation measures which will avoid or substantially lessen such significant effects." (*Id.*) Section 21002 also provides that "in the event specific economic, social, or other conditions make infeasible such project alternatives or such mitigation measures, individual projects may be approved in spite of one or more significant effects thereof."

The mandate and principles established by the Legislature in Public Resources Code § 21002 are implemented, in part, through the requirement in Public Resources Code § 21081 that agencies must adopt findings before approving projects for which an EIR is required.

CEQA Guidelines § 15091 provides the following direction regarding findings:

- (a) No public agency shall approve or carry out a project for which an EIR has been certified which identifies one or more significant environmental effects of the project *unless the public agency makes one or more written findings* for each of those significant effects, accompanied by a brief explanation of the rationale for each finding. (Emphasis added.) The possible findings are:
  - (1) Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR.
  - (2) Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency.
  - (3) Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the final EIR.

(See also Public Resources Code, § 21081, subd. (a)(1)-(3).)

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As defined by CEQA, "feasible" means capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social, legal, and technological factors. (Pub. Resources Code, § 21061.1; see also CEQA Guidelines, § 15126.6(f)(1)

[determining the feasibility of alternatives].) Feasibility is a two-stage process; what is feasible to be included in an EIR for an alternatives analysis is not necessarily the same as being feasible for adoption. At this second stage, the concept of "feasibility" also encompasses the question of whether a particular alternative or mitigation measure promotes the underlying goals and objectives of a project. (See *Association of Irritated Residents v. County of Madera* (2003) 107 Cal.App.4th 1383, 1400 [court upholds findings rejecting a "reduced herd" alternative to a proposed dairy as infeasible because the alternative failed to meet the "fundamental objective" of the project to produce milk]; *Sierra Club v. County of Napa* (2004) 121 Cal.App.4th 1490, 1506-1508 [agency decision-makers, in rejecting alternatives as infeasible, appropriately relied on project objective articulated by project applicant].) Moreover, "'feasibility' under CEQA encompasses 'desirability' to the extent that desirability is based on a reasonable balancing of the relevant economic, environmental, social, legal, and technological factors" (*City of Del Mar v. City of San Diego* (1982) 133 Cal.App.3d 410, 417; *see also California Native Plant Society v. City of Santa Cruz* (2009) 177 Cal.App.4th 957, 1001-1002) and weighing the alternatives along with legal and policy considerations (Kostka & Zischke, Practice under the Cal. Environmental Quality Act (Cont.EdBar 2d ed. 2009, Updated March 2022) § 15.09.)

### MITIGATION MONITORING PROGRAM

A Mitigation Monitoring Program has been prepared for the Project and, if the Project is approved, will be adopted concurrently with these Findings. (See Pub. Resources Code, § 21081.6, subd. (a)(1).) The City will use the Mitigation Monitoring Program to track compliance with Project mitigation measures. The applicant has agreed to all mitigation measures.

### CONSIDERATION OF THE ENVIRONMENTAL IMPACT REPORT

In adopting these Findings, this City Council finds that the Final EIR was presented to this City Council, the decision-making body of the lead agency, which reviewed and considered the information in the Final EIR prior to approving the Project. By these findings, this City Council ratifies, adopts, and incorporates the analysis, explanation, findings, responses to comments, and conclusions of the Final EIR. The City Council finds that the Final EIR was completed in compliance with CEQA. The Final EIR represents the independent judgment of the City.

### SEVERABILITY

If any term, provision, or portion of these Findings or the application of these Findings to a particular situation is held by a court to be invalid, void, or unenforceable, the remaining provisions of these Findings, or their application to other actions related to the Project, shall continue in full force and effect unless amended or modified by the City.

# III. FINDINGS AND RECOMMENDATIONS REGARDING SIGNIFICANT IMPACTS WHICH ARE MITIGATED TO A LESS THAN SIGNIFICANT LEVEL

## A. **BIOLOGICAL RESOURCES**

- 1. IMPACT 3.3-2: THE PROPOSED PROJECT HAS THE POTENTIAL TO HAVE DIRECT OR INDIRECT EFFECTS ON SPECIAL-STATUS BIRD SPECIES, INCLUDING THROUGH THE SUBSTANTIAL REDUCTION OF HABITAT OR RANGE RESTRICTION FOR BIRD SPECIES, RESULTING IN A BIRD SPECIES POPULATION TO DROP BELOW SELF-SUSTAINING LEVELS, OR THREATENING TO ELIMINATE A BIRD COMMUNITY.
  - (a) Potential Impact. The potential for the Project to have direct or indirect effects on special-status bird species, including through the substantial reduction of habitat or range restriction for bird species, resulting in a bird species population to drop below self-sustaining levels, or threatening to eliminate a bird community is discussed on page 3.3-26 and 3.3-27 of the Draft EIR.
  - (b) Mitigation Measures. The following mitigation measure is hereby adopted and will be implemented as provided by the Mitigation Monitoring Program: Mitigation Measure 3.3-1.
  - (c) Findings. As shown in Table 3.3-3in Section 3.3 of the Draft EIR, habitat for the aforementioned special-status bird species is not available on-site. These special-status birds have not been documented on the Project site. No special-status birds were observed within the Project site during field surveys and none are expected to be affected by the proposed Project based on the lack of appropriate habitat. Great blue herons have been identified on the properties to the north and northwest of the Project site, but not the Project site itself.

Although not high quality, potential nesting habitat is potentially present in the larger trees located within the Project site and in the vicinity. Although on-site vegetation is limited, there is also the potential for other birds that do not nest in this region and represent migrants or winter visitants to forage on the Project site. Additionally, common raptors may nest in or adjacent to the Project site.

New sources of noise and light during the construction and operational phases of the project could adversely affect nesters if they located adjacent to the Project site in any given year. Additionally, the proposed Project would eliminate the disturbed grass areas on the southern portion of the Project site, which serve as potential low-quality foraging habitat for birds throughout the year. Mitigation Measure 3.3-1 requires preconstruction surveys for active nests should any nests be found on-site or within 500 feet of Project disturbance.

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In accordance with Public Resources Code, § 21081 and CEQA Guideline 15091, Mitigation Measure 3.3-1 is an appropriate change or alteration that has been required in, or incorporated into, the Project which avoids or substantially lessens the significant environmental effect as identified in the EIR. Based upon the EIR and the entire record before this City Council, this City Council finds that the potential to have direct or indirect effects on special-status bird species, including through the substantial reduction of habitat or range restriction for bird species, resulting in a bird species population to drop below self-sustaining levels, or threatening to eliminate a bird community will be mitigated to a less than significant level.

- 2. IMPACT 3.3-3: THE PROPOSED PROJECT HAS THE POTENTIAL TO RESULT IN DIRECT OR INDIRECT EFFECTS ON SPECIAL-STATUS MAMMAL SPECIES, INCLUDING THROUGH THE SUBSTANTIAL REDUCTION OF HABITAT OR RANGE RESTRICTION FOR MAMMAL SPECIES, RESULTING IN A MAMMAL SPECIES POPULATION TO DROP BELOW SELF-SUSTAINING LEVELS, OR THREATENING TO ELIMINATE A MAMMAL COMMUNITY.
  - (a) Potential Impact. The potential to result in direct or indirect effects on special-status mammal species, including through the substantial reduction of habitat or range restriction for mammal species, resulting in a mammal species population to drop below self-sustaining levels, or threatening to eliminate a mammal community is discussed on pages 3.3-28 and 3.3-29 of the Draft EIR.
  - (b) Mitigation Measures. The following mitigation measure is hereby adopted and will be implemented as provided by the Mitigation Monitoring Program: Mitigation Measure 3.3-2.
  - (c) Findings. The Project site is located within a built-up, urban environment and is comprised of an existing building, paved parking lot, and annual grasses and forbs with scattered shrubs. The Project site does not provide suitable habitat for the above-listed species, with the exception of bats. These special-status have not been documented on the Project site. No special-status species were observed within the Project site during field surveys and none would be affected by the proposed Project based on the lack of appropriate habitat.

There is a possibility that bats can be present in abandoned building as several members of the species are known to use similar structures for roosting. The surveys performed by De Novo Planning Group on March 29th and April 20th were a daytime habitat assessment to determine if the Project site, including the building to be removed and any vegetation present, has a potential to provide bat roosting habitat, and to determine if bats are present. All buildings and trees with a potential to provide significant bat roosting habitat were inspected with binoculars, a spotlight, a "peeper" mirror, and a borescope to look for indications of use such as guano, staining, bat smells or sounds, or visual confirmation of active occupancy. No evidence of bat roosting on the Project site was present.

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Regardless of the absence of bats, or evidence of bats, on the Project site during the survey, there remains a possibility that bats could establish a roost in the abandoned building in the future. Mitigation Measure 3.3-2 would require a preconstruction bat survey.

In accordance with Public Resources Code, § 21081 and CEQA Guidelines § 15091, Mitigation Measure 3.3-2 is an appropriate change or alteration that has been required in, or incorporated into, the Project which avoids or substantially lessens the significant environmental effect as identified in the EIR. Based upon the EIR and the entire record before this City Council, this City Council finds that the potential to result in direct or indirect effects on special-status mammal species, including through the substantial reduction of habitat or range restriction for mammal species, resulting in a mammal species population to drop below self-sustaining levels, or threatening to eliminate a mammal community will be mitigated to a less than significant level.

## B. NOISE

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- 1. IMPACT 3.6-1: THE PROPOSED PROJECT WOULD NOT GENERATE A SUBSTANTIAL TEMPORARY OR PERMANENT INCREASE IN AMBIENT NOISE LEVELS IN THE VICINITY OF THE PROJECT IN EXCESS OF STANDARDS ESTABLISHED IN THE LOCAL GENERAL PLAN OR NOISE ORDINANCE, OR APPLICABLE STANDARDS OF OTHER AGENCIES.
  - (a) Potential Impact. The potential for the Project to generate a substantial temporary or permanent increase in ambient noise levels in the vicinity of the Project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies is discussed on pages 3.6-9 through 3.6-16 of the Draft EIR.
  - (b) Mitigation Measures. The following mitigation measure is hereby adopted and will be implemented as provided by the Mitigation Monitoring Program: Mitigation Measure 3.6-1.
  - (c) Findings. Table 3.6-8 in Section 3.6 of the Draft EIR shows predicted construction noise levels for each of the project construction phases. Based upon the Table 3.6-8 data, the loudest phase of demolition, with an average noise exposure of 85 dBA Leq at 50 feet, would occur during foundation demolition activities. The complete demolition and haul off of all the debris would take five days. There would be one concrete saw, one excavator with a clam shell and three trucks that will haul off the debris. The procedure is that the excavator clam shell would dismantle the building and place the material directly into the trucks. The debris would be trucked to Willits as the closest receiving station. The building demolition would take two days. The concrete foundation would require the concrete saw for one day, and the debris would also be trucked to Willits and would take three days because the weight of the concrete is greater than the building debris.

The loudest phase of construction would be grading at 86 dBA Leq at 50 feet. Saxelby Acoustics used the SoundPLAN noise model to calculate noise levels at the nearest sensitive receptors in terms of the City's daytime (Leq) noise level criterion. The results of the construction noise analysis are shown graphically on Figure 3.6-6 (demolition) and Figure 3.6-7 (grading). A summary of the noise prediction results for each phase of construction are shown in Table 3.6-9. Receptor locations are shown on Figure 3.6-6. The construction noise modeling includes an 8-foot-tall temporary sound barrier around the construction area.

Compliance with the City's permissible hours of construction, as well as implementing the best management noise reduction techniques and practices (both outlined in Mitigation Measure 3.6-1), would help to ensure that noise levels stay below the 12 dBA threshold. Based upon the Table 3.6-9 data, construction noise levels are not predicted to exceed the 12 dBA test of significance.

In accordance with Public Resources Code, § 21081 and CEQA Guidelines § 15091, Mitigation Measure 3.6-1 is an appropriate change or alteration that has been required in, or incorporated into, the Project which avoids or substantially lessens the significant environmental effect as identified in the EIR. Based upon the EIR and the entire record before this City Council, this City Council finds that the potential for the Project to generate a substantial temporary or permanent increase in ambient noise levels in the vicinity of the Project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies will be mitigated to a less than significant level.

- 2. IMPACT 3.6-2: THE PROPOSED PROJECT WOULD NOT GENERATE EXCESSIVE GROUNDBORNE VIBRATION OR GROUNDBORNE NOISE LEVELS.
  - (a) Potential Impact. The potential for the Project to generate excessive groundborne vibration or groundborne noise levels is discussed on pages 3.6-17 and 3.6-18 of the Draft EIR.
  - (b) Mitigation Measures. The following mitigation measure is hereby adopted and will be implemented as provided by the Mitigation Monitoring Program: Mitigation Measure 3.6-2.
  - (c) Findings. Construction vibration impacts include human annoyance and building structural damage. Human annoyance occurs when construction vibration rises significantly above the threshold of perception. Building damage can take the form of cosmetic or structural damage. The primary vibration-generating activities would be grading, utilities placement, and parking lot construction. Table 3.6-10 in Section 3.6 of the Draft EIR shows the typical vibration levels produced by construction equipment.

With the exception of vibratory compactors, Table 3.6-10 data indicates that construction vibration levels anticipated for the proposed Project are less than the 0.2

# **CEQA** FINDINGS

in/sec threshold at a distance of 25 feet. Use of vibratory compactors within 26 feet of the adjacent buildings could cause vibrations in excess of 0.2 in/sec. Structures which could be impacted by construction-related vibrations, especially vibratory compactors/rollers, are located less than 26 feet from the Project site. Therefore, this is a potentially significant impact and mitigation measures would be required.

Mitigation Measure 3.6-2 requires that any compaction less than 26 feet from an adjacent residential structure be accomplished using static drum rollers. As an alternative to this requirement, pre-construction crack documentation and construction vibration monitoring could be conducted to ensure that construction vibrations do not cause damage to any adjacent structures. With this mitigation measure.

In accordance with Public Resources Code, § 21081 and CEQA Guidelines § 15091, Mitigation Measure 3.6-2 is an appropriate change or alteration that has been required in, or incorporated into, the Project which avoids or substantially lessens the significant environmental effect as identified in the EIR. Based upon the EIR and the entire record before this City Council, this City Council finds that the potential for the Project to generate a substantial temporary or permanent increase in ambient noise levels in the vicinity of the Project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies will be mitigated to a less than significant level.

# IV. FINDINGS AND RECOMMENDATIONS REGARDING THOSE IMPACTS WHICH ARE LESS THAN SIGNIFICANT OR LESS THAN CUMULATIVELY CONSIDERABLE

Specific impacts within the following categories of environmental effects were found to be less than significant as set forth in more detail in the Draft EIR.

- Aesthetics and Visual Resources: The following specific impacts were found to be less than significant: 3.1-1, 3.1-2. 3.1-3, and 3.1-4.
- Air Quality: The following specific impacts were found to be less than significant: 3.2-1, 3.2-2, 3.2-3, 3.2-4, and 3.2-5.
- **Biological Resources:** The following specific impacts were found to be less than significant: 3.3-1, 3.3-4, 3.3-5, 3.3-6, and 3.3-7.
- **Greenhouse Gases, Climate Change, and Energy:** The following specific impacts were found to be less than significant: 3.4-1 and 3.4-2.
- Land Use: The following specific impacts were found to be less than significant: 3.5-1 and 3.5-2, and 3.10-3.

- **Transportation and Circulation:** The following specific impacts were found to be less than significant: 3.7-1, 3.7-2, 3.7-3, and 3.7-4.
- **Utilities:** The following specific impacts were found to be less than significant: 3.8-1, 3.8-2 3.8-3, 3.8-4, 3.8-5, 3.8-6, and 3.8-7.

The Project was found to have a less than cumulatively considerable contribution to specific impacts within the following categories of environmental effects as set forth in more detail in the Draft EIR.

- Aesthetics and Visual Resources: The following specific impact was found to be less than cumulatively considerable: 4.1.
- **Agricultural Resources:** The following specific impact was found to be less than cumulatively considerable: 4.2.
- **Air Quality:** The following specific impact was found to be less than cumulatively considerable: 4.3.
- **Biological Resources:** The following specific impact was found to be less than cumulatively considerable: 4.4.
- **Cultural and Tribal Cultural Resources:** The following specific impact was found to be less than cumulatively considerable: 4.5.
- **Geology and Soils:** The following specific impact was found to be less than cumulatively considerable: 4.6.
- **Greenhouse Gas Emissions:** The following specific impact was found to be less than cumulatively considerable: 4.7.
- Hazards and Hazardous Materials: The following specific impact was found to be less than cumulatively considerable: 4.8.
- **Hydrology and Water Quality:** The following specific impact was found to be less than cumulatively considerable: 4.9.
- **Land Use:** The following specific impact was found to be less than cumulatively considerable: 4.10.
- **Mineral Resources:** The following specific impact was found to be less than cumulatively considerable: 4.11.
- **Noise:** The following specific impact was found to be less than cumulatively considerable: 4.12.
- **Population and Housing:** The following specific impact was found to be less than cumulatively considerable: 4.13.

- **Public Services and Recreation:** The following specific impact was found to be less than cumulatively considerable: 4.14.
- **Transportation and Circulation:** The following specific impacts were found to be less than cumulatively considerable: 4.15 and 4.16.
- **Utilities:** The following specific impacts were found to be less than cumulatively considerable: 4.17, 4.18, 4.19, and 4.20.
- **Wildfire:** The following specific impact was found to be less than cumulatively considerable: 4.21.

The above impacts are less than significant or less than cumulatively considerable for one of the following reasons:

- The EIR determined that the impact is less than significant for the Project;
- The EIR determined that the Project would have a less than cumulatively considerable contribution to the cumulative impact; or
- The EIR determined that the impact is beneficial (would be reduced) for the Project.

### V. **PROJECT ALTERNATIVES**

#### A. IDENTIFICATION OF PROJECT OBJECTIVES

An EIR is required to identify a range of reasonable alternatives to the project. The "range of potential alternatives to the project shall include those that could feasibly accomplish most of the basic purposes of the project and could avoid or substantially lessen one of more of the significant effects." (CEQA Guidelines Section 15126.6(c).) "Among the factors that may be taken into account when addressing the feasibility of alternatives are site suitability, economic viability, availability of infrastructure, general plan consistency, other plans or regulatory limitations, jurisdictional boundaries (projects with a regionally significant impact should consider the regional context), and whether the proponent can reasonably acquire, control or otherwise have access to the alternative site (or the site is already owned by the proponent)." (CEQA Guidelines Section 15126.6(f)(1).)

The underlying purpose of the proposed Project is to construct and operate a Grocery Outlet retail store at a location within the City of Fort Bragg on which the existing General Plan and zoning designations allow for such a use.

Consistent with this underlying purpose, the proposed Project seeks to attain the following project objectives:

- Develop a grocery store that provides its customers with comparatively affordable groceries at a convenient location for their shopping needs.
- Develop a grocery store that would generate additional revenues to the City in the form of increased sales and property tax revenues.
- Develop a grocery store that would create new jobs in the City.

- Develop an aesthetically attractive grocery store and landscaping on an infill site.
- Design a site plan that minimizes circulation conflicts between automobiles and pedestrians.

### B. ALTERNATIVES ANALYSIS IN EIR

The alternatives analysis provides a summary of the relative impact levels of significance associated with each alternative for each of the environmental issue areas analyzed in the Draft EIR. The environmental analysis for each of the alternatives is included in Chapter 5.0. When all impacts have been mitigated below a level of significance, findings are not required regarding feasibility of alternatives and the City Council is not required to choose the most environmentally friendly alternative. Nevertheless, the following findings are included for the City Council's adoption.

#### 1. No Project (No Build) Alternative:

The **No Project (No Build) Alternative** is discussed on pages 5.0-3, and 5.0-4 through 5.0-8 of the Draft EIR. Under the No Project (No Build) Alternative, development of the Project site would not occur, and the Project site would remain in its current existing condition. The northern portion of the Project site contains existing development and the southern portion of the site is vacant with a dirt driveway. An unoccupied 16,436 square-foot (sf) vacant former office building and associated 47-space parking lot are located in the northern half of the site. The building, locally referred to as the "Old Social Services Building", has not been leased since 2010 but has been used as storage since then. Wooden fencing is currently located along the western property line and adjacent to the south side of the building. Shrubs and trees are located in the northern portion of the site. The southern-most lot is vacant with one-third bare soil and two-thirds covered with annual grasses and forbs with scattered shrubs. All existing conditions would remain intact. It is noted that the No Project (No Build) Alternative would fail to meet the Project objectives identified by the City of Fort Bragg.

Findings: Environmental benefits of this alternative over the proposed Project include the reduction of impacts to Aesthetics and Visual Resources, Air Quality, Biological Resources, Greenhouse Gases, Climate Change and Energy, Land Use, Noise, and Utilities. Two impacts related to Transportation and Circulation would be increased under this alternative while the two remaining impacts related to Transportation and Circulation would be decreased.

While the City recognizes the environmental benefits of the No Project (No Build) Alternative, this alternative would not achieve any of the Project objectives. Specifically, this alternative would not: develop a grocery store that provides its customers with comparatively affordable groceries at a convenient location for their shopping needs; develop a grocery store that would generate additional revenues to the City in the form of increased sales and property tax revenues; develop a grocery store that would create new jobs in the City; develop an aesthetically attractive grocery store and landscaping on an infill site; or design a site plan that minimizes circulation conflicts between automobiles and pedestrians.

Additionally, this alternative would not realize the project benefits of increased food supplies within the City, additional employment opportunities, or new tax revenue. For

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all of these foregoing reasons and any one of them individually, this alternative is determined to be infeasible and rejected.

#### 2. BUILDING REUSE ALTERNATIVE:

The **Building Reuse Alternative** is discussed on pages 5.0-3, and 5.0-8 through 5.0-12 of the Draft EIR. Under the Building Reuse Alternative, the proposed Project would be developed with the same uses as described in the Project Description, but the existing vacant former office building would be renovated and reused for the proposed grocery store use. Under the Building Reuse Alternative, the existing 16,436 sf vacant former office building would be converted to a grocery store use. In order to provide adequate facilities for the grocery store use, the office building would be substantially renovated, consistent with the current California Building Code. Additionally, the asbestos containing materials would have to be removed under this alternative. The building size and footprint of the existing building would be developed with a parking area and associated landscaping and stormwater improvements. The existing parking area in the northern portion of the site would also be improved consistent with the proposed southern parking area.

Findings: Environmental benefits of this alternative over the proposed Project include the reduction of three out of five impacts related to Air Quality, one out of two impacts related to Noise, and one impact out of seven related to Utilities would also be reduced. The remaining resources areas would have equal or similar impacts to the Project.

On balance, the alternative is less desirable than the Project and does not lessen the overall environmental impacts nor provide the same level of benefits as the proposed Project. While the City recognizes the environmental benefits of this alternative, this alternative would not achieve all of the Project objectives. The Project objectives which this alternative does achieve are achieved to a lesser extent than the proposed Project. For example, the Building Reuse Alternative would partially meet Objective #4 (develop an aesthetically attractive grocery store and landscaping on an infill site) because although a grocery store would be developed on-site, the existing building would remain in place. But the existing structure would be retained rather than replaced with a more attractive structure, which will reflect compliance with applicable design requirements and the outcome of the formal design review process.

It is also noted that a feasibility assessment of the Building Reuse Alternative was prepared by Thomas Jones, former Vice President of Hilbers Inc., a national contracting and engineering firm specializing in office, commercial, and grocery store development. He has 34 years' construction experience and has worked on more than twenty Grocery Outlet stores. For reasons set forth in detail, Mr. Jones explained why the Reuse Alternative is infeasible. The Jones feasibility analysis concluded that the existing building on the Project site has several structural and logistical issues and ultimately "has no reuse value for a Grocery Outlet...." Specifically, the analysis explains that the building "fails to meet current building codes," is "practically inaccessible for those with disabilities," and would require a "major seismic upgrade" to meet current codes. The

structure is "extremely energy inefficient," "has insufficient and outdated electrical services," and has a "roof structure that will not allow any additional mechanical loads or modifications," such additional heating or air conditioning. The building also has asbestos that further limits modifications. Furthermore, the existing structure has inadequate storage for a grocery store and floors insufficient to support the forklifts needed for stocking a grocery store. The analysis then accurately concluded that use of the existing building under the Building Reuse Alternative is entirely infeasible.

Moreover, in testimony before the City Council on July 26, 2021, Terry Johnson of the Best Development Group testified that the existing building cannot be feasibly reused, as it has mold and asbestos and does not meet current codes. Similarly, under this alternative, due to the current layout of the existing office building, paired with the divided parking areas that would be provided in the southern and northern portions of the site, substantial improvements would be required to ensure that site circulation and pedestrian access is safe and adequately provided. Therefore, this alternative would meet Objective #5 (design a site plan that minimizes circulation conflicts between automobiles and pedestrians), but to a lesser extent than the proposed Project and the Decreased Density Alternative. On balance, the minor environmental benefits that might be achieved with this alternative are outweighed, independently and separately, by the reasons described above, and the failure of this alternative to provide the same level of benefits as the Project.

For all of these foregoing reasons and any one of them individually, this alternative is determined to be infeasible and rejected.

#### 3. DECREASED DENSITY ALTERNATIVE:

The **Decreased Density Alternative** is discussed on pages 5.0-3, and 5.0-13 through 5.0-17 of the Draft EIR. Under the Decreased Density Alternative, the proposed Project would be developed with the same components as described in the Project Description, but the size of the grocery store building and parking lot would be reduced, resulting in an increase of undeveloped land. The grocery store would be located in the northern portion of the site, similar to the Project. The grocery store would be reduced by approximately 30 percent from 16,157 sf to 11,310 square feet. The parking lot would be reduced by approximately 30 percent from 51,650 sf (1.18 acres) to 36,155 sf (0.083 acres). The total acreage dedicated to the proposed Project would be reduced by approximately 30 percent. The total acreage developed would be 1.14 acres, with 0.49 acres remaining in its current state. The 0.49 acres that would remain undeveloped would be located in the southern portion of the site.

Findings: Environmental benefits of this alternative over the proposed Project include the reduction of impacts to Aesthetics and Visual Resources, Greenhouse Gases, Climate Change and Energy, Noise, Transportation and Circulation, or Utilities. Three of the five impacts related to Air Quality and one out of seven impacts related to Biological Resources would also be reduced. The remaining resources areas would have equal or similar impacts to the Project.

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On balance, the alternative is less desirable than the Project and does not provide the same level of benefits as the proposed Project. This alternative would not achieve all of the Project objectives. The Project objectives which this alternative does achieve are achieved to a lesser extent than the proposed Project. Additionally, this alternative would provide a 30 percent reduction in grocery store area, which would result in fewer job opportunities for Fort Bragg residents and less shelf space for grocery items. This would also reduce the property tax and sales tax revenue generation as compared to the Project. On balance, the minor environmental benefits that might be achieved with this alternative are outweighed, independently and separately, by the reasons described above, and the failure of this alternative to provide the same level of benefits as the Project.

For all of these foregoing reasons and any one of them individually, this alternative is determined to be infeasible and rejected.

#### 4. Environmentally Superior Alternative:

CEQA requires that an environmentally superior alternative be identified among the alternatives that are analyzed in the EIR. If the No Project Alternative is the environmentally superior alternative, an EIR must also identify an environmentally superior alternative among the other alternatives (CEQA Guidelines Section 15126.6(e)(2)). The environmentally superior alternative is that alternative with the least adverse environmental impacts when compared to the proposed project.

As shown on Table 5.0-1 of the Draft EIR (on pages 5.0-18 and 5.0-19), a comparison of alternatives is presented. No Project (No Build) Alternative is the environmentally superior alternative. However, as required by CEQA, when the No Project (No Build) Alternative is the environmentally superior alternative, the environmentally superior alternative among the others must be identified. Therefore, the Building Reuse Alternative and Decreased Density Alternative both rank higher than the proposed Project. Comparatively, the Decreased Density Alternative would result in less impact than the Building Reuse Alternative because it provides the greatest reduction of potential impacts in comparison to the proposed Project. However, neither the Decreased Density Alternative nor the Building Reuse Alternative fully meet all of the Project objectives. While the City recognizes the environmental benefits of both alternatives, these alternatives are determined to be infeasible and rejected.

### RESOLUTION NO. \_\_\_\_-2023

#### A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FORT BRAGG, CALIFORNIA APPROVING COASTAL DEVELOPMENT PERMIT 2-22 (CDP 2-22), DESIGN REVIEW 7-22 (DR 7-22); PARCEL MERGER 1-2022 (MGR 1-22) FOR THE GROCERY OUTLET AT 825 845, 851 SOUTH FRANKLIN STREET

WHEREAS, Best Development ("Applicant"), submitted an applicant for a Coastal Development Permit (CDP 2-22), Design Review (DR 7-22); and Parcel Merger (MGR 1-22) to construct a Grocery Outlet Market ("Project" or "retail store"). The Project includes the demolition of an existing 16,436 SF vacant former office building and associated 47-space parking lot and wooden fencing along the property line, and the construction and operation of a 16,157 SF, one-story, retail store with a 54-space parking lot (as conditioned) and associated improvements and infrastructure located at 825, 845, and 851 South Franklin Street (the "Property"); and

WHEREAS, 825 845, 851 South Franklin Street, Fort Bragg, California (Assessor Parcel Numbers: 018-120-49, 018-120-48, 018-120-47) are in the Highway Visitor Commercial (CH) zone, Coastal Zone and no changes to the site's current zoning designation are proposed under the Project; and

**WHEREAS**, the Project is subject to the Fort Bragg Coastal General Plan and Coastal Land Use and Development Code (CLUDC); and

**WHEREAS**, on May 10, 2023 the Planning Commission held a duly noticed public hearing to consider the Project and the related CEQA items at which time it considered all of the testimony presented as well as written testimony that had been timely submitted; and

WHEREAS, after the close of the public hearing the Planning Commission adopted a resolution recommending that the City Council certify the EIR, adopt the required CEQA findings, and adopt the Mitigation and Monitoring Program, as well as recommended that the City Council approve the Project; and

**WHEREAS**, on June 5, 2023, at a specially scheduled meeting, the City Council held a duly noticed public hearing on the Project and considered all information related to the EIR, including the Draft and Final EIR, all reports and attachments prepared or presented by City staff, pertinent documents provided during previous public meetings, all oral and written testimony and the full record of proceedings on the Project; and

**WHEREAS,** prior to adopting this Resolution the City Council adopted a resolution certifying the Environmental Impact Report for the Best Development Grocery Outlet, adopting the required CEQA findings, and adopting a mitigation monitoring and reporting program;

#### NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF FORT BRAGG DOES HEREBY RESOLVE AS FOLLOWS:

#### **SECTION 1.** General Findings.

- A. The foregoing recitals are true and correct and made a part of this Resolution.
- B. The Project is consistent with the purpose and intent of the zoning district, as well as all other provisions of the Coastal General Plan, Coastal Land Use and Development Code (ILUDC) and the Fort Bragg Municipal Code in general.

#### **<u>SECTION 2.</u>** Coastal Development Permit Findings

The City Council hereby approves CDP 2-22 and in doing so, makes the following findings in accordance with Section 17.71.045.I of the Coast Land Use and Development Code (CLUDC):

A. The Project, as modified by the conditions of approval, is in conformity with the City of Fort Bragg's certified Local Coastal Program and will not adversely affect coastal resources.

Analysis: Policies of the Coastal General Plan and applicable provisions of the Coastal Land Use Development Code (CLUDC) and Fort Bragg Municipal Code in general, per analysis incorporated herein by reference to the project staff report, dated June 5, 2023.

B. Feasible mitigation measures and/or alternatives have been incorporated to substantially lessen any significant adverse effects of the development on the environment.

Analysis: The environmental impacts of the Project have been analyzed through an Environmental Impact Report and all mitigation measures have been incorporated into the project through the adoption of Special Condition 18.

C. The proposed use is consistent with the purposes of the zone in which the site is located.

Analysis: The Project is a permitted use by right in the Highway Commercial zoning district.

D. The proposed development is in conformance with the City of Fort Bragg's Coastal General Plan.

Analysis: The Project, as conditioned, is consistent with the relevant policies of the Coastal General Plan and applicable provisions of the Coastal Land Use Development Code (CLUDC) and Fort Bragg Municipal Code in general, per analysis incorporated herein by reference to the project staff report, dated June 5, 2023.

E. The proposed location of the use and conditions under which it may be operated or maintained will not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity.

Analysis: The Project, as conditioned, would not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity, per analysis incorporated herein by reference to the project staff report, dated June 5, 2023.

F. Services, including but not limited to, water supply, sewage disposal, solid waste, and public roadway capacity have been considered and are adequate to serve the proposed development.

Analysis: The Project, as conditioned, would be adequately served by water supply, sewer supply, solid waste disposal, and roadway capacity per the analysis incorporated herein by reference to the project staff report, dated June 5, 2023 and the project EIR.

G. The Project is not located between the first public road and the sea, the Project does not involve any geologic, floor or fire hazards, and the Project is not located within an Environmentally Sensitive Habitat Area.

#### **SECTION 3.** Design Review Permit - General Findings

The City Council hereby approves DRP 2-22 and in doing so, makes the following findings in accordance with Section 17.71.050.E and F of the Coast Land Use and Development Code (CLUDC). These findings are substantiated by the project staff report dated June 5, 2023, including the attachments thereto, and the EIR, which are incorporated herein by reference. The City Council hereby finds that the Project:

- A. Complies with the purpose and requirements of this Section (Design Review in the CLUDC).
- B. Provides architectural design, building massing, and scale appropriate to and compatible with the site surroundings and the community.
- C. Provides attractive and desirable site layout and design, including building arrangement, exterior appearance and setbacks, drainage, fences and walls, grading, landscaping, lighting, signs, etc.
- D. Provides efficient and safe public access, circulation, and parking.
- E. Provides appropriate open space and landscaping, including the use of water efficient landscaping.
- F. Is consistent with the Coastal General Plan, and applicable specific plan, and the certified Local Coastal Program.
- G. Complies and is consistent with the City's Design Guidelines.

**<u>SECTION 4.</u>** Design Review Permit – Signage Findings

Section 17.71.050b.iv provides that any signage included with plans for a project is to be approved as part of the Design Review. Accordingly, the City Council hereby approves the signage for the Project as part of the Design Review and in doing so, makes the following findings set forth below in accordance with Section 17.38.030.D of the Coast Land Use and Development Code (CLUDC). These findings are based on the analysis contained in the project staff report dated June 5, 2023 and the Sign Plan which can be found as Attachment 3 to the staff report which are incorporated herein by reference. The City Council hereby finds that as conditioned by special conditions 30 - 32:

- A. The proposed signs do not exceed the standards of Sections 17.38.070 (Zoning District Sign Standards) and 17.38.080 (Standards for Specific Sign Types), and are of the minimum size and height necessary to enable pedestrians and motorists to readily identify the facility or site from a sufficient distance to safely and conveniently access the facility or site.
- B. That the placement of the sign on the site is appropriate for the height and area of a freestanding or projecting sign.
- C. That a flush or projecting sign relates to the architectural design of the structure. Signs that cover windows, or that spill over natural boundaries, and/or cover architectural features shall be discouraged.
- D. The proposed signs do not unreasonably block the sight lines of existing signs on adjacent properties.
- E. The placement and size of the sign will not impair pedestrian or vehicular safety.
- F. The design, height, location, and size of the signs are visually complementary and compatible with the scale, and architectural style of the primary structures on the site, any prominent natural features on the site, and structures and prominent natural features on the same street; and
- G. The proposed signs are in substantial conformance with the design criteria in Subsection 17.38.060.F (Design criteria for signs).

#### SECTION 5. Parcel Merger

The City Council hereby approves Parcel Merger 1-22 to merge the three lots. The City Council finds that this merger is necessary to comply with CLUDC section 17.36.090A.2 which requires non-residential parking to be located on the same parcel as the uses served or within 300 feet of the parcel if the parking is shared or public parking facilities are used. As the parking is private, a parcel merger is necessary to eliminate the parcel lines between the three properties so that the parking may all be on one lot. Special condition 32 requires the parcel merger to take place prior to issuance of a building permit.

#### SECTION 6. Conditions

Each and every one of the approvals set forth in Sections 2 through 5 above for Coastal Development Permit 2-22 (CDP 2-22), Design Review Permit 7-22 (DR 7-22) including the signage, and Parcel Merger 1-22 (MGR 1-22) to construct a Grocery Outlet Market (retail store) are subject to the following standard and special conditions:

#### SPECIAL CONDITIONS

Special Condition 1a: The Applicant shall resubmit the landscaping and parking plans for Community Development Director approval. The revised parking and landscaping plan shall eliminate the excess RV parking space, and to the degree feasible replace a portion of it with landscaping.

Special Condition 1b: The Applicant shall resubmit the landscaping and parking plans for Community Development Director approval. The revised parking and landscaping plan shall:

- Comply with the required Landscaping Setback of 15 feet for parking lots by modifying the parking lot to ensure adequate setback for the two parking spaces on the southwest corner of the lot. (Section 17.34.050C4a):
- Contain drought tolerant native species;
- Preserve the existing Monterey Cypress Trees and the Shore Pine on site, as feasible, and replace the proposed 24 Monterey Cypress Trees in the Landscaping Plan with a locally native tree species.
- Comply with the California Model Water Efficient Landscape Ordinance (MWELO).
- Include the placement of the backflow devise, which shall be fully screened from view by landscaping shrubs.

Special Condition 2: The applicant shall construct new sidewalk along parcel boundaries with South Street, S. Franklin Street, and N. Harbor Drive frontages, as required by City standards prior to final of the Building Permit.

Special Condition 3: Prior to final of the Building Permit, a "Fair-Share Deferment" agreement shall be entered into by the Applicant with Caltrans to fund future traffic improvements as required by cumulative development. The agreement shall be in the form published by Caltrans in the <u>Local Development Intergovernmental</u> <u>Review</u> <u>Program – Traffic Mitigation Agreements</u>. Furthermore, the amount of fair share payment has been determined to be \$144,900 based on the traffic study and the Caltrans cost estimate. The "Fair-Share Deferment" agreement shall be executed, and \$144,900 in funds shall be deposited with TRAMS - a fund program of Caltrans - prior to issuance of the Building Permit. The check shall be submitted per the procedure outlined in the document entitled Local Development Intergovernmental Review Program – Traffic Mitigation Agreements.

Special Condition 4: The Applicant shall obtain an encroachment permit from Caltrans and the City of Fort Bragg and install signage, stripe and paint to create a right-handturn only lane at the western approach of N. Harbor Drive to the intersection of N. Harbor Drive and S. Main Street. If through a traffic/safety study completed within two years of Project's final on the Building Permit, the City determines that the left turn lane from N Harbor Drive onto Highway 1 needs to be modified, the Applicant shall pay its pro-rata share of the cost to modify this intersection per Caltrans specs.

Special Condition 5: Prior to issuance of the grading permit, the applicant shall submit for approval by the Public Works Director, the stormwater calculations for the stormwater plan, including a Water Quality Management Plan and including how the proposed structural treatments minimize construction impacts to water quality, maximize infiltration of runoff, and reduce parking lot runoff pollution.

Special Condition 6: Prior to issuance of the Building Permit the applicant shall provide an analysis that documents the sufficiency of existing stormwater infrastructure or provide an engineer reviewed design of a new proposed drainage conveyance system for approval by the Public Works Director. If upgrades to infrastructure are required, this shall be completed by the developer and dedicated to the City.

Special Condition 7: The applicant shall install offsite drainage improvements as needed to ensure that stormwater flows from the project will be effectively transported to the nearest drainage facilities, located on Main Street/Highway 1. This may include surface transportation facilities such as gutters, where absent, or subsurface transportation via pipe if there is insufficient surface capacity.

Special Condition 8: A Maintenance and Operations agreement for ongoing maintenance of the bioretention features installed with this project shall be submitted to the City for review and approval and shall be recorded with the County Recorder's office to ensure that the bioretention features are maintained and remain effective. Recordation of the Maintenance Agreement shall be completed prior to Certificate of Occupancy.

Special Condition 9: An engineered grading plan shall be provided, per Municipal Code Section 17.60.030, and a separate grading permit will be required for the site work. The final grading plan can be submitted at the time of Building Permit application.

Special Condition 10: Prior to issuance of the Building Permit the applicant shall submit a Stormwater Pollution Prevention Plan (SWPPP) to the State Water Board to obtain a Construction General Permit. A Runoff Mitigation Plan (RMP) is required by the City to demonstrate the project meets the requirements established by local, state and federal regulations. The City's RMP requirement can be fulfilled by a SWPPP instead. If using a SWPPP to fulfill the RMP, a draft version shall be submitted to the City to ensure the project is in compliance prior to filing for a Notice of Intent (NOI) with the state.

Special Condition 11: All work shall be done in compliance with all conditions required by Article 6, Chapters 17.60 through 17.64, of the Coastal Land Use and Development Code relating to grading, erosion and sediment control, and stormwater runoff pollution control. If construction is to be conducted between October and April (the rainy season), approval from the Public Works Department and additional construction BMP's will be required.

Special Condition 12: Markers or stenciling shall be required for all storm drain inlets constructed or modified by development, to discourage dumping and other illicit discharges into the storm drain system.

Special Condition 13: In order to minimize dust and keep dust from leaving the project site, a dust prevention and control plan shall be submitted for approval by the City Engineer in conjunction with the grading plan. The dust prevention and control plan shall demonstrate that the discharge of dust from site demolition and construction will not occur, or can be controlled to an acceptable level depending on the particular site conditions and circumstances. The plan shall include the following information and provisions:

• If the importing or exporting of dirt is necessary, the plan shall include the

procedures necessary to keep the public streets and private properties along the haul route free of dirt, dust, and other debris.

- Grading shall be designed and grading activities shall be scheduled to ensure that repeat grading will not be required, and that completion of the dust-generating activity (e.g., construction, paving or planting) will occur as soon as possible.
- Earth or other material that has been transported by trucking or earth moving equipment, erosion by water, or other means onto paved streets shall be promptly removed.
- All earthmoving activities shall cease when sustained winds exceed 15 miles per hour.
- The operator shall take reasonable precautions to prevent the entry of unauthorized vehicles onto the site during non-work hours.
- Graded areas that are not immediately paved shall be revegetated as soon as possible to minimize dust and erosion. Disturbed areas of the construction site that are to remain inactive longer than three months shall be seeded and watered until grass cover is grown and maintained.

Special Condition 14: The applicant is required to pay its fair share of the system infrastructure and future capital improvements through the Drainage fees, Water Capacity Charges and Wastewater Capacity Charges. All associated capacity charges and fees shall be paid prior to the issuance of the first building permit.

Special Condition 15: Should the existing project require new or increased capacity water/sewer connections, fees will be required. New or increased capacity sewer connections shall include cleanouts and new or increased capacity water connection(s) shall have backflow device(s). All associated connection fees shall be paid prior to the issuance of the first building permit.

Special Condition 16: Frontage improvements are required on North Harbor Drive, and the southerly portion of South Franklin that is not improved. Public improvements shall be designed by a licensed Civil Engineer, and include pavement as needed for road widening, curb, gutter and sidewalk, per City of Fort Bragg Construction Standards. The designs for all frontage improvements shall be submitted to the City with the Building Permit application for approval by the Director of Public Works and all improvements shall be installed prior to final of the building permit.

Special Condition 17: The Applicant shall ensure adequate pressure and flow to the subject site to provide necessary commercial and fire suppression flows. The Applicant shall provide documentation that water pressures can be achieved or that they have a means (via pressure pump, tank, etc.) for enhancing their system to meet standards. Documentation shall be submitted prior to issuance of Building Permit.

Special Condition 18: The applicant shall implement all Mitigation Measures in the Final EIR and the Mitigation Monitoring and Reporting Plan for the Project as certified by City Council.

Optional Special Condition 19: The applicant shall allow two-hour parking for people wishing to access Noyo Harbor via the Harborlite Lodge stairway.

# Optional Special Condition 20: The building permit application plans shall include solar panels on the roof, which shall be installed prior to the final of the building permit.

Optional Special Condition 21: Two benches shall be installed in the landscaped area parallel to and adjacent to the sidewalk along South Franklin Street.

Optional Special Condition 22: The applicant shall submit a revised design that includes additional detailing in the parapets for consideration and approval by the Community Development Director.

Optional Special Condition 23: The windows on the south side of the building may be obscured with murals or other films or coverings so long as they don't limit passive solar gain. Additionally, such coverings shall not conflict with limitations placed on window signage in Chapter 17.38 Signs.

Optional Special Condition 24: The applicant shall replace/cover all smooth surface CMU block on the east and north elevation of the building with one of the otherhigher-grade materials which are already proposed for the South and West facade of the building.

Optional Special Condition 25: The applicant shall replace/cover all CMU block on the west face of the building with hardiboard composite wood paneling.

Special Condition 26: The Building Permit plans shall illustrate parking lot lighting standards that are not taller than 16 feet in height.

Special Condition 27: Prior to approval of the Building Permit application, the applicant shall provide an elevation of the new fencing/sound wall from both the east and west perspective. Further the Community Development Director shall ensure conformance with the Design Guidelines related to fencing.

Special Condition 28: The Building Permit application shall include an exit gate by the loading dock to facilitate emergency egress out of the loading area.

Special Condition 29: The applicant shall install a Pick-up/ Drop-off Sign on Franklin Street adjacent to the Entryway. This area will include at least two spaces that are painted for 10-minute pick up and drop off.

Special Condition 30. Prior to approval of the Building Permit the applicant shall submit a revised sign plan that includes no more than 100 SF of signage, and the monument sign shall include the required site address, and substantially replicate the proposed sign design and locations, for approval by the Community Development Director.

Special Condition 31: Prior to issuance of the Building Permit, the applicant shall submit a revised sign site plan, to be approved by the Community Development Director. The revised sign plan must illustrate that the monument sign is 20 feet back from the edge of the sidewalk in every direction (due to curved sidewalk situation) and is perpendicular to the street at its placement.

Special Condition 32: Prior to issuance of the Building Permit, the applicant shall record a deed and parcel map, eliminating the lot lines between parcels 018-120-49 and 018-120-48 and 018-120-47. All property taxes due shall be paid prior to recordation, as evidenced by a preliminary title report submitted to the satisfaction of the Community Development Director.

Special Condition 33: The Applicant shall pay its fair-share for the installation of either an all-way stop or pedestrian triggered flashing lights, as recommended by a traffic engineer, at the intersection of South Franklin St. and South St., including signage, striping, and pedestrian facilities (sidewalk, curb, and gutter) to provide crossing at all legs of the intersection. The proposed intersection improvement would require the installation of sidewalk curb and gutter to City Standard Specifications for a total length of 57 linear feet along the east side of South Franklin St. as well as a curb return to provide sufficient pedestrian landing facilities on the south-east corner of the intersection.

Special Condition 34: The Grocery Outlet truck loading dock will not be operated nor accept deliveries between the hours of 9:00pm and 7:00am.

Special Condition 35: Prior to issuance of the Building Permit the applicant shall submit a site plan that illustrates a generator or battery backup, for approval by the Community Development Director.

Special Condition 36: Prior to issuance of the Building Permit the applicant shall submit a site plan that illustrates a cross walk from the parking area to the entrance of the Grocery Outlet.

#### **Standard Conditions**

1. This action shall become final on the 11th working day following the City Council decision to allow time for a timely appeal to the Coastal Commission in conformance with 17.76.020.

2. The use and occupancy of the premises shall be established and maintained in conformance with the requirements of this permit and all applicable provisions of the CLUDC.

3. The application, along with supplemental exhibits and related material, shall be considered elements of this permit, and compliance therewith is mandatory, unless an amendment has been approved by the City.

4. This permit shall be subject to the securing of all necessary permits for the proposed development from City, County, State, and Federal agencies having jurisdiction. All plans submitted with the required permit applications shall be consistent with this approval. All construction shall be consistent with all Building, Fire, and Health code considerations as well as other applicable agency codes.

5. The applicant shall secure all required building permits for the Project as required by the Mendocino County Building Department.

6. If any person excavating or otherwise disturbing the earth discovers any archaeological site during project construction, the following actions shall be taken: 1) cease and desist from all further excavation and disturbances within 25 feet of the discovery; 2) notify the Fort Bragg Community Development Department within 24 hours of the discovery; and 3) retain a professional archaeologist to determine

appropriate action in consultation with stakeholders such as Native American groups that have ties to the area.

7. This permit shall be subject to revocation or modification upon a finding of any one or more of the following:

(a) That such permit was obtained or extended by fraud.

(b) That one or more of the conditions upon which such permit was granted have been violated.

(c) That the use for which the permit was granted is so conducted as to be detrimental to the public health, welfare, or safety or as to be a nuisance.

(d) A final judgment of a court of competent jurisdiction has declared one or more conditions to be void or ineffective, or has enjoined or otherwise prohibited the enforcement or operation of one or more conditions.

8. Unless a condition of approval or other provision of the Coastal Land Use and Development Code establishes a different time limit, any permit or approval not exercised within 24 months of approval shall expire and become void, except where an extension of time is approved in compliance with CLUDC Subsection 17.76.070(B).

**<u>SECTION 7.</u>** Effective Date. This Resolution shall become effective immediately upon its passage and adoption.

**SECTION 8.** Summaries of Information. All summaries of information in the findings are based on the substantial evidence in the record. The absence of any particular fact from any such summary is not an indication that a particular finding is not based in part on that fact. The absence of any particular fact from any such summary is not an indication that a particular function summary is not an indication that a particular finding is not based in part on that fact.

**SECTION 9.** Custodian of Record. The documents and materials that constitute the record of proceedings on which these findings and approval are based are located in the City of Fort Bragg Community Development Department at City Hall. The Custodian of Records is the City Clerk who can be reached at 707-961-2823 or jlemos@fortbragg.com.

AYES: NOES: ABSENT: ABSTAIN: RECUSE:

Bernie Norvell Mayor ATTEST:

Cristal Munoz Acting City Clerk

#### 6.2.23

Dear Fort Bragg Council members,

On June 5, the council will hold another council meeting to review, discuss and take in public opinion regarding the Grocery Outlet's application.

My hope after all this time, that it passes and no one tries to challenge it.

Owning a restaurant, has had its challenges, especially during the pandemic. Now, we are facing rising food prices and some shortages. I also have my employees to consider. Living here is not always easy. I know this Grocery Outlet will be helpful to so many. I shop at all the stores in the area. This will not change. However, this store will benefit so many.

I am especially excited to hear more jobs will be created. Along with having the business district improved upon.

I know you have thought about this project along with the staff, and have put in many hours.

Thank you for all you do to continue to make Fort Bragg even more special than it already is.

Lastly, a yes vote would be appreciated.

Thank you!

Me. Cadelini

Cordelia Fortier Home Style Cafe 790 S Main Street Fort Bragg. CA Hello,

I have attended several of the Planning Commission and City Council meetings on this topic. Once again, I am having to take time away from my busy work schedule to advocate for affordable food in our community. This is feeling really ridiculous.

The City Council has approved this project before, but a few of the City Council members are new to this project, so I understand that we need to go through this all over again.

The public notification on how to participate in the June 5th City Council Grocery Outlet Meeting viz Zoom link has not been made available to the public within an adequate amount of time. The public who have signed up to be notified of this particular meeting agenda have not been notified by today's date (May 28, 2023).

There has been an extremely well-funded opposition to this project through the Fort Bragg California Local Business Matters Group. So far, whoever is funding this opposition has remained anonymous. The Fort Bragg public has a right to know who is funding the opposition to this project.

Per capita income in the past 12 months (in 2021 dollars), 2017-2021 \$27,582, according to the 2022 Census (please see screenshot).

This is not an affluent community, and we need to be able to provide the basic necessities for welfare, which include affordable food. We cannot have employees to serve the tourism industry, which is Fort Bragg's largest source of revenue if the citizen of Fort Bragg cannot afford to eat.

This project is an opportunity to support Fort Bragg's welfare and its people. This is your opportunity to make an actual difference for the Fort Bragg residents who need your help. Please help us move this project along, so that the people of Fort Bragg may come home in the evening and have enough food for their families to eat because right now many are going hungry unnoticed.

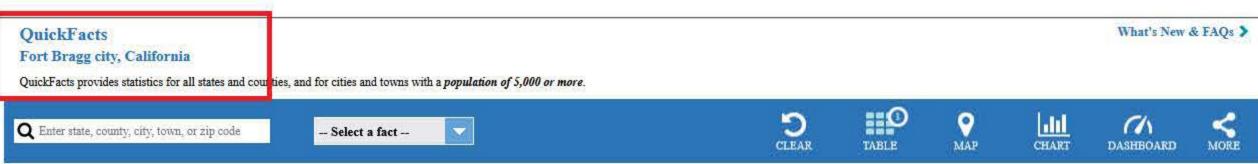
Thank you.

Best,

Clara Shook PO Box 1626 Mendocino, CA 95460

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# Table

	All Topics
	Per capita income in past 12 months (in 2021 dollars), 2017-2021
	L PEOPLE
	Population
	Population Estimates, July 1, 2022, (V2022)
	O Population estimates base, April 1, 2020, (V2022)
	🕜 Population, percent change - April 1, 2020 (estimates base) to July 1, 2
	Population, Census, April 1, 2020
	O Population, Census, April 1, 2010
	Age and Sex
	🚯 Persons under 5 years, percent
	Persons under 18 years, percent
	Persons 65 years and over, percent
	⑦ Female persons, percent
	Race and Hispanic Origin
	White alone, percent
	Black or African American alone, percent     (a)
	American Indian and Alaska Native alone, percent     (a)
	Asian alone, percent     (a)
	(a) Native Hawaiian and Other Pacific Islander alone, percent (a)
	1 Two or More Races, percent
	(b) Hispanic or Latino, percent
	White alone, not Hispanic or Latino, percent
	Population Characteristics
	1 Veterans, 2017-2021
	Foreign born persons, percent, 2017-2021
	Housing
	Housing units, July 1, 2022, (V2022)
	Owner-occupied housing unit rate, 2017-2021
	(1) Median value of owner-occupied housing units, 2017-2021
	Median selected monthly owner costs -with a mortgage, 2017-2021
	Median selected monthly owner costs -without a mortgage, 2017-2021
	Median gross rent, 2017-2021
	Building permits, 2022
	Families & Living Arrangements
	Households, 2017-2021
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YES

To the Fort Bragg City Council,

I am a local business owner of the hotel right across the street from the old Social Services office, which is the building site where the new Grocery Outlet will be built.

As a local business and a neighbor to the location, I support the Grocery Outlet's application.

The Social Services building used to have employees and visitors. Now, it looks abandoned attracting those that are partaking in drug activity, and where local police are called to the site frequently. I have seen the needles left behind.

This New store would help our employees and guests. Right now, my guests have to witness the drug and other activity taking place at the dilapidated building. I worry more about the lawlessness at the old Social Services building. It is also health hazard. We end up picking up much of the trash that is left there and blows into our parking lot. It would better having a new clean store, than having a run-down building that attracts homeless, and is a magnet for drug activity and other police activity, just check the logs.

We will have hotel guests that can utilize the store for long term stays.

It would be a value to our hotel, our customers, and the local residents who could conveniently pick up food items. I am particularly excited there will be better lighting and legitimate business activity on this corner.

We work so hard to keep our building well maintained and to provide a quality place for people who want to visit the area. I feel, we are doing our part. I wish the city would do their part, and approve this building plan.

This has been discussed for so long. It would be so painful to see this applicant go away after years of planning to only be rejected. We need this and so much more in Fort Bragg.

Lastly, my hope is that there are no more lawsuits. A new store on that corner will bring more vitality, and versatility to Fort Bragg. Please vote Yes to the new store.

Sincerely,

Brittney Govind, Co-Owner, SeaBird Lodge

SeaBird Lodge -191 South Street, Fort Bragg, CA 95437-707/964-8000



May 31, 2023

**Dear City Council Members,** 

I am writing this letter in support of the Grocery Outlet across the street from Harbor Lite Lodge. I believe this would be an asset to our community and would provide many job opportunities for our coast. This business will offer affordable food for lower income residents within our community.

Thank you for your consideration of approval for this project.

Sincerely, Amie Ba

Omie Behrns General Manager (707)964-0221

Dear City Development Department and City Clerk 5/31/23

I am a regular cyclist and one of the founding members of Seniors On Bikes Fort Bragg. I regularly

ride my bicycle from my home off Benson Lane down highway 20 towards Highway 1. I am a

consistent user of the both the South and North Coastal Trails.

The draft EIR analysis of traffic effects of the Grocery Outlet Store are definitely outdated and need

to be redone. That analysis is five years out of date (2019). The traffic in Fort Bragg has increased

greatly since the Covid outbreak in 2020. Many more people are driving their cars in the area. Also,

more people are riding bicycles due to being unemployed and the economic effect of Covid on the

economy.Many of these new cyclists are extremely inexperienced in riding in traffic with automobiles.

I am a very experienced bicyclist having worked for 6.5 years at a bicycle delivery business in

Santa Barbara, CA which has a higher population than all of Mendocino County. I have also ridden

a bicycle from Eugene Oregon to Santa Barbara CA. I have also participated in the Konocti

Challenge five times. The first two times i rode in the metric century option there.

It has already become too dangerous for me to ever attempt to attempt the entrance to the

Southern Coastal trail from Highway 1 just north of the Noyo River Bridge. I recently had an

accident while attempting to do so and had a head injury even though I was wearing a helmet. I

blacked out and had to be helicoptered to a hospital in Santa Rosa.

As a result, I never attempt to enter the trail at that point. I now always go to the Cypress

Street intersection with Highway 1. Traffic will increase there as well due to the Grocery Outlet

project as outlined in the draft EIR. This will make a trip to the Adventist Hospital more full of traffic

and will increase traffic and its pollution for many residents in the housing areas along the way

there.

The Grocery Outlet store will increase traffic on highway 20 and on the traffic coming from south

of the Hare Creek bridge as well. The bridge is already substandard for the existing traffic. It is so

dangerous for bicycles that I already avoid using it. Caltrans has no plans for improving that bridge

until 2025 at a cost of more than 23 and a half million dollars.

The Grocery Outlet project will increase automobile traffic in Fort Bragg in general. Especially

during the tourist season. This traffic has already increased due to global climate change making

the weather drier and hotter inland from our coast.

These factors make it necessary to reevaluate the Grocery Outlet project and its impact on the traffic

situation because of how it may effect the tourist trade in our area which is a main economic generator here.

Edward M. Oberweiser 19244 Benson Lane Fort Bragg, CA 707-964-7065 marburty.1947@gmail.com

From:	Jacob Patterson
То:	<u>City Clerk</u>
Cc:	<u>cdd</u>
Subject:	Public Comment 6/5/2023 CC Special Meeting, GrocOut Special Conditions
Date:	Wednesday, May 31, 2023 2:27:41 PM
Attachments:	Recommended Revisions to Special Conditions.docx Recommended Revisions to Special Conditions.pdf

City Council,

Please consider the following suggested revisions to the draft special conditions recommended by the Planning Commission for the Grocery Outlet project. I already commented about why I think these (or similar) revisions are justified in my prior comment but the specific language I recommend is attached in both Word and PDF. The blue italicized content represents the changes made by Marie and approved during the Planning Commission's public hearing. The redlines are my suggested revisions for your consideration based on the PC's resolution that will be in the published agenda materials for your public hearing.

Best,

--Jacob

Special Condition 1: The applicant shall resubmit the landscaping and parking plans for Community Development Director approval. The revised parking and landscaping plan shall:

- a) Delete the two parking spaces on the southwest corner of the parking lot
- and replace this area with native plant landscaping-, b) Eliminate the excess RV parking space, and to the degree feasible replace a portion of it with native plant landscaping-.
- a portion of it with native plant landscaping. c) Contain drought tolerant native species;
- (c) Contain drought toterain drive species, (j) Preserve and protect the existing Monterey Cypress Trees and the Shore Pine trees on site, as to the maximum extent feasible and employing BMPs, and including installing protective fencing around a tree protection zone for each existing tree established at five (5) feet out from the tree canopy drip line prior to and during any demolition or construction activities, prohibit any material storage or heavy equipment storage or operation within the tree protection zones, inside of which all work will be performed by hand tools or air spades to avoid damage to the root structures of the trees, and prohibiting cutting or severing any root of the

existing trees with a diameter of one (1) inch or more; (a)e) Replace the proposed Monterey Cypress Trees in the Land-Sscaping Plan with a locally native tree species-;

f)\_Comply with the California Model Water Efficient Landscape Ordinance (MWELO); and

(a) Require the ongoing maintenance and replacement of any existing retained or newly-planted trees in the Landscaping Plan that may die during project construction or thereafter, such replacement planting is required within one (1) year of the tree's death with replacement tree(s) of the same or substantially similar species as the dead tree at a ratio that will replace the prior canopy coverage of the dead removed tree(s) within five (5) years based on the size of the sandard predicted canopy growth rate of that species of tree, and the initial planting size of the replacement tree(s).

Optional-Special Condition 23: <u>To the extent otherwise permitted by the CLUDC, the</u> windows on the south side of the building may be obscured with murals or other films or coverings so long as they don't limit passive

solar gain. Optional Special Condition 24: The applicant shall replace/cover all smooth surface CMU block on the east and north elevation of the building, <u>as well as the northern-most</u> portion of the west elevation of the building that is visible from Main Street through the

Chevron proceptly with one of the other higher-grade materials which are already proposed for the <u>South south</u> and <u>West west</u> facade of the building.

Optional Special Condition 25: The applicant shall replace/cover all CMU block on the west face of the building with hardiboard composite wood paneling.

Special Condition 34: The applicant shall install either an all-way stop or a walker\_ triggered flashing lights, as recommended by a traffic engineer, at the intersection of South Franklin St. and South St., including signage, striping, and pedestrian facilities (sidewalk, curb, and gutter) to provide <u>protected</u> crossing at all legs of the intersection. The proposed intersection improvement would require the installation of sidewalk curb and gutter to City Standard Specifications for a total length of 57 linear feet along the east side of South Franklin St. as well as a curb return to provide sufficient pedestrian landing facilities on the south-east corner of the intersection. Off-site improvements shall be completed prior to issuance of final certificate of occupancy.

I

Special Condition 1: The applicant shall resubmit the landscaping and parking plans for Community Development Director approval. The revised parking and landscaping plan shall:

a) Delete the two parking spaces on the southwest corner of the parking lot and replace this area with native plant landscaping;

b) Eliminate the excess RV parking space, and to the degree feasible replace a portion of it with native plant landscaping;

- c) Contain drought tolerant native species;
- d) Preserve and protect the existing Monterey Cypress and the Shore Pine trees on site, to the maximum extent feasible and employing BMPs, including installing protective fencing around a tree protection zone for each existing tree established at five (5) feet out from the tree canopy drip line prior to and during any demolition or construction activities, prohibit any material storage or heavy equipment storage or operation within the tree protection zones, inside of which all work will be performed by hand tools or air spades to avoid damage to the root structures of the trees, and prohibiting cutting or severing any root of the existing trees with a diameter of one (1) inch or more;
- e) Replace the proposed Monterey Cypress Trees in the Landscaping Plan with a locally native tree species;

f) Comply with the California Model Water Efficient Landscape Ordinance (MWELO); and

g) Require the ongoing maintenance and replacement of any existing retained or newly-planted trees in the Landscaping Plan that may die during project construction or thereafter, such replacement planting is required within one (1) year of the tree's death with replacement tree(s) of the same or substantially similar species as the dead tree at a ratio that will replace the prior canopy coverage of the dead removed tree(s) within five (5) years based on the size of the canopy prior to the tree's death, the standard predicted canopy growth rate of that species of tree, and the initial planting size of the replacement tree(s).

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From:	Kaitlyn E. Conover
То:	Lemos, June
Cc:	Jim Moose; Casey A. Shorrock; Keith F. Collins; Ikranitzlaw@gmail.com; marie@mariejonesconsulting.com; Terry Johnson; Carl Best (carl@bestprop.net); scott@bestprop.net; john@bestprop.net
Subject:	Best Development Grocery Outlet Final EIR (SCH # 2022050308)—Letter to City Council with Responses to Comments on the Final EIR.
Date:	Wednesday, May 31, 2023 4:47:13 PM
Attachments:	Letter to Fort Bragg City Council re. Comments on FEIR (May 31 2023) (00672894xB0A85).PDF

Good afternoon,

On behalf of Best Properties, the Applicant for the proposed Best Development Grocery Outlet project in the City of Fort Bragg, Remy Moose Manley submits the attached letter to City Council containing responses to select comments on the Final EIR that were submitted to the City on May 10, 2023.

Best regards,

#### Kaitlyn E. Conover

Paralegal/Legal Assistant to James G. Moose, Sabrina Teller, Elizabeth Pollock and Casey Shorrock

# RMM

#### REMY MOOSE MANLEY LLP

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# **REMY** | **MOOSE** | **MANLEY**

RMM

James G. Moose jmoose@rmmenvirolaw.com

May 31, 2023

<u>Via Electronic Mail</u> jlemos@fortbragg.com

City Council City of Fort Bragg c/o City Clerk 416 N. Franklin St. Fort Bragg, CA 95437

# Re: **Best Development Grocery Outlet Final EIR (SCH # 2022050308)** – Responses to legal issues raised by five letters submitted on May 10, 2023, on the Final EIR

Dear City Councilmembers:

On behalf of Best Properties (Best), the Applicant for the proposed Best Development Grocery Outlet project (Project), Remy Moose Manley, LLP (RMM) submits the following responses to legal or factual claims raised in five written submissions to the Fort Bragg Planning Commission (Commission) prior to that body's May 10, 2023, advisory deliberations with respect to the Project. These submissions claim to identify problems with the Final Environmental Impact Report (FEIR) for the Project and, in some instances, also raise issues with the underlying Draft EIR (DEIR) and/or the Project itself.

As you know, the Planning Commission recommended that your City Council certify the FEIR and approve the Project. We were obviously very pleased with those recommendations. We are writing to assure the Council that, despite these commenters' protestations to the contrary, actions by your body certifying the FEIR and approving the Project would not run afoul of the California Environmental Quality Act (Pub. Resources Code, § 21000 et seq.) (CEQA), the CEQA Guidelines (Cal. Code Regs., tit. 14, § 15000 et seq.), or any other applicable provisions of law.

In the discussion below, we explain in detail why these five commenters are mistaken in arguing that Project approval would violate the law. These submissions come from: (1) Mark Wolfe, of M.R. Wolfe and Associates, P.C., on behalf of Fort Bragg

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Local Business Matters (FBLBM); (2) Leslie Kashiwada; (3) Annemarie Weibel; (4) Jacob Patterson; and (5) North Bay Labor Council. We address each submission individually, although we cross reference analysis where applicable to avoid duplication.

Notably, in contrast to these submissions, by far the vast majority of comments on the Project submitted just prior to the May 10th hearing expressed enthusiastic support for the Project, with many people repeating the sentiment that Fort Bragg very much needs this grocery store, which will sell food at prices substantially below those of existing local grocery operations.

We hope that the City Council finds the analysis in this letter useful as its members consider the Project's many community and regional benefits, such as (i) providing a much-needed local affordable grocery option for the many residents, especially low-income individuals and families, who currently regularly drive to Willits to shop at the Grocery Outlet there, (ii) a commensurate regional reduction in vehicle-miles traveled (VMT) compared with existing levels, (iii) the beneficial reuse of an infill site on which an existing out-of-date office structure is currently going unused, and (iv) increased tax revenues for the City. We are hopeful that, in light of these many benefits and others, the Council will see fit to approve the Project.

#### I. RESPONSES TO COMMENTS FROM FORT BRAGG LOCAL BUSINESS MATTERS (FMLBM)

FBLBM asserts that the FEIR violates CEQA because some of its air quality, noise, and traffic analyses are incorrect or inadequate and because some responses to comments are allegedly inadequate. FBLBM also argues that CEQA requires the FEIR be recirculated because of its reliance on an "urban decay" analysis prepared by ALH Urban & Regional Economics (see FEIR, Appendix B).

For reasons explained in detail below, FBLBM is mistaken on all of these points.

#### A. The FEIR's Air Quality Analysis of Diesel Particulate Matter is Sufficient and its Responses to Related Comments are Appropriate.

1. <u>The FEIR's analysis of air quality as it relates to truck-generated diesel</u> <u>particulate matter is sufficient and presents no CEQA violation.</u>

FBLBM asserts, without evidence, that the FEIR violates CEQA because its air quality analysis lacks detail on the potential health impacts of diesel particulate matter

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(DPM) emissions from the approximate eight weekly heavy-duty truck trips and approximate four to five daily medium-duty truck trips, and specifically claims that truck refrigeration elements were not analyzed. FBLBM also asserts that the FEIR does not properly analyze the air quality impact of these trucks as they travel on Highway 1. FBLBM is mistaken on all of these points.

These issues must be placed in proper context. The Project is simply not a major source of air pollution. With only 16,157 square feet (sf) (DEIR, p. 2.0-2), the Project is too small, and the vehicle trips associated with it are too limited, to be the source of emissions that can give rise to measurable adverse health effects. In contrast, the leading CEQA case on the health effects of air pollution involved a project that included 2,500 housing units and 250,000 square feet of commercial space located within one of the most polluted air basins in California and that resulted in a significant and unavoidable impact on air quality. (See *Sierra Club v. County of Fresno* (2018) 6 Cal.5th 502, 508, 528–519 [Fresno Count "suffers from the 'most severe' ozone problems in the state"].)

Here, the relatively low amounts of air pollution attributable to the Project are evident from Table 3.2-8 (Operational Project Generated Emissions) on page 3.2-21 of the DEIR. This table identifies the CEQA thresholds of significance recommended by the Mendocino County Air Quality Management District (MBAQMD) and shows the Project's projected emissions for the identified pollutants.<sup>1</sup> In all instances, the anticipated emissions are far, far below the significance thresholds and therefore result in a less-than-significant impact on air quality. (DEIR, p. 3.2-22.) For example, the significance threshold for  $PM_{10}$  is 82 pounds per day, while the Project will emit only 2.7 pounds. Similarly, the threshold for  $PM_{2.5}$  is 54 pounds per day, while the Project will emit only 2.7

<sup>&</sup>lt;sup>1</sup> "A threshold of significance is an identifiable quantitative, qualitative or performance level of a particular environmental effect, non-compliance with which means the effect will normally be determined to be significant by the agency and compliance with which means the effect normally will be determined to be less than significant." (CEQA Guidelines, § 15064.7, subd. (a).)

<sup>&</sup>lt;sup>2</sup> "Respirable particulate matter ( $PM_{10}$ ) consists of small particles, less than 10 microns in diameter, of dust, smoke, or droplets of liquid which penetrate the human respiratory system and cause irritation by themselves, or in combination with other gases." (DEIR, p. 3.2-5.) " $PM_{2.5}$  consists of fine particles, which are less than 2.5 microns in size. Similar to  $PM_{10}$ , these particles

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Appendix B.1, CalEEMod Outputs, p. 23 [Section 4.0 Operational Detail – Mobile: Section 4.4 Fleet Mix, showing a mix of medium-duty [MHD] and heavy-duty [HHD] trucks].)

The DEIR appropriately discloses and analyzes the truck trips attributable to the Project and their contributions to Project emissions on pages 3.2-25 to 3.2-26, including emissions of toxic air contaminants (TACs) such as DPM. The text accurately states that "the frequency of heavy- and medium-duty truck trips generated by the proposed Project is very small, and therefore would not represent a significant risk of TACs from DPM." (DEIR, p. 3.2-25.) This assessment accounts for the fact that approximately "half of these truck trips would be for refrigerated goods" (i.e., would include Transport Refrigeration Units (TRUs)). (See DEIR, p. 3.2-25.)

An important fact to consider here is that, as the DEIR explains, the Project will lead to a net *decrease* in overall VMT. "[A]s provided in the CEQA VMT Analysis prepared for the proposed Project by Fehr & Peers, the proposed Project would generate a net decrease in VMT, VMT, due to the effects of the trip redistribution from the Willits Grocery Outlet to the proposed Project." (DEIR, p. 3.2-26.) Thus, air pollutant emissions from the Project, by and large, will not be *new* emissions but will be emissions occurring in different locations within the airshed than are occurring at present.

In short, the Project is simply too small in size and scope, and its truck deliveries are simply too few in number, to generate DPM TACs in amounts that come close to creating health risks for sensitive receptors living close to the Project site.

Even so, the DEIR candidly acknowledges that existing traffic in Highway 1 does generate some levels of DPM emissions, but describes them as comparatively limited. "[A]lthough the proposed Project itself does not represent a significant risk of TACs, existing TACs are present under baseline conditions. For example, relatively high traffic roads such as Highway 1 are located near the Project site. As previously stated, mobile sources are the largest overall contributors to the State's air pollution problems, representing the greatest air pollution health risk to most Californians. This is not unique to the proposed Project. Moreover, *TACs from mobile sources in Fort Bragg are not* 

are primarily the result of combustion in motor vehicles, particularly diesel engines, as well as from industrial sources and residential/agricultural activities such as burning. It is also formed through the reaction of other pollutants." (*Ibid*.)

particularly high, when compared to other parts of California that experience much higher traffic levels." (Id., pp. 3.2-25 – 3.2-26, italics added.)

In its response to FBLBM's first DEIR comment on this issue, the FEIR makes clear that "projects would need to generate upwards of one hundred heavy-duty truck trips per day to have the possibility of generating enough TACs to exceed the MCAQMD thresholds<sup>3</sup> for health risks (i.e., an increased cancer risk of greater than 10 in a million, or an increased non-cancer risk exceeding the Hazard Index of 1.0)," regardless of their "relatively close location of the nearest sensitive receptors." (FEIR, pp. 2.0-183 to 2.0-184; DEIR, pp. 3.2-24 to 3.2-25 [Table 3.2-10, CARB [California Air Rsources Board] Minimum Separation Recommendations on Siting Sensitive Land Uses], 7.0-1 to 7.0-2 [references to CARB documents used in analysis], 7.0-6 [references to MCAQMD thresholds]; see also CARB, Air Quality and Land Use Handbook: A Community Health Perspective (Apr. 2005), pp. 4 [Table 1-1], 15, available at

http://www.aqmd.gov/docs/default-source/ceqa/handbook/california-air-resources-boardair-quality-and-land-use-handbook-a-community-health-perspective.pdf; MCAQMD, *Adopted Air Quality CEQA Thresholds of Significance* (Jun. 2. 2010), available at https://www.co.mendocino.ca.us/aqmd/pdf\_files/

MCAQMDCEQARecomendations.pdf.) "Ultimately, even with topmounted refrigeration units on some of the heavy-duty and/or medium-duty vehicles, the heavyand medium-duty truck trips would not represent a significant risk of TACs on nearby sensitive receptors from DPM because there are so few truck trips."<sup>4</sup>. (FEIR, p. 2.0-184.)

<sup>4</sup> For an illustrative comparison, we bring to your attention a Health Risk Assessment performed in 2020 by LSA Associates for an EIR for an industrial project in the City of Jurupa Valley, California. (Attachment B2 of the Agua Mansa Industrial Project Draft EIR [SCH# 2020010137], publicly available at the CEQAnet web portal, <u>https://ceqanet.opr.ca.gov/2020010137/3</u>, and included hereto as **Attachment A**.) That project, which would generate 281 daily truck trips consisting of "105 two-axle trucks, 51 three-axle trucks, and 125 four-plus-axle trucks" (p. 2), was found to have a maximum

<sup>&</sup>lt;sup>3</sup> Lead agencies may "use thresholds on a case-by-case basis." (CEQA Guidelines, § 15064.7, subd. (b); *Save Cuyama Valley v. County of Santa Barbara* (2013) 213 Cal.App.4th 1059, 1068 ["CEQA permits an agency to define its own project-specific thresholds..."]; *Oakland Heritage Alliance v. City of Oakland* (2011) 195 Cal.App.4th 884, 896 [CEQA "does not forbid an agency to rely on standards developed for a particular project"]; see also CEQA Guidelines, § 15064.7, subd. (c) [lead agencies may use significance thresholds adopted or recommended by other public agencies].)

"CEQA does not require technical perfection in an EIR, but rather adequacy, completeness, and a good-faith effort at full disclosure. A court does not pass upon the correctness of an EIR's environmental conclusions, but only determines if the EIR is sufficient as an informational document. (*Kings County Farm Bureau v. City of Hanford* (1990) 221 Cal.App.3d 692)." (CEQA Guidelines, § 15003, subd. (i).) Here, the EIR discloses the number of Project-related truck trips (based on expert traffic modeling), their very modest air emissions (based on expert air emissions analysis), and their ultimate lack of any significant contribution toward a health. This level of disclosure and reasoned analysis is adequate and supported by substantial evidence. (See, e.g., *Protect the Historic Amador Waterways v. Amador Water Agency* (2004) 116 Cal.App.4th 1099, 1113 (*Amador Waterways*) [agency "assertion that riparian habitat will "continue to thrive along local streamcourses if canal leakage is eliminated" constitutes a valid statement of reasons for the Agency's significance determination"].)

The existence of DPM emissions from Highway 1 traffic under existing baseline conditions does not alter the conclusion that the Project's DPM emissions are less than significant. After acknowledging that existing highway traffic generates such emissions, the FEIR states that "the key concern of CEQA for TAC emissions is whether the proposed Project itself would generate TACs in excess of the applicable thresholds; as previously stated, the level of diesel truck traffic generated by the proposed Project is so small that it is not possible for the TACs generated from the proposed Project truck trips to cause an exceedance of the applicable TAC thresholds, as promulgated by the MCAQMD." (See FEIR, p. 2.0-184.)

Reducing this negligible risk even further are California's recent 2022 amendments to the Airborne Toxic Control Measure for In-Use Diesel-Fueled TRU and TRU Generator Sets, and Facilities Where TRUs Operate, which will lower TRU particulate matter emissions through various means, including a requirement for users to

cancer risk of 0.12 in one million at the nearest residential receptor (p. 15) located 550 feet away (p. 2). This risk is far, far below MCAQMD's "10 in a million" criteria of concern, even though that project's number of operational truck trips substantially exceeded those of the proposed Grocery Outlet project (a maximum total of only 6.14 combined truck trips per day compared with 281). If a project with 281 daily truck trips does not come anywhere close to resulting in a significant health risk, the same is certainly true of a project with 6.14 daily truck trips.

convert 15 percent of new TRU fleets to zero-emission technology annually, starting December 31, 2023. (See CARB, *2022 Amendments to the TRUACTM* (Mar. 17, 2022), available at <u>https://ww2.arb.ca.gov/resources/fact-sheets/2022-amendments-tru-atcm</u>.)

The level of detail provided in the DEIR on these issues is legally sufficient. An EIR is not required to discuss in detail environmental impacts that are not significant. (See, e.g., CEQA Guidelines, § 15128 ["[a]n EIR shall contain a statement *briefly* indicating the reasons that various possible significant effects of a project were determined not to be significant and were therefore *not discussed in detail in the EIR*"] (italics added); *Amador Waterways, supra*, 116 Cal.App.4th at p. 1109.) Here, the FEIR (inclusive of the DEIR) appropriately discusses air quality impacts associated with truck traffic to and from the Project. It includes industry-standard emissions and traffic modeling, uses applicable air district thresholds, and addresses impacts associated with operational truck-related DPM at a level commensurate of the obvious less-thansignificant impact. No more is required.

Counsel for FBLBM criticizes the DEIR for its analysis of these issues but provides no actual evidence that the analysis is flawed. Instead, he only *contends* that DPM-related health risks are not adequately evaluated. This kind of unsupported assertion is not enough to show a flaw in the EIR. An attorney's opinion does not rise to the level of substantial evidence of an un- or under-disclosed impact. (*Pala Band of Mission Indians v. County of San Diego* (1998) 68 Cal.App.4th 556, 578–580 [arguments of legal counsel are not substantial evidence]; *San Franciscans Upholding the Downtown Development Plan v. City and County of San Francisco* (2002) 102 Cal.App.4th 656, 704 [petitioners cannot just cite their "own lay opinions" to undermine the substantial evidence relied on in an EIR]; Wollmer v. City of Berkeley (2011) 193 Cal.App.4th 1329, 1352 (*Wollmer*) [project opponent's "hostility to the decision of the City and its experts ... is nothing more than argument and unsubstantiated opinion"].)

### 2. <u>The FEIR's responses to comments on this issue are appropriate.</u>

FBLBM asserts that the FEIR's response to its DEIR comments on this issue did not provide "any further details relating to existing and potential future risks from cumulative exposure to DPM emissions" and that, as a result, the FEIR violates CEQA's

requirement for "good-faith, reasoned analysis." (CEQA Guidelines, § 15088, subd. (c).) FBLBM is incorrect.

Contrary to this contention, the response does meet CEQA's standards. Under CEQA, a lead agency need only respond to comments "raising significant environmental issues." (CEQA Guidelines, § 15088, subd. (a).) Responses need not be exhaustive; they only need to demonstrate a "good-faith, reasoned analysis." (CEQA Guidelines, § 15088, subd. (c); Gilroy Citizens for Responsible Planning v. City of Gilroy (2006) 140 Cal.App.4th 911, 937 (Gilroy Citizens); see generally City of Irvine v. County of Orange (2015) 238 Cal.App.4th 526, 546–553 (City of Irvine) [discussing CEQA's requirements for responses to comments].) "A response can be sufficient if it refers to parts of the draft EIR that analyzes the environmental impacts raised by the comment." (*City of Irvine*, supra, at p. 550, citing to Paulek v. Department of Water Resources (2014) 231 Cal.App.4th 35, 49, 179.) A reviewing court assesses whether, viewed "as a whole," a lead agency's responses to comments "evince good faith and a reasoned analysis" even if the responses may not be "exhaustive or thorough in some specific respects." (Twain Harte Homeowners Assn. v. County of Tuolumne (1982) 138 Cal.App.3d 664, 686 (*Twain Harte*), italics added.) The key question is whether the responses "adequately serve the disclosure purpose which is central to the EIR process." (Ibid.) In reviewing the adequacy of a lead agency's responses, the court must presume the responses are adequate; the burden is on the petitioner to prove otherwise. (*Gilroy Citizens, supra*, 140 Cal.Ap.4th at p. 937.)

Here, the FEIR provides reasonable and good-faith responses to FBLBM's airquality-related comments on the DEIR. In its original comments, FBLBM asks what the DEIR means when it states that the frequency of truck trips is "very small." (FEIR, p. 2.0-52.) The FEIR's response clarifies that the number of truck trips generated by the Project is small insofar as the number does not come anywhere near the number that would trigger MCAQMD criteria for assessing health risks associated with truck trip TACs (approximate eight weekly heavy-duty truck trips and approximate four to five daily medium-duty truck trips compared with one hundred heavy-duty truck trips per day). (FEIR, p. 2.0-184.)

In its original comments, FBLBM asked what the DEIR means when it states that "TACs from mobile sources in Fort Bragg are not particularly high, when compared to

other parts of California that experience much higher traffic levels." (FEIR, p. 2.0-52.) The FEIR's response points out that this comparative observation made in the DEIR is not necessarily relevant, insofar as emissions from existing traffic are part of baseline conditions and are not attributable to the Project. "[T]he key concern of CEQA for TAC emissions is whether the proposed Project itself would generate TACs in excess of the applicable thresholds; as previously stated, the level of diesel truck traffic generated by the proposed Project is so small that it is not possible for the TACs generated from the proposed Project truck trips to cause an exceedance of the applicable TAC thresholds, as promulgated by the MCAQMD." (FEIR, p. 2.0-184.)

The response then goes on to note, however, that the physical setting for air quality in which the Project is located is far less polluted that other locations in the state in which new grocery stores are located. "[I]t is not uncommon for grocery stores to be located a similar distance (approximately 300 feet) from an existing active freeway, near freeways in other parts of California (such as Los Angeles or Oakland) that have dramatically higher traffic levels than the traffic along Highway 1 near to the Project site. (*Ibid*.)

Finally, FBLBM asked in its original comments what routes these trucks will take to the site, whether they will be idling, and how much DPM will result, and then requested a "quantitative study." (FEIR, p. 2.0-52.) To these points, the FEIR reiterates that "as previously stated, the level of diesel truck traffic generated by the proposed Project is so small that it is not possible for the TACs generated from the proposed Project truck trips to cause an exceedance of the applicable TAC thresholds, as promulgated by the MCAQMD. No further response to this comment is warranted." (FEIR, p. 2.0-184.)

We also note that section 2485 of Title 13 of the California Code of Regulations requires that drivers of diesel-fueled commercial motor vehicles with gross vehicle weight ratings greater than 10,000 pounds not idle their vehicle's primary diesel engine longer than five minutes at any location, with the failure to comply subjecting the driver to the risk of significant fines. (See MCAQMD, Regulation 3, Section 9 (adopted Sept. 14, 2020), Rule 3.9-900, available at <u>https://www.co.mendocino.ca.us/aqmd/district-regulation-3.html</u>.)

FBLMB's request for a "quantitative study" is unreasonable under the circumstances. As discussed above, the Project is far too small to warrant such an elaborate undertaking. "A project opponent … court can always imagine some additional study or analysis that might provide helpful information. It is not for them to design the EIR. That further study … might be helpful does not make it necessary." (*Laurel Heights Improvement Assn. v. Regents of University of California* (1988) 47 Cal.3d 376, 415 (*Laurel Heights I*).) These pragmatic principles are not negated by the fact that additional study is requested through comments on a draft EIR. "[N]othing in CEQA Guidelines section 15088 … allows project opponents to use the comment-and-response process to wear down a lead agency, or delay a project, by the simple expedient of filing an onerous series of demands for information and setting up a series of hoops for the lead agency to jump through." (*City of Irvine, supra*, 238 Cal.App.4th at p. 549.)<sup>5</sup>

The FEIR's responses to these comments "evince good faith and a reasoned analysis," even if the responses are not always "exhaustive or thorough in some specific respects." (*Twain Harte, supra*, 138 Cal.App.3d at p. 686.) The burden is on FBLBM to disprove the legal presumption that the FEIR's responses to comments are adequate, and that burden has not been met here. (*Gilroy Citizens, supra*, 140 Cal.Ap.4th at p. 937.)<sup>6</sup>

<sup>&</sup>lt;sup>5</sup> See also Pub. Resources Code, § 21003, subd. (f) ("[a]ll persons and public agencies involved in the environmental review process be responsible for carrying out the process in the most efficient, expeditious manner in order to conserve the available financial, governmental, physical, and social resources with the objective that those resources may be better applied toward the mitigation of actual significant effects on the environment").

<sup>&</sup>lt;sup>6</sup> FBLBM cites *to Berkeley Keep Jets Over the Bay Committee v. Board of Port Com'rs* (2001) 91 Cal.App.4th 1344, 1371, in support of its claim that the FEIR inadequately responds to comments, but that case is easily distinguishable because it involved a massive airport project with very substantial air pollutant emissions. In that case, which involved an airport development plan that contemplated increased capacity for both air cargo and passenger operations, the lead agency failed to properly respond to "significant conflicting information generated by the public" regarding TACs. (*Ibid.*) Here, FBLBM has not provided any information or evidence that conflicts with the DEIR, only opinion and requests for more data that the FEIR makes clear is not necessary. FBLBM also cites *Santa Clarita Organization for Planning the Environment v. County of Los Angeles* (2003) 106 Cal.App.4th 715, 723, which involved an EIR for development project with 2,545 housing units, 180,000 square feet of commercial retail space and 46 acres of community facilities. That precedent is also readily distinguishable. There, the court found that "the EIR does little more than dismiss project opponents concerns about water supply," with the final EIR even acknowledging that there may be a water supply

# B. The FEIR's Noise Analysis is Sufficient and its Responses to Related Comments are Appropriate.

1. <u>The FEIR's analysis of noise as it relates to nearby lodging is sufficient</u> <u>and presents no CEQA violation.</u>

FBLBM asserts that the FEIR violates CEQA because its noise analysis fails to adequately analyze impacts to nearby lodging land uses, namely, the Super 8 Motel to the west of the project site and the Seabird Lodge and Harbor Lite Lodge to the north and south. Specifically, FBLBM appears to claim that the Super 8 Motel was erroneously omitted from the DEIR's sensitive receptor noise contour graphics and that the graphics indicate an impact at Super 8. FBLBM's concerns are ill-founded.

"The SoundPLAN noise prediction model was used to plot noise contours and to calculate noise levels at the *sensitive receptors* located around the Project site." (DEIR, p. 3.6-10, italics added.) The City does not classify transient lodging, such as the Super 8 Motel, within its Coastal Zone as a sensitive noise receptor. Sensitive noise receptors within the City's Coastal Zone include hospitals, schools, senior centers, churches, libraries, etc., but not hotels and motels. (See City of Fort Bragg, *Coastal General Plan, Noise Element* (Jul. 2008), pp. 8-5 [Table N-4, listing "Noise Sensitive" land uses], 8-7 [Map N-1 showing "Sensitive Noise Receptors"].) Accordingly, the sensitive receptor noise contours prepared by Saxelby Acoustics did not model noise impacts on the Super 8 Motel.<sup>7</sup> (See DEIR, Figures 3.5-2 to 3.5-7.)

deficit. Conversely here, the FEIR's response looks to air district guidelines and discusses issues specific to Highway 1. The response also reinforces the findings in the DEIR rather than contradicting them.

<sup>&</sup>lt;sup>7</sup> Some of the DEIR's noise contour figures appear to show that the Project may generate excessive operational noise at the western property line with Super 8 (see DEIR, pp. 3.6-21 to 3.6-31), but those graphics are misleading. As described just above, the purpose of those graphics is to visually demonstrate any Project-related decibel increases on nearby residences (i.e., sensitive receptors.) Inclusion of the noise contours extending toward the Super 8 was incidental to the depiction of contours extending towards sensitive receptors, and did not account for the Project's design features intended to reduce operational noise. A new noise contour graphic was prepared for the Revised FEIR. It specifically looks at noise levels at the Super 8 Motel (discussed below). Nevertheless, the DEIR graphics clearly demonstrate that the Super 8 building itself serves as a near complete noise blocker for Project-related noise for the motel's interior areas where guests and other receptors would be present (also discussed below).

Moreover, the majority of the FEIR's significance thresholds for operational noise impacts apply *only* to residential land uses *not* hotels and motels. Per the initial FEIR,<sup>8</sup> as relevant here:

Generation of a temporary or permanent increase in ambient noise levels in the vicinity of the Project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies, as outlined below:

- Non-transportation noise that exceeds 55 dBA Leq / 75 dBA Lmax during daytime (7 A.M. to 10 P.M.) hours, excluding temporary construction noise.
- Non-transportation noise that exceeds 45 dBA Leq / 65 dBA L max during daytime (7 A.M. to 10 P.M.) hours, excluding temporary construction noise.

Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the Project in excess of ambient conditions, as outlined below; and/or

- A permanent increase in operational noise that would:
  - cause the Ldn in existing residential areas to increase by 3 dB or more;

. . .

- cause the Ldn in existing residential areas to increase by 2 dB or more if the Ldn would exceed 70 dB; or
- cause the L dn resulting exclusively from project-generated traffic to exceed an Ldn of 60 dB at any existing residence.

(FEIR, pp. 3.0-12 to 3.0-13.)

Both sets of thresholds are taken verbatim from the Coastal General Plan Noise Element and were adopted along with the Plan (see footnote 3, *supra*, on an agency's discretion to develop its CEQA thresholds). The first set of thresholds derives from Table N-5 in Policy N-1.5, Non-Transportation Noise Generation, which states, in relevant part: "[f]or new non-transportation noise generators, Table N-5 describes the maximum noise level at the nearest *residential* property line:...." (Coastal General Plan, Noise Element, pp. 8-8 to 8-9, italics added.) The second set of thresholds derives from Policy

<sup>&</sup>lt;sup>8</sup> The initial FEIR revised the operational noise thresholds of significance from those presented in the DEIR to better encapsulate the DEIR's analysis by including the non-transportation noise generation standards for "maximum noise level at the nearest residential property line." (Coastal General Plan, Noise Element, pp, 8-8 to 8-9 [Policy N-1.5].) Operational noise thresholds of significance were further revised in the Revised FEIR to include thresholds for Project-generated noise on nearby hotels and motels. For more discussion on these revisions, please refer to Section II.B, *infra*. See also footnote 3, *supra*, on an agency's discretion to develop its CEQA thresholds.

N-1.2, Reduce Noise Impacts, and explicitly states that the indicated decibel increases apply only to "existing residential areas" or "at any residence." (*Id.*, pp. 8-7 to 8-8.) Consequently, the FEIR does not consider noise increases at or near a commercial use like a motel an impact under CEQA.

Indeed, the Coastal General Plan Noise Element does not appear to include a noise standard for the situation presented here—where a new commercial use is proposed aside an existing hotel/motel commercial use. The "Noise and Land Use Compatibility Standards" in Table N-4 of the Noise Element are intended for exterior noise levels of "new development" of the land uses indicated in the table (which include "Hotels and Motels"), not for potential impacts of new development on those land uses. (Coastal General Plan, Noise Element, pp. 8-5 to 8-6; see also Policy N-1.3, Noise and Land Use Compatibility Standards ["[e]nsure that all *new noise sensitive development* proposals be reviewed with respect to Table N-4: Noise and Land Use Compatibility Standards..."].) Other noise standards, such as those for "Acceptable Noise Environments," apply to housing and sensitive receptors (which hotels and motels are not, as explained above) or, again, appear to apply only to development of that particular use. Policy N-1.4, likewise, establishes an indoor noise standard for "all new...hotels and motels." (Id., p. 8-8.) It is, of course, fitting that a general plan would not have a noise standard for the potential effects of one commercial use upon another because commercial uses are not generally considered sensitive receptors, and because commercial uses like hotels and motels that provide sleeping accommodations are subject to state-regulated building standards intended to limit interior noise (discussed more below).

Nevertheless, in the revised FEIR, published on May 31, 2023, on the City's webpage for the Project (Revised FEIR), the City conservatively opted to include new thresholds for impacts to nearby hotels and motels resulting from Project-generated noise.<sup>9</sup> (Revised FEIR, pp. 3.0-16-5 to 3.0-16; see also footnote 3, *supra*.) As explained in the Revised FEIR, these new thresholds were adapted from Coastal General Plan standards established for "'new' proposed…hotel/motel uses" to regulate exterior and

<sup>&</sup>lt;sup>9</sup> The law is clear that, prior to certification, a lead agency can add more material to the (proposed) Final EIR as initially published. (See, e.g., *Beverly Hills Unified School Dist. v. Los Angeles County Metropolitan Transportation Authority* (2015) 241 Cal.App.4th 627, 664–666.)

interior noise levels (namely, Table N-4 Noise and Land Use Compatibility Standards for exterior noise levels and Policy N.1-4 standard for interior noise levels). The new thresholds are used in the Revised FEIR in order "to be conservative" and to "examine project-generated noise at hotel/motel uses...." (*Id.*, p. 3.0-16.)

Under these new thresholds, the Project would result in a significant impact if it creates operational "non-transportation noise, that causes exterior noise levels exceeding 75 dBA Ldn at hotel/motel uses or interior noise levels exceeding 45 dBA Ldn, at hotel/motel uses." (Revised FEIR, p. 3.0-16.) The new analysis, inclusive of a new Figure 3.6-10 with modeled noise contouring focused specifically toward Super 8 Motel, demonstrates that the Project would *not* generate noise at the Super 8 Motel in exceedance of the newly established thresholds (*id.*, pp. 3.0-20, 3.0-28):

Based upon Figure 3.6-10, the proposed Project would generate day/night average (Ldn) noise levels of up to 67 dBA Ldn at the rear area of the adjacent Super 8 motel. This area is not utilized by patrons for the motel. Noise levels on the entry side of the motel are predicted to be 42 dBA Ldn. These levels would comply with the City's 60-75 dBA Ldn noise standard range for existing hotels and motels. Based upon the exterior noise level of 67 dBA Ldn, and the interior noise reduction calculations, interior noise levels within the Super 8 are predicted to be no greater than 41 dBA Ldn. This complies with the City's 45 dBA Ldn interior noise standard for hotels/motels.

Thus, the Revised FEIR found that the Project would have a less-than-significant noise impact on the adjacent Super 8 Motel. (Revised FEIR, p. 3.0-21) This analysis is especially conservative because it "assumed that the proposed loading dock could operate at the full peak hour level of activity for every daytime (7:00 a.m. to 10:00 p.m.) hour"; however, "per Special Condition 37 for the Planning Permit, delivery hours would occur between 7:00 AM and 9:00 PM. As such, this analysis is considered conservative and provides a worst-case scenario for truck delivery noise." (*Id.*, p. 3.0-20.)

This finding comports with the obvious—the Project would not generate significant decibel increases at the Super 8 Motel, or at the Seabird Lodge and Harbor Lite Lodge. The Seabird Lodge and Harbor Lite Lodge are located significant distances from the project site and are separated by well-traveled roadways (South Street and N. Harbor Drive, respectively). Thus, Project noise would be attenuated well below the threshold used in the Revised FEIR. (See DEIR, p. 3.6-4 ["Stationary point sources of noise – including stationary mobile sources such as idling vehicles – attenuate (lessen) at

a rate of approximately 6 dB per doubling of distance from the source, depending on environmental conditions (i.e., atmospheric conditions and either vegetative or manufactured noise barriers, etc.)"].)

The Super 8 Motel, although immediately adjacent to the Project site, likewise would not be significantly impacted. The modeling prepared for the Revised FEIR provides substantial evidence that the Project would not exceed the thresholds for operational noise on hotels and motels being used by the City here. This conclusion makes perfect sense given existing conditions as well as Project design and conditions of approval.

For example, the motel structure is rear-facing, such that the two-story building itself will block or reduce Project-related noise from the motel's front and interior areas, where guests park and enter, and where balconies and walkways exist.<sup>10</sup> (See DEIR, p. 3.1-13 [Figure 3.1-1] [showing backside of Super 8 Motel in relation to parking lot portion of the Project].) The Super 8 also is subject to "Title 24, part 2 of the California Code of Regulations [CCR], Noise Insulation Standards, for multi-family attached dwellings, hotels, motels, etc." (Coastal General Plan, Noise Element, p. 8-8), which include airborne sound transmission limitations and constraints on noise levels attributable to exterior sources for all rooms that must be tested in accordance with American Society for Testing and Materials (ASTM) standards (24 CCR 1206.2, 1206.4), and therefore would have been built according to these standards to stringently limit interior noise.

In addition, the Project includes a four-foot-high masonry block wall with metal railing surrounding the "Truck Dock," which will significantly reduce loading dock noise, as well as a six-foot-high sound wall parallel to the western property line, with landscaping, which will further reduce noise. As explained below, this Truck Dock (or loading dock) was sited to minimize noise impacts on Super 8 occupants. (See DEIR,

<sup>&</sup>lt;sup>10</sup> A two-story building significantly reduces noise levels from adjacent noise sources. (See, e.g., S. Department of Transportation, Federal

Highway Administration, *Audible Landscape: A Manual for Highway Noise and Land Use, Chapter 4. Physical Techniques to Reduce Noise Impacts, Section 4.1* (Jun. 7, 2017), available at <a href="https://www.fhwa.dot.gov/ENVIRONMENT/noise/noise\_compatible\_planning/federal\_approach/audible\_landscape/al04.cfm#bar">https://www.fhwa.dot.gov/ENVIRONMENT/noise/noise\_compatible\_planning/federal\_approach/audible\_landscape/al04.cfm#bar</a> [up to a 13 dBA reduction].)

Figure 2.0-5 [Site Plan showing location of "truck well" adjacent to the proposed Grocery Outlet structure and therefore north of the backside of the Super 8 motel]; see also City of Fort Bragg, *Planning Commission Meeting Agenda* (May 10, 2023), p. 29 ["Backside (Internal) facing fence/gas station/Taco Bell Elevation"], available at https://cityfortbragg.legistar.com/View.ashx?M=PA&ID=1088590&GUID=9E1029D8-95AD-486F-9EBC-72F47EE84A13.)

As explained by Project engineer Chris Schulze of TSD Engineering in a May 17, 2023, memorandum to Terry Johnson of Best Development (Schulze Memo), the location and operation of the Truck Dock and loading area were key factors considered early in the design process. Mr. Schulze notes that the possibility of the "Truck Dock being placed immediately adjacent to the existing Motel Use on the adjacent property to the east was a concern and was one of the factors that led to the Building Placement to be located adjacent to South Street and such the Truck Dock and Loading Area would be adjacent to a vacant property with commercial zoning." (Schulze Memo, p. 2.)<sup>11</sup> Thus, the loading dock area, from which delivery trucks will come and go, was designed and sited so as to minimize noise not only to residences along South Franklin Street but also to the Super 8 Motel.

Importantly, moreover, the above-described sound wall and landscaping must and will comply with section 17.36.110 (Loading Space Requirements), subdivision B.5 (Screening) of the City's Coastal Land Use and Development Code, requiring "a combination of dense landscaping and solid masonry walls with a minimum height of six feet." (See *Planning Commission Meeting Agenda* (May 10, 2023), *supra*, p. 14 [Consistency With The Coastal Land Use And Development Code: Parking and Circulation: CLUDC Regulations].)

Finally, the store's hours of operation will be from 8:00 AM to 10:00 PM. (DEIR, p. 2.0-3.) These are hours when motel guests are not expected to be sleeping, so any noise from customer vehicle usage associated with Project operations should not interfere with those guests' ability to sleep during normal nighttime hours. Nor will truck deliveries occur during nighttime hours. As discussed above, and noted in the Revised FEIR, a special condition will be included in the final Project conditions of approval, to be

<sup>&</sup>lt;sup>11</sup> A copy of the Schulze Memo is submitted with this letter as **Attachment B**.

presented to City Council, that limits the hours of truck deliveries to the Project from 7:00 AM to 9:00 PM, to which the Applicant has already agreed. Thus, there is no danger that occupants of the Super 8 Motel will be awakened during the middle of the night by noisy truck deliveries.

In light of all of these safeguards, it is not surprising that the operator of the Super 8 Motel enthusiastically supports the Project and the many benefits it will bring. (See **Attachment C**, May 27, 2023, letter to Fort Bragg City Council and Planning Commission from Devon Patel, Manager of Super 8 Motel.)

### 2. The FEIR's responses to comments on this issue are appropriate.

FBLBM asserts that the FEIR's responses to its comments on this issue fail to demonstrate how noise standards were applied to nearby transient lodging and, therefore, violate CEQA's requirement for "good-faith, reasoned analysis." (CEQA Guidelines, § 15088, subd. (c).) Again, FBLBM is incorrect.

The FEIR provides reasonable and good-faith responses to FBLBM's noiserelated comments on the DEIR. In its original comments, FBLBM claimed that a "single-day short-term measurement is not adequate to establish a meaningful baseline, as traffic levels and nearby activities will likely vary depending on the day of the week, etc. Measurements should be taken continuously over a multi-day period, ideally during different months." (FEIR, p. 2.0-52 [Comment K-3].) The FEIR's response reiterates that the DEIR in fact included continuous noise measurements, taken over the course of two days in January 2022 at one location, and another short-term measurement taken at another location. (FEIR, pp. 2.0-184 to 2.0-185.) FBLBM does not explain why it believes taking noise measurements during different months of the year is important; but, presumably, Luxe Saxelby, principal at Saxelby Acoustics, who is board-certified by the Institute of Noise Control Engineering and has more than 20 years' experience preparing noise studies, used the appropriate industry standard when taking noise measurements for the DEIR's noise study and making CEQA conclusions,<sup>12</sup> and FBLBM provides no

<sup>&</sup>lt;sup>12</sup> Significance conclusions must be based on "substantial evidence" and "[s]ubstantial evidence shall include facts, reasonable assumptions predicated upon facts, and *expert opinion supported by facts*." (Pub. Resources Code, § 21082.2, italics added; see also CEQA Guidelines, § 15384; *City of Long Beach v. Los Angeles Unified School Dist.* (2009) 176 Cal.App.4th 889, 917 [court upholding EIR consultant's analysis];

evidence to the contrary. (See Saxelby Acoustics, LLC, *About Us* (2023), available at <u>http://www.saxnoise.com/about-us.html</u>.)

In its original comments, FBLBM further claimed that the DEIR's noise analysis "omitted consideration of receptors at the Super 8 Motel" and that the noise contours "suggest that Project-related noise levels xceeding [sic] applicable significance thresholds at this location." (FEIR, p. 2.0-52.) The FEIR responds by reiterating the DEIR analysis that discusses the City's noise standards and explains, again, how the Project would not exceed them at any location, including Super 8. This issue has been discussed above.

The FEIR's response to these comments appropriately "refers to parts of the draft EIR that analyzes the environmental impacts raised by the comment" (*City of Irvine, supra*, 238 Cal.App.4th at p. 550) and further clarifies the previous analysis in a manner that "evince[s] good faith and a reasoned analysis," even if reach response is not "exhaustive or thorough in some specific respects" (*Twain Harte, supra*, 138 Cal.App.3d at p. 686). The FEIR's response explains that "[w]ith respect to the Super 8 Motel, as discussed in Section 3.6, Noise, of the Draft EIR, Policy N-1.4 of the City of Fort Bragg Coastal Region General Plan establishes a standard of 45 Ldn for indoor noise levels for all new residential development including hotels and motels and a standard of 60 Ldn for outdoor noise at residences. These limits shall be reduced by 5 dB for senior housing and residential care facilities. These thresholds and standards were used to analyze Project impacts to the Super 8 Motel. Noise impacts at existing receptors from increased traffic noise would be considered less-than-significant." (FEIR, p. 2.0-185.) These thresholds were fine-tuned in the Revised FEIR with more explicit analysis of operational Project noise on the adjacent Super 8 Motel.

The burden is on FBLBM to disprove the legal presumption that the FEIR's responses to comments are adequate, and that burden has not been met here. (*Gilroy Citizens, supra*, 140 Cal.Ap.4th at p. 937.)

Association of Irritated Residents v. County of Madera (2003) 107 Cal.App.4th 1383, 1396 1398 (Association of Irritated Residents) [same].) The data collection, modeling, and analysis performed by Saxelby Acoustics constitutes substantial evidence, as does similar work prepared by other consultants for the EIR.

# C. The FEIR's Responses to Traffic-Related Comments Are Appropriate and FBLBM Provides no Evidence to the Contrary.

FBLBM asserts, generally, that the FEIR's responses to other commenters' concerns regarding Project impacts to traffic, emergency vehicles, and pedestrian safety violates CEQA's requirement for "good-faith, reasoned analysis." (CEQA Guidelines, § 15088, subd. (c).) FBLBM does not specify which comments it believes were given too little attention in the FEIR's responses, making it impossible for us to respond to this claim with any specificity. The FEIR approached each response to each comment with the same "good-faith, reasoned analysis" that it approached responses to FBLBM's comments, which, as demonstrated above, are entirely appropriate, and FBLBM provides no evidence to the contrary. (CEQA Guidelines, § 15088, subd. (c).)

The burden is on FBLBM to disprove the legal presumption that the FEIR's responses to comments are adequate. (*Gilroy Citizens, supra,* 140 Cal.Ap.4th at p. 937.) FBLBM has not met that burden here with its generalized statement about no- specified responses to non-specified comments.

# D. The FEIR's Supplemental Urban Decay Study Does Not Trigger Recirculation.

FBLBM claims that CEQA requires the FEIR be recirculated to the public for additional review because of its inclusion of, and references to, the study of potential "urban decay" from the Project by ALH Urban & Regional Economics (see FEIR, Appendix B). According to FBLBM, this new study is "significant new information" that, under CEQA Guidelines section 15088.5, subdivision (a), triggers document recirculation. FBLBM is incorrect.

The DEIR already included a discussion of the subject of urban decay, listing nine existing regional grocery stores and relying on fieldwork that looked for any regional evidence of potential indicators of decay, such as litter, graffiti, excessive weeds, etc., of which none were found (DEIR, pp. 3.5-30 to -31.) The DEIR then reasonably concludes, based on this evidence, that that the Project would not result in urban decay, and that any impact in this category would be less than significant.

In its comment on the DEIR, FBLBM requested additional analysis of the subject, and specifically included an example of a study prepared by ALH Urban & Regional Economics for another project as the type of study it said was necessary. (FEIR, p. 2.0-

53.) In response to this comment, out of an abundance of caution (despite the lack of evidence here for an exhaustive study), the Applicant had an Urban Decay Study prepared for the Project by FBLBM's suggested consultant, ALH Urban & Regional Economics, which the City relied on for additional support in the FEIR. (See FEIR, pp. 3.0-9 to 3.0-12 [revised DEIR text], Appendix B [full Urban Decay Study].)

FBLBM now claims that the EIR must be recirculated for public review and comment, without demonstrating any actual triggers for recirculation, because of the inclusion of an unnecessary study that it requested in the first place.

Recirculation is required where "significant new information" is added to the EIR after the close of public comment but prior to certification. (Pub. Resources Code, § 21092.1; CEQA Guidelines, § 15088.5.) "New information" is "significant" only if "the EIR is changed in a way that deprives the public of a meaningful opportunity to comment upon a substantial adverse environmental effect of the project or a feasible way to mitigate or avoid such an effect . . . that the project's proponents have declined to implement." (CEQA Guidelines, § 15088.5, subd. (a).) Such information must show "(1) [a] new significant environmental impact would result from the project or from a new mitigation measure proposed to be implemented[;] or (2) [a] substantial increase in the severity of an environmental impact would result unless mitigation measures are adopted. . . ." (CEQA Guidelines, § 15088.5, subds. (a)(1), (a)(2).) A lead agency's decision on recirculation "is presumed [] correct" (*Citizens for a Sustainable Treasure* Island v. City and County of San Francisco (2014) 227 Cal.App.4th 1036, 1064 (*Treasure Island*), internal quotations omitted), and a challenger has the burden to prove that the agency did not rely on substantial evidence when making its decision (Laurel Heights Improvement Assn. v. Regents of Univ. of Cal. (1993) 6 Cal.4th 1112, 1135 (Laurel Heights II).)

The Urban Decay Study does not does not introduce a "new significant environmental impact" or a "substantial increase in the severity of an environmental impact." Rather, nothing in the Study changed the impact conclusion in the DEIR that the impact would be less than significant. (Guidelines, § 15088.5, subd. (a)(1); FEIR, p. 3.0-12.) The Study does not propose mitigation or demonstrate that mitigation is

necessary. (CEQA Guidelines, § 15088.5, subd. (a)(2).) The Study merely expounds on the analysis that existed in the DEIR. The author summarized her conclusions as follows:

The study analysis does not suggest any retailers would be at risk of losing retail sales sufficient to result in store closure leading to increased commercial vacancy as a result of Grocery Outlet's development, and thus there would likely be no risk for their properties to erode into conditions leading to urban decay. Yet, if such an event were to occur, there is no indication from the market that urban decay would result from such a store closure. Even properties that have been closed for longer periods of time, up to four years or more, continue to be maintained in reasonable condition and, most importantly, are not indicative of urban decay. Thus, real estate market conditions in Fort Bragg do not appear to be conducive to urban decay.

Therefore, pursuant to the existing market conditions, projected retail supply and demand conditions, and Grocery Outlet project orientation, ALH Economics concludes that there is no reason to consider that development of the proposed Grocery Outlet store would cause or contribute to urban decay.

(FEIR, Appendix B, p. 4.)<sup>13</sup>

Accordingly, the ALH Urban & Regional Economics Urban Decay Study and revised EIR text do not introduce any "significant new information," by CEQA's definition of that phrase, that would require recirculation. (Pub. Resources Code, § 21092.1; CEQA Guidelines, § 15088.5.) The City Council may therefore proceed without recirculating the EIR and be confident that its decision will be presumed correct by the court and upheld, should the Project and FEIR be challenged on this issue.

As stated just above, "nothing in CEQA Guidelines section 15088 ... allows project opponents to use the comment-and-response process to wear down a lead agency, or delay a project, by the simple expedient of filing an onerous series of demands for information and setting up a series of hoops for the lead agency to jump through." (*City of Irvin*e, *supra*, 238 Cal.App.4th at p. 549.)

<sup>&</sup>lt;sup>13</sup> In fact, new evidence suggests that the Project would eliminate a current risk factor for urban decay on the Project site. Devon Patel, Manager of the adjacent Super 8 Motel, in his May 27, 2023, letter to Fort Bragg City Council and Planning Commission (included here as Attachment C), states that "[t]he current building on the site is neglected and has safety issues, as well as it is a magnet for homeless. I know other nearby owners frequently call the police regarding illegal activity on that site."

FBLBM requested this unnecessary Urban Decay Study, the Applicant had it prepared (at considerable expense) by FBLBM's suggested consultant. Even though the Study came to the exact same conclusion as the DEIR, FBLBM now demands the City jump through yet *another unnecessary hoop* of document recirculation. CEQA does not support FBLBM's demand; indeed, courts warn against it. (See *Citizens of Goleta Valley v. Board of Supervisors* (1990) 52 Cal.3d 553, 576 ["we caution that rules regulating the protection of the environment must not be subverted into an instrument for the oppression and delay of social, economic, or recreational development and advancement"].)

Regardless, the ALH Urban & Regional Economics Study has been available for public comment for a considerable period of time, and nothing prevents interested persons from offering their substantive critiques. The City published the FEIR on April 4, 2023, which gave members of the public 34 full calendar days to review the Study and other material within the FEIR prior to the May 10, 2023, Planning Commission meeting. Nearly four weeks of additional time will transpire before the City Council convenes its own hearing on the Project on June 5, 2023.

### II. RESPONSES TO COMMENTS FROM LESLIE KASHIWADA

In her May 10, 2023, comment submission, Leslie Kashiwada makes several critiques of the Project and FEIR, many of which are derivative of her comments on the DEIR, and only some of which implicate CEQA. In this letter, we respond to only those comments with CEQA implications relating to the FEIR.

Like FBLBM, Leslie Kashiwada questions Project-generated noise at the adjacent Super 8 Motel. Please refer to Section I.B above for a response to that comment. Also like FBLBM, Leslie Kashiwada indicates that the supplemental Urban Decay Study should be circulated for public review and comment. Please refer to Section I.D above for a response to that comment. Leslie Kashiwada likewise states, generally, that the FEIR does not substantially address comments on the DEIR, but does not point to any particular failing. Please refer to Sections I.A.2 and I.B.2 above for legal standards and other information related to the FEIR's responses to comments.

#### A. The FEIR's Biological Resource Analysis and Studies are Sufficient.

In her comments on the FEIR, Leslie Kashiwada "concede[s] that [the project site [is not a special site in [] regard [to either biology and geology]." Ms. Kashiwada then proceeds to criticize the biological resources analysis and studies performed for the proposed Project. We address some of those criticisms below.

Ms. Kashiwada criticizes the bat survey performed and claims that it "was never redone, even though the California Department of Fish and Wildlife requested that such a study be completed before demolishing the old building." Ms. Kashiwada, however, overlooks the fact that Mitigation Measure 3.3-2 requires that a *new* bat survey be performed "by a qualified biologist prior to demolition of the existing on-site building," with various protectionary measures in place should bat roosts be discovered. This measure is consistent with CEQA case law, which has blessed the use of preconstruction surveys as means of identifying and mitigating impacts to any creatures that might have been absent earlier, but have moved into an area to be physically altered by a proposed project. (See, e.g., *Save Panoche Valley v. San Benito County* (2013) 217 Cal.App.4th 503, 524-527. Intuitively, this approach is particularly sensible for flying creatures, such as nesting birds and roosting bats.

Ms. Kashiwada then expresses concern that "[t]he mature evergreen trees on the northwest corner of the building will likely not survive the construction process given the proposed site of the new building, despite City policy to encourage existing mature trees be retained." We address these trees in section IV.B of RMM's December 6, 2022, letter ("RMM's 2022 Letter"), available in Appendix A of the FEIR. As stated in our previous letter, these trees are ornamental and not protected species; therefore, their removal does not present a significant impact to biological resources under CEQA. Likewise, removal of these trees will not significantly impact aesthetics, as they are "not part of the natural scenic landscape" and will be replaced "with landscaping selected for the local climate, including the planting of 37 new trees." (DEIR, p. 3.1-10.) Notwithstanding, the DEIR states that it is possible these trees can be preserved, and Ms. Kashiwada presents no evidence to the contrary. (DEIR, p. 2.0-3.)

Lastly, in the section entitled, "Biological Report," in her comment submission, Ms. Kashiwada expresses doubt about the suitability of the currently proposed site drainage, based on her personal observations about "large puddles of water at the

southern end of the property...." Ms. Kashiwada need not be concerned. As the FEIR explains, site drainage will be engineered to comply with "standards and specifications of the City of Fort Bragg (i.e., City of Fort Bragg Design Specifications and Standards). Prior to the issuance of a building or grading permit, the Project applicant would be required to submit a drainage plan to the City of Fort Bragg for review and approval. The plan would be an engineered storm drainage plan that calculates the runoff volume and describes the volume reduction measures, if needed, and treatment controls used to reach attainment consistent with the Fort Bragg Storm Drain Master Plan and City of Fort Bragg Design Specifications and Standards. Overall, drainage impacts would be reduced to less than significant." (FEIR, p. 3.0-33.) For more detail on project site drainage, please refer to section IX.B of RMM's 2022 Letter (see FEIR, Appendix A).

#### B. The FEIR's Noise Impact Thresholds Are Appropriate.

Leslie Kashiwada comments that "impacts on surrounding businesses were dismissed without using actual thresholds of significance." In the DEIR, the CEQA thresholds of significance for operational Project noise impacts focus on noise increases at residential land uses. (See DEIR, p. 3.6-8.) These thresholds were taken verbatim from the Coastal General Plan Noise Element Policy N-1.2 and are appropriate for use (refer to footnote 3, *supra*, regarding an agency's discretion to establish its own case-by-case CEQA thresholds of significance).

The DEIR analysis, however, is not limited to just incremental decibel increases in operational Project noise on nearby residences; the analysis also addresses the Project's contribution to overall ambient noise levels at residential land uses, pursuant to "the City of Fort Bragg [] daytime and [] nighttime noise level standards." (DEIR, p. 3.6-15.) Because of the scope of this analysis, and in response to some comments on the DEIR's operational noise thresholds (e.g., FEIR, p. 2.0-274 to 2.0-275), the FEIR refines the DEIR's thresholds by adding the City's non-transportation noise standards for "maximum noise level at the nearest residential property line," adopted as part of the Coastal General Plan, whereas an exceedance at a residence would constitute a significant impact. (Coastal General Plan, Noise Element, Policy N-1.5 [Table N-5]; FEIR, pp. 3.0-12 to 3.0-13; see also footnote 3, *supra*, and *Treasure Island*, *supra*, 227 Cal.App.4th at p. 1065 ["refinements that occurred in the EIR...do not constitute the

type of significant new information requiring recirculation"].) The Revised FEIR further refines operational noise thresholds of significance, adding one that explicitly applies to nearby hotels and motels (see Section I.B.1, *supra*, for more discussion on this new threshold). The DEIR's less-than-significant impact conclusions remain unchanged, and new analysis in the FEIR likewise results in a less-than-significant operational noise impact on hotels and motels.

# C. Backup Signal Sounds Emitted by Delivery Trucks at the Project Site Do Not Create a Significant Noise Impact under CEQA.

Leslie Kashiwada comments that the Project will result in "significant noise from backup signaling" of trucks. Ms. Kashiwada is mistaken—truck backup signal noise will not result in a significant impact under CEQA.

When determining loading dock noise generation for the DEIR, Saxelby Acoustics took noise level measurements at a Wal-Mart loading dock, which it considered to be "conservative" given that the specific "Wal-Mart loading dock supports a much larger store than the proposed Grocery Outlet." (DEIR, p. 3.6-11.) The activities measured included "truck arrival/departures, truck idling, *truck backing*, air brake release, and operation of truck-mounted refrigeration units." (*Ibid.*, emphasis added.) The Revised FEIR clarifies that "truck backing" includes "backup alarms." (Revised FEIR, p. 3.0-17.) Hence, noise modeling for the proposed Project included audible truck backup signals.

These measurements "were conducted at a distance of 100 feet from the center of the twobay loading dock and circulation area," which is nearly a full 100 feet less than the approximately 200 feet between Project's proposed loading dock (to be located on the opposite side of the Grocery Outlet building from residences) and the nearest residence to the east, on S. Franklin Street. Saxelby Acoustics found that the Project's operation would have a less-than-significant impact on nearby residences in that it would not exceed the thresholds of significance used for the Project in its CEQA analysis (see Sections i.B.1 and II.B, *supra*). (DEIR, p. 3.6-15.) Notably also, per the Revised FEIR, "per Special Condition 37 for the Planning Permit, delivery hours would occur between 7:00 AM and 9:00 PM. As such, this analysis is considered conservative and provides a worst-case scenario for truck delivery noise." (Revised FEIR, p. 3.0-17.)

Therefore, "backup signaling" from trucks would not result in a significant CEQA impact and, in all likelihood, will be inaudible to nearby residents given that backup signaling will occur at or near the loading dock, which will be blocked from nearby residences by the building itself. (See DEIR, Figure 2.0-5 [Site Plan], pp. 3.6-21 to 27 [noise contour figures].) For more information on the total number of truck trips associated with the Project, please refer to Section I.A.1 above. For a discussion on noise at nearby transient lodging, refer to Section I.B.1.

### D. The FEIR's Analysis of Emergency Services is Sufficient, and any Noise Associated with any Increased Use of Emergency Sirens Does Not Create a Significant CEQA Impact.

Leslie Kashiwada states that "emergency services were never consulted about potential impacts of this project on travel to and from ER" and then claims that an individual named "Davey Beak," whom she describes as the "long-time manager of emergency transport at the hospital," informed her in writing that the Project would cause "'[a] significant change in the volume of traffic on South Street" and "'will absolutely have an effect on our response and return times. Code 3 (lights and sirens) help but they will have an negative effect on the residential neighborhoods to the South and East of South Street...With the additional traffic created by this development we will need to switch to Code 3 several blocks earlier which will likely lead to angry public and reduced real estate values in the adjacent neighborhoods. Access to our Hospital will also be negatively affected. Thanks, Davey.'"

We have not seen, because Ms. Kashiwada did not supply the City with, the written communication to her from Mr. Beak. We note, though, that analysis in the DEIR, inclusive of its Initial Study, undermine the claims she attributes to him.

The DEIR finds that "[i]mplementation of the proposed Project would not create roadway and transportation facilities that impede access for emergency response vehicles. All existing roadways and intersections, and internal transportation network is designed to maintain levels of accessibility for police and fire response times, which ensures vehicles have the necessary access when responding to an emergency. Therefore, this impact would be less than significant." (DEIR, p. 3.7-46.) This conclusion is reached, in large part, because the Project must comport with:

the numerous plans related to hazard management and mitigation, and emergency response, including but not limited to: the City of Fort Bragg Emergency Operations Plan (2010), the Mendocino County Community Wildfire Protection Plan (2005), Hazardous Waste Management Plan, Mendocino County Operational Area Emergency Operations Plan (2016), and Mendocino County Multi-Jurisdictional Hazard Mitigation Plan (2014), in which the City of Fort Bragg (City) is a participant. In addition, the Safety Element of the City of Fort Bragg Coastal General Plan aims at protecting people and property from natural hazards and other locally relevant safety issues.

(DEIR, Appendix A [Initial Study], p. 57.)

In particular, the Project will be informed by, and conform to, "the Mendocino County Operational Area Emergency Operations Plan (County EOP) [adopted] on September 13, 2016, under Resolution Number 16-119." (*Ibid.*) The County EOP "complies with local ordinances, state law, and state and federal emergency planning guidance, serves as the primary guide for coordinating and responding to all emergencies and disasters within the County." (*Ibid.*) Its purpose is to "facilitate multi-agency and multi-jurisdictional coordination during emergency operations, particularly between Mendocino County, local and tribal governments, special districts as well as state and federal agencies' (MCOES – Plans and Publications, 2019)." (*Ibid.*) "The proposed development would be compatible with existing surrounding development and would be designed to current standards with suitable road widths and turn radii to accommodate emergency vehicles.<sup>[14]</sup> A less than significant impact would occur." (*Id.*, pp. 57–58.) Additionally, the proposed Project would have a less-than-significant impact on fire services, inclusive of non-fire emergency services, pursuant to criteria in CEQA's Appendix G Checklist. (See DEIR, Appendix A, pp. 70–71.)

Regarding traffic, the proposed Project will not create a significant traffic impact using current CEQA criteria for analyzing VMT. (DEIR, pp. 3.7-43 to 3.7-45.) Traffic volume (mentioned in the comment) implicates level of services (LOS), which is no longer an impact under CEQA. (See DEIR, p. 3.7-43; FEIR, Appendix A, pp. 66–67.) Nevertheless, in its analysis of transportation and traffic impacts, the City included

<sup>&</sup>lt;sup>14</sup> "The proposed retail store would be constructed in accordance with state and local standards, including safety and emergency access requirements." (DEIR, p. 4.0-33.)

discussions of LOS-related issues on a voluntary basis and not in order to satisfy any CEQA requirement. (See DEIR, p. 3.7-2.) The City determined that, in a *cumulative* scenario, City General Plan LOS standards would be exceeded; however, this concern would be ameliorated because "the Project would contribute their fair share to the cost of regional circulation improvements by paying [required] adopted fees and making [required] frontage improvements. In addition, the Project would contribute its fair share to the cost of cumulatively needed improvements to the SR 1 (Main Street) / South Street intersection." (DEIR, p. 3.5-20.) With the required payment of these fair share fees, and required frontage improvements, the Project will relieve any incremental effects it might have on cumulative traffic volume.

As to ambulance siren noise, any theoretical increased siren usage that may result in intermittent increases in ambient noise levels as a consequence of Project-generated traffic is far too speculative of an effect to analyze in a CEQA document. CEQA does not require analysis of potential impacts, either direct or indirect, that are overly speculative. This is particularly true of impacts that, by their nature, are temporary. (See, e.g., CEQA Guidelines, § 15064, subd. (d)(3) ["[a] change which is speculative or unlikely to occur is not reasonably foreseeable"].) Regardless, occasional sirens are part of living in an urban area. Siren sounds are an indication that highly-trained teams of professional emergencycare providers are on their way to help people who may be in danger of losing their lives. Such sounds cannot credibly be treated as significant environmental effects to be avoided or discouraged where feasible.

In discussing this issue, Ms. Kashiwada (and Davey Beak, assuming that he is correctly quoted by Ms. Kashiwada) *assumes* that the Project will increase traffic in the area such that ambulances will be significantly and regularly waylaid, and then *assumes* that this condition will force ambulance drivers to use their sirens at a rate far greater than occurs now, and then *assumes* that this increase in siren usage will increase ambient noise levels such that they regularly exceed City noise standards. These assumptions pile speculation on top of speculation.

"Common sense leads us to conclude that these concerns are too 'speculative or unlikely' to be considered 'reasonably foreseeable.'" (*Union of Medical Marijuana Patients, Inc. v. City of Upland* (2016) 245 Cal.App.4th 1265, 1276.) "Any analysis of [these] potential environmental impacts would be wholly speculative and essentially

meaningless." (*Concerned McCloud Citizens v. McCloud Community Services Dist.* (2007) 147 Cal.App.4th 181, 197.)

As discussed above, the Project will have a less-than-significant effect on traffic, traffic volumes (although they are no longer a CEQA issue), and emergency response. It is, therefore, overly speculative (and entirely inaccurate) to assume that the Project would result in significant noise impacts associated with increased traffic and emergency response. Even if an increase in ambulance siren usage could somehow be tied to the Project, this increase would be sporadic, with absolutely no evidence suggesting that it would create a significant noise impact.

#### E. The FEIR's Traffic Studies Are Appropriate.

Leslie Kashiwada states that the "traffic study" conducted for the Project in "late July 2019" is "incomplete and outdated." Ms. Kashiwada, however, overlooks the two supplemental technical traffic studies that were performed for the Project. The 2019 traffic study was verified and supplemented by a nine-page June 2021 addendum, prepared by the same traffic consultant (KD Anderson & Associates, Inc.) (see DEIR, Appendix G), and a six-page June 2022 VMT analysis, prepared by a second traffic consultant (Fehr & Peers) (see DEIR, Appendix H). Together, these three traffic studies provide ample substantial evidence to support the FEIR's conclusions (see footnote 11, *supra*, for legal standards related to "substantial evidence").

Furthermore, Ms. Kashiwada does not support her cursory claim that these studies "should have included data collection on several school days and, as a tourist destination, the study should have included at least one holiday, like Paul Bunyan Days." Presumably, the experts and registered professional engineers at KD Anderson & Associates and Fehr & Peers used the appropriate industry standard when modeling traffic data for the Project and reaching their conclusions, and Ms. Kashiwada provides no evidence to the contrary (see footnote 11, *supra*).

Moreover, the DEIR's cumulative traffic analysis accounted for all planned and currently developed land uses within the area, including the nearby hospital and "Plateau" housing project mentioned by the commenter. The DEIR's cumulative analysis employed the "summary of projection" approach, explicitly allowed by CEQA Guidelines section 15130, subdivision (b)(1)(B), by "[using] a summary of projections in

adopted General Plans or related planning documents to identify potential cumulative impacts." (DEIR, p. 4.0-3.) These planning documents take all current and future planned land uses into account, including the aforementioned ones. For more explanation on this approach and its validity under CEQA, please refI mader to section X of RMM's 2022 Letter (see FEIR, Appendix A).

Lastly, the "left turn from westbound N. Harbor Dr. onto Main St." discussed by Ms. Kashiwada is not a City issue, as Main Street (Highway 1) is a Caltrans facility. In the past, Caltrans disallowed left turns at this intersection, but changed this policy prior to the release of the DEIR. (DEIR, p. 3.7-10.) In the future, as traffic increases under cumulative conditions, Caltrans may decide to consider whether or not to revert to the old policy by prohibiting left turns there. Before doing so, Caltrans must ensure all safety rules and regulations are met. (See, e.g., General Plan Policy C-2.1 [discussing that roadway improvements "to the local and regional road system" must be coordinated with Caltrans "to ensure that SR 1...will remain a scenic two-lane road consistent with Section 30254 of the Coastal Act"].) Regardless, there are laws in place to prevent vehicles from making roadway turns where they are prohibited, and it is presumed that all trucks make deliveries to the Project will adhere to those laws. Right now, however, nothing would prevent trucks from making left turns onto Highway 1 at North Harbor Drive. If drivers of delivery trucks determine that they are better off by driving north and using the signalized intersection at Highway 1 and Cypress Street to turn southward onto Highway 1, they may do so. Time will tell.

# F. An Alternative that Repositions the Building to the South or Middle of the Project Site is Infeasible.

Leslie Kashiwada suggests an alternative where the Project's building is sited on either the "south end of the adjoined properties" or "placed more in the middle of the property or where the currently [sic] building is located, with employee parking on one side and customer parking on the other." This alternative siting, however, is neither required by CEQA nor feasible.

As explained in section II of RMM's 2022 Letter (see FEIR, Appendix A), the DEIR need not consider additional Project alternatives because the City has discretion to determine the appropriate range of alternatives, and the City selected other alternatives

that, taken together, provided a sufficient variation of options to permit a reasoned choice under CEQA. (CEQA Guidelines, § 15126.6; *In re Bay-Delta etc.* (2008) 43 Cal.4th 1143, 1163.) The DEIR's alternatives are not "manifestly unreasonable"; nor do they fail to "contribute to a reasoned range." (*Cal. Native Plant Society v. City of Santa Cruz* (2009) 177 Cal.App.4th 957, 988.) Besides, Ms. Kashiwada has not presented any evidence that an alternative site layout would reduce the severity of any significant impacts of the Project or better fulfill Project objectives. Indeed, her proposed alternatives would actually create new problems (explained below).

From an engineering perspective, these alternate site layouts simply do not work. As Project engineer Chris Schulze has explained in a technical memorandum (included herewith as Attachment B), the Project's building must be situated as currently proposed on the deep and narrow lot in order to: (i) comply with City setbacks, specifically a 20foot building setback from North Harbor Drive; (ii) visibly shield the truck dock and loading area from neighboring residents and adjacent streets; (iii) minimize noise to neighboring residents from activity at the truck dock and loading area; (iv) minimize interference with the Super 8 Motel by placing the truck dock and loading area adjacent to a vacant property with commercial zoning; and (v) maximize the use of existing utility infrastructure (water, sewer, electricity, etc.) coming primarily from South Street, thereby avoiding the reconfiguration of infrastructure.

This last factor is especially meaningful from a CEQA perspective because any additional infrastructure reconfiguration would necessarily require elaborate construction begetting environmental impacts, all of which are avoidable under the proposed Project.

#### III. RESPONSES TO COMMENTS FROM ANNEMARIE WEIBEL

In her May 10, 2023, comment submission, Annemarie Weibel, like FBLBM, expresses that the FEIR does not adequately address DPM emissions. Please refer to Section I.A above for a response to that comment. Also, like FBLBM, Ms. Weibel indicates that the supplemental Urban Decay Study should be circulated for public review and comment. Please refer to Section I.D above for a response to that comment (as well as her comment insinuating that the Project may cause urban decay).

Like Leslie Kashiwada, Annemarie Weibel questions emergency response times and noise associated with a potential increase in the use of emergency vehicle sirens

resulting from Project traffic. Please refer to Section II.C above for a response to that comment. For a response to Ms. Weibel's comments that the "traffic study did not take into consideration" traffic associated with summer months and holidays, and a change in traffic control at "SR 1/N. Harbor Drive intersection," please refer to Section II.E above.

Below we respond to other comments made by Annemarie Weibel implicating CEQA or other laws and pertaining to the FEIR. The remainder of Ms. Weibel's comments express general concerns about the Project (about noise, water supply, aesthetics, etc.) that we do not respond to in this letter, but which are addressed in some form or fashion in RMM's 2022 Letter (see FEIR, Appendix A).

# A. The 2019 Initial Study from the Previous Version of the Project Does Not Form the Basis for the DEIR or FEIR.

Annemarie Weibel incorrectly claims that the 2020 initial study prepared for the prior version of the Project "forms the basis" for the current Project's EIR. This statement is not true. This most recent version of the proposed Project was analyzed in a completely new initial study in 2022, included as Appendix A of the DEIR, prepared by a completely new environmental consultant (DeNovo Planning Group versus LACO Associates). The DEIR and FEIR were informed by this 2022 initial study, and also by several new technical studies and reports prepared specifically for this version of the Project. See Section IV.A below for a discussion on the differences between the proposed Project and its prior iteration.

### B. Information Associated with the Project is Available in Different Documents for Different Purposes—and This Approach does Not Violate CEQA.

Ms. Weibal takes umbrage with different pieces of Project information being made available in different formats and locations. Although it is somewhat difficult to follow her line of reasoning, it appears that she has concerns with the scattered nature of this Project information and some potential discrepancies between different sources. While we did not verify the accuracy of her claims as they relate to the many non-CEQA documents she cites, the CEQA analysis performed for the Project is based on the Project Description as it exists in the DEIR and FEIR. Any discrepancies between the EIR's Project Description and the other non-CEQA documents referenced in the comment are

inconsequential to the environmental analysis performed for the Project and do not violate CEQA.

# C. Although Solar Panels are not Currently Required on Commercial Projects in California, the Project will Include Solar Panels.

Annemarie Weibel asks why solar panels are "not shown or analyzed in the design" even though they are required by State law and suggests that the addition of solar panels to the Project would require review for the impact on visual resources.

Starting in January 1, 2023, California will indeed require solar power and batteries in all new commercial structures (with exceptions), pursuant to the recently updated 2022 Build Energy Efficiency Standards approved by the California Clean Energy Commission. When the EIR for the Project was first being prepared, this law was not in effect, which is why the EIR discloses only that "the proposed Project is required by the [prior version of the] California Building Energy Efficiency Standards (Energy Code) to be 'solar ready"; specifically, the proposed Project includes a solar-ready area of 2,400 square feet." (DEIR, pp. 3.4-37.) Although the DEIR goes on to state that "[t]he proposed Project would have to comply with all applicable federal, State, and local regulations regulating energy usage." (*Id.*, p. 3.4-40.)

These updated standards are addressed in the recent staff report prepared for the May 10, 2023, Planning Commission meeting, in which it states that, although "[t]he proposed roof plan does not currently include solar panels...a location is reserved for them on the plans," alongside a special condition of approval that would require the building permit application to "include solar panels on the roof." (*Planning Commission Meeting Agenda* (May 10, 2023), *supra*, p. 32.) The Applicant has agreed to this special condition. Thus, the Project will include solar panels on its roof.

Installation of these environmentally beneficial solar panels, however, will not require additional CEQA review. Installation of solar panels require only a ministerial building permit, which does not trigger CEQA review. (See CEQA Guidelines, § 15268, subd. (a)(1) ["[i]ssuance of building permits"...are "presumed to be ministerial" and "[m]inisterial projects are exempt from the requirements of CEQA"].)

## IV. RESPONSES TO COMMENTS FROM JACOB PATTERSON

# A. Comments on a Prior CEQA Document Do Not Inform Decisionmakers on Another.

In one of his May 10, 2023, submissions, Jacob Patterson purports to submit (in bulk and as URLs, many of which are broken) to the Planning Commission a series of public comments made on a 2020 initial study prepared for a prior version of the Project, presumably to be applied to the proposed Project. This scattershot attempt to incorporate his prior comments into the current proceeding, however, is not proper. Indeed, this attempt seems more aimed at gumming up the works than contributing to an informed public process.

Comments intended for one project do not inform decisionmakers on another. Every project, or every new project iteration, is a different undertaking that presents unique environmental issues at specific points in time upon which a separate application is submitted and a separate governmental approval is either granted or denied.<sup>15</sup> (See Pub. Resources Code, §§ 21002.1, subds. (a), (d), 21065, 21065.3; CEQA Guidelines, § 15378, subds. (a), (c).) Put another way, the comment submissions made in 2020 on a prior version of the Project with a different environmental document do not present "significant environmental issues" warranting a response because they are not sufficiently specific to the currently proposed Project and, therefore, are "patently irrelevant." (See *Environmental Protection Information Center v. California Dept. of Forestry & Fire Protection* (2008) 44 Cal.4th 459, 484, 487; CEQA Guidelines, § 15088 subd. (a).) This is particularly true when the commenter could not be troubled to specify exactly which prior comments he wishes to apply against a current project, as occurs here.

Accordingly, we do not respond to these comments here because they do not apply to the Project or the FEIR. Nevertheless, it is noteworthy that the vast majority of

<sup>&</sup>lt;sup>15</sup> The proposed Project and the project considered in the 2020 initial study differ (proposed Project has a shorter maximum height, proposed Project includes stalls for charging electric vehicles and dedicated parking spots for clean air vehicles, etc.), but even if they were identical in design, they still reflect different applications and timeframes with unique issues that require different approvals. The application for the proposed Project was submitted well after 2020, on March 14, 2022. (See *Planning Commission Meeting Agenda* (May 10, 2023), *supra*, p. 6 ["Application Date 3-14-2022"].)

the comment collections linked by Jacob Patterson express support and enthusiasm for development of a Grocery Outlet at the project site, much like the vast majority of the comments on the DEIR and the FEIR.

## B. The Project Differs from a 2019 Auto Zone Retail Store Project, therefore, City Policies Protecting Ocean Views Apply Differently.

Jacob Patterson claims that the City's past precedent in analyzing "the Coastal General Plan Policy that protects views along and TO the ocean" for a 2019 Auto Zone Retail Store project requires the City to analyze and interpret that same policy in the same manner for the proposed Project. This contention fails.

The policy referenced by Jacob Patterson is Coastal General Plan Policy CD-1.1, which provides, in full:

Permitted development shall be designed and sited to protect views to and along the ocean and scenic coastal areas, to minimize the alternation of natural landforms, to be visually compatible with the character of surrounding areas, and, where feasible, to restore and enhance views in visually degraded areas.

We address Project consistency with this policy in great detail in section III.A of RMM's 2022 Letter (see FEIR, Appendix A). There, we demonstrate why and how the City's interpretation of Policy CD-1.1 and its consistency determination of the Project with the policy is sound.

For the 2019 Auto Zone Retail Store project, to ensure compliance with Policy CD-1.1 (as well as Policies CD-1.4 to CD-1.6, CD-1.9, and CD-1.11), the City required mitigation to, in relevant part, create a "visual easement...as a deed restriction" that prohibits "[v]iew blocking development." Jacob Patterson believes that this requirement for this *different other project* is evidence of "local precedent" and "actua; [sic] past practices" that must be applied to the proposed Project. Mr. Patterson is mistaken.

The two projects are easily distinguishable from one another. They are located in very different areas and exist under very different circumstances, despite the two sites both being zoned and designated as Highway Visitor Commercial. The 2019 Auto Zone Retail Store project is located immediately west of Highway 1, *oceanside*, with no commercial development between it and the ocean (in fact, little development at all – just a couple of homes – exists between the Auto Zone site and the ocean). Furthermore, the Auto Zone site is completely undeveloped and unpaved. Thus, any brand new

development on that site would in all likelihood block existing direct and unobstructed views from a scenic highway (Highway 1) to the ocean.

The proposed Project, conversely, is located east of Highway 1, <u>not oceanside</u>, with a two-story motel (Super 8) and a gas station (Chevron) between it and Highway 1, currently blocking and largely obstructing ocean views. (See FEIR, Appendix A, pp. 21–23.) As well, the site itself is fully developed with a large building and paved parking lot, and it is completely surrounded by urban commercial and residential uses. (See *id.*, pp. 25–26.) Thus, the two projects have very different baseline conditions with different surrounding character.

It makes complete sense that the City would require preservation of an existing panoramic unobstructed direct ocean view from a scenic highway across a currently undeveloped lot to ensure compliance with Policy CD-1.1. It also makes perfect sense that the City would decide that a developed urban infill lot east of a scenic highway, with just a distant and mostly obstructed view of the ocean from only one marginal viewpoint does not require the same protections. (See FEIR, Appendix A, p. 22.)

As we explain in RMM's 2022 Letter (see FEIR, Appendix A, pp. 23–24), the City is entitled to considerable deference in the interpretation of its own General Plan. (*Gray v. County of Madera* (2008) 167 Cal.App.4th 1099, 1129–1130.) The City Council has "broad discretion to construe its [general plan] policies in light of the plan's purposes." (*Endangered Habitats League, Inc. v. County of Orange* (2005) 131 Cal.App.4th 777, 782.) For both the Auto Zone project and the proposed Project, the City used its unique discretion as a subject matter expert when interpreting Policy CD-1.1 and determining project consistency to ensure that the respective different developments are "visually compatible with the character of surrounding areas."

Lastly, in his comments inaccurately likening the proposed Project to the Auto Zone Retail Store, Jacob Patterson suggests shifting the Project's building to the south portion of the site, much as Leslie Kashiwada has suggested. Please refer to Section II.E above for a response to that comment.

#### V. RESPONSE TO COMMENTS FROM NORTH BAY LABOR COUNCIL

In its May 10, 2023, submission, the North Bay Labor Council comments primarily on labor and employment issues that are not governed by CEQA, but it also

indicates, generally, that the Project has an "impact on traffic, emergency response and commute times, pollution (air, noise, light)." The generality of this comment makes it impossible to respond to with any specificity. Nevertheless, please take note that the DEIR found potential impacts associated with these issue areas to be less than significant without mitigation, save for construction noise, which will require standard-practice measures to mitigate impacts to a less-than-significant level. (See DEIR, Table ES-2 [Project Impacts and Proposed Mitigation Measures].) Please also refer to our above responses to other comments on air emissions, noise, and traffic, as well as Appendix A of the FEIR for RMM's 2022 Letter addressing some or all of these concerns.

\* \* \*

We hope that City Council finds this letter helpful as it considers the Project for approval. As demonstrated, the FEIR *does not violate CEQA* in the manner indicated in these five submissions, or in any way for that matter. Many years and much expertise went into preparing this FEIR for a project that, in our legal opinion, could have been eligible for a CEQA Class 32 categorical exemption for infill development.<sup>16</sup>

We encourage City Council to rely on the legally sound analysis presented in this letter and not allow a relatively small number of project opponents with unreasonable analytical demands detract from the many benefits that this Project brings to the

<sup>&</sup>lt;sup>16</sup> We cannot help noting that our law firm recently prevailed in Monterey County Superior Court in defending a larger Grocery Outlet project approved by King City based on a categorical exemption. I point this out in order to emphasize that the proposed Fort Bragg Grocery Outlet project is comparatively modest in scope compared with other types of projects for which EIRs are typically prepared. The Class 32 exemption applies to qualifying infill projects that are on sites within cities that are not greater that five acres in size. (CEQA Guidelines, § 15332.) The City of Fort Bragg opted against pursuing this option before we got involved with the Project, but many courts have upheld agencies' reliance on the Class 32 categorical exemption for projects far more intensive than the 16,157 square foot (sf) Project, which would replace an existing 16,436-sf former office building, for a net reduction of 279 square feet of physical space. (See, e.g., Banker's Hill, Hillcrest, Park West Community Preservation Group v. City of San Diego (2006) 139 Cal.App.4th 249 [14-story multifamily residential building with underground parking]; Wollmer, supra, 193 Cal.App.4th [five-story mixed-use building with 98 residential units, 7,770 sf of commercial space, and 114 parking spaces]; Protect Tustin Ranch v. City of Tustin (2021) 70 Cal.App.5th 951 [16-pump (32-fuel position) gas station with a canopy, related equipment, landscaping, and 56 new parking stalls].)

community and broader region. Courts have long warned against unreasonable demands from project opponents intended to cause lead agencies to "jump through hoops." (*City of Irvin*e, *supra*, 238 Cal.App.4th at p. 558.) Indeed, "the comment-and-response process can ... be abused. At its worst, it could become an end in itself, simply a means by which project opponents can subject a lead agency's staff to an onerous series of busywork requests and 'go fetch' demands." (*Ibid.*; see *Long Beach Sav. & Loan Assn. v. Long Beach Redevelopment Agency* (1986) 188 Cal.App.3d 249, 263 ["[t]o allow the public review period to proceed *ad nauseam* would only serve to arm persons dead set against a project"]; *Board of Supervisors v. Superior Court* (1994) 23 Cal.App.4th 830, 837 ["CEQA was not to be 'subverted into an instrument for the oppression and delay of social, economic, or recreational development and advancement'"].)

The City need not and should not capitulate to the very few people who argue that that current process be extended long into the future. The CEQA document prepared for this much-needed Project is sufficient.

Very truly yours,

James G. Moose Casey A. Shorrock

Cc: Keith Collins (kfc@jones-mayer.com) Lisa Kranitz (lkranitzlaw@gmail.com) Marie Jones (marie@mariejonesconsulting.com) Terry Johnson (terry@bestprop.net) Carl Best (carl@bestprop.net) Scott Best (scott@bestprop.net) John Barney (john@bestprop.net)

Attachment A: Health Risk Assessment prepared by LSA Associates for the Agua Mansa Industrial Project Draft EIR (SCH# 2020010137), City of Jurupa Valley, California (Mar. 2020)

Attachment B: Memorandum from Chris Schulze to Terry Johnson (May 17. 2023)

Attachment C: Letter from Devon Patel, Manager of Super 8 Motel to City Council (May 27 2023)

Attachment A: Health Risk Assessment prepared by LSA Associates for the Agua Mansa Industrial Project Draft EIR (SCH# 2020010137), City of Jurupa Valley, California (Mar. 2020)

# **HEALTH RISK ASSESSMENT**

AGUA MANSA INDUSTRIAL PROJECT CITY OF JURUPA VALLEY, CALIFORNIA CASE NUMBER MA18008



March 2020

# **HEALTH RISK ASSESSMENT**

# AGUA MANSA INDUSTRIAL PROJECT CITY OF JURUPA VALLEY, CALIFORNIA

## CASE NUMBER MA18008

Submitted to:

Carson Companies 100 Bayview Circle, Suite 3500 Newport Beach, California 92660

Prepared by:

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Project No. CRN1801



March 2020

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# LSA

## LIST OF ABBREVIATIONS AND ACRONYMS

AAQS	ambient air quality standards
AB	Assembly Bill
AERMOD	American Meteorological Society/Environmental Protection Agency Regulatory Model
AMIC	Agua Mansa Industrial Corridor
APU	auxiliary power unit
Basin	South Coast Air Basin
CalEPA	California Environmental Protection Agency
CAPCOA	California Air Pollution Control Officers Association
CARB	California Air Resources Board
CARB Handbook	California Air Resources Board Air Quality and Land Use Handbook: A Community Health Perspective
CEQA	California Environmental Quality Act
City	City of Jurupa Valley
DPM	diesel particulate matter
EMFAC2017	California Emissions Factor Model, Version 2017
EPA	United States Environmental Protection Agency
HARP2	Hotspots Analysis and Reporting Program, Version 2
н	Hazard Index
HRA	health risk assessment
I-10	Interstate 10
MEI	maximum exposed individual
MICR	maximum individual cancer risk
mph	miles per hour
OEHHA	Office of Environmental Health Hazard Assessment
PM	particulate matter
PM <sub>10</sub>	particulate matter less than 10 microns in size
PM <sub>2.5</sub>	particulate matter less than 2.5 microns in size
project	Agua Mansa Industrial development
ROG	reactive organic gas



SB	Senate Bill
SCAQMD	South Coast Air Quality Management District
sf	square foot/feet
SR-60	State Route 60
State	State of California
TAC	toxic air contaminant
T-BACT	toxics best available control technology
μg/m³	millions per microgram per cubic meter
URF	unit risk factor
USC	United States Code

# **1.0 INTRODUCTION**

LSA Associates, Inc. (LSA) has prepared a health risk assessment (HRA) for the proposed Agua Mansa Industrial development (project) located in Jurupa Valley, California. The project involves the development of two buildings on an undeveloped site for industrial uses. The project is planned to be constructed starting in 2019 and is planned to begin operations in 2020.

An HRA is a process used to estimate the increased health risk levels for people living and/or working near a project that emits toxic air contaminants (TACs). An HRA combines the results of studies on the health effects of various animal and human exposure to TACs with the results of studies that estimate exposure levels at different distances from pollutant sources. The purpose of this HRA is to determine the increased cancer and noncancer health risks from project-related emissions of TACs in the exhaust of diesel-powered trucks on existing nearby sensitive receptors, including residents and workers.

The City of Jurupa Valley (City) recommends the preparation of an HRA in accordance with policies and procedures of the state Office of Environmental Health Hazard Assessment (OEHHA) and the South Coast Air Quality Management District (SCAQMD). This HRA evaluates the project against the significance criteria established by the SCAQMD and is in compliance with all other applicable requirements.

#### 1.1 BACKGROUND

This section provides a discussion of regulatory guidance from the California Air Resources Board (CARB), the California Air Pollution Control Officers Association (CAPCOA), and the SCAQMD.

#### 1.1.1 California Air Resources Board Handbook and Technical Advisory

CARB has developed an *Air Quality and Land Use Handbook* (CARB Handbook; 2005) and a supplement, *Strategies to Reduce Air Pollution Exposure Near High-Volume Roadways: Technical Advisory* (CARB 2017), that are intended to serve as general reference guides for evaluating and reducing air pollution impacts associated with new projects that are part of the land use decision-making process. According to the CARB Handbook, recent air pollution studies have shown an association between both respiratory and other noncancer health effects and proximity to high-traffic roadways. Other studies have shown that diesel exhaust and other cancer-causing chemicals emitted from cars and trucks are responsible for much of the overall cancer risk from airborne toxics in California. The CARB Handbook recommends that planning agencies recognize that the configuration of warehouse and distribution centers can reduce population exposure and risk. For example, locating the main entry and exit points away from sensitive land uses helps to reduce cancer risks and other health impacts.

#### 1.1.2 California Air Pollution Control Officers Association

In 2009, the CAPCOA published guidance (CAPCOA 2009) on assessing the health risk impacts from and to proposed land use projects, focusing on the acute, chronic, and cancer impacts of sources affected by the California Environmental Quality Act (CEQA) and recommending procedures to identify when a project should undergo further risk evaluation, how to conduct the HRA, how to engage the public, what to do with the results from the HRA, and what mitigation measures may be appropriate for various land use projects.

#### 1.1.3 South Coast Air Quality Management District

The SCAQMD has its own risk assessment guidelines and required assumptions, *Supplemental Guidelines for Preparing Risk Assessments for the Air Toxics "Hot Spots" Information and Assessment Act* (2015). These guidelines incorporate the OEHHA guidance and the options to be used when using the CARB's Hotspots Analysis and Reporting Program Version 2 (HARP 2) program for risk assessment calculations.

#### **1.2 PROJECT LOCATION**

The project site is located at 12340 Agua Mansa Road in the Agua Mansa Industrial Corridor (AMIC) of Jurupa Valley, as shown on Figure 1, Project Location. The project site is located approximately 2 miles north of the State Route 60 (SR-60) freeway and 3.5 miles south of the Interstate 10 (I-10) freeway.

#### **1.3 PROJECT DESCRIPTION**

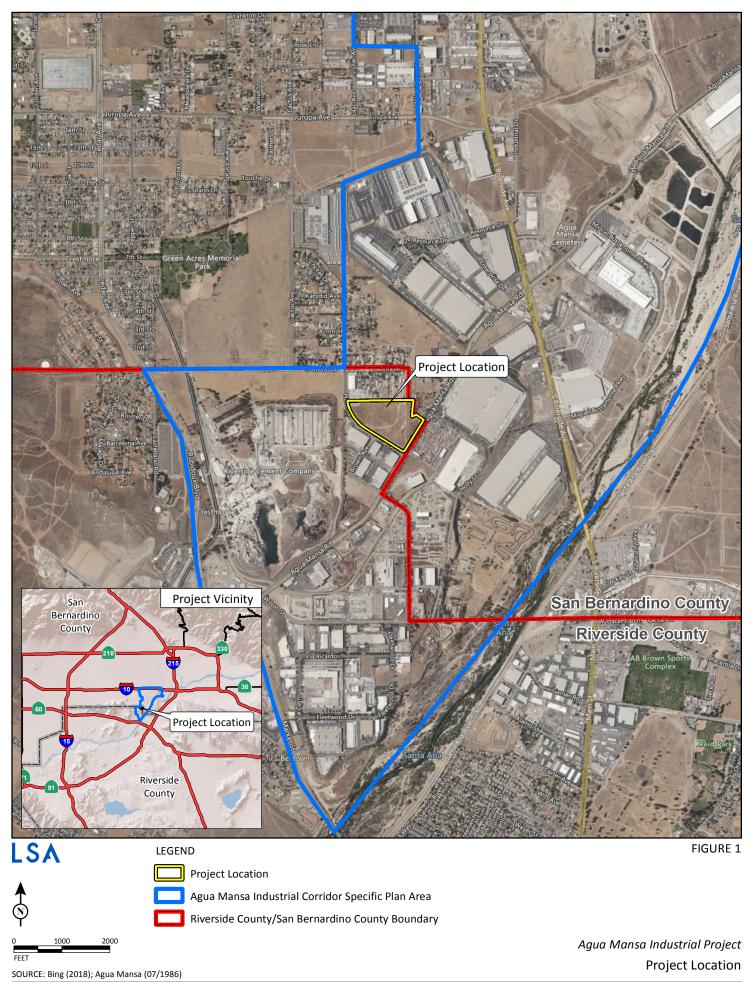
The project would develop two separate buildings on the project site for industrial uses. Building A would be 140,198 square feet (sf) on an 8.94-acre lot, and Building B would be 194,804 sf on a 14.49-acre lot. The project would also include 234 parking spaces. See Figure 2, Conceptual Site Plan. The main freight truck entrance/exits to the proposed warehouse buildings will be on Hall Avenue with separate passenger vehicle entrances also on Hall Avenue. The project trucks would travel south on Rubidoux Boulevard to the SR-60 freeway and north on Riverside Avenue to the I-10 freeway. The project includes loading bays along the west side of Building A and the south side of Building B, as shown in Figure 3, Sensitive Receptors. The project would generate a daily trip rate of 1,035 cars, 105 two-axle trucks, 51 three-axle trucks, and 125 four-plus-axle trucks.

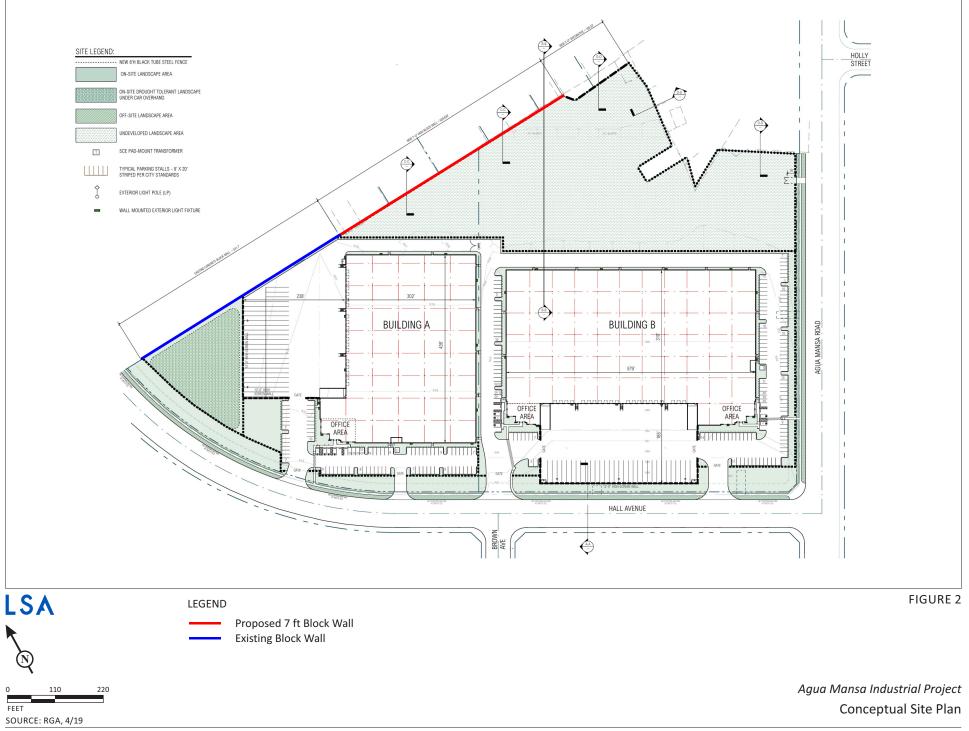
This HRA focuses on the potential health risks to residents and workers near the site, following the CARB Handbook, CAPCOA, and SCAQMD guidance and recommendations. It examines the short-term and long-term potential health effects from emissions of TACs from project operations, primarily the exhaust from trucks hauling materials to and from the project site.

## 1.4 EXISTING SENSITIVE LAND USES IN THE PROJECT AREA

Sensitive receptors include residences, schools, hospitals, and similar uses sensitive to air quality. The project site is surrounded primarily by industrial and residential development, as shown on Figure 3, Sensitive Receptors. The areas adjacent to the project site include the following uses:

- North: Industrial and residential development in the AMIC in Jurupa Valley. The closest residential building is located approximately 550 feet north of the project's loading docks and the closest worker location is located approximately 450 feet north of the project's loading docks.
- Northeast: Residential development in the AMIC in unincorporated San Bernardino County.
- **East:** Industrial development in the AMIC in San Bernardino County.
- **South:** Industrial development in the AMIC in Jurupa Valley.
- West: Industrial development and undeveloped land in the AMIC in Jurupa Valley.





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Agua Mansa Industrial Project Sensitive Receptors

 SOURCE: Google Earth (Aerial, 2018), Carson Companies (Site Plan)

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FEET



# 2.0 SETTING

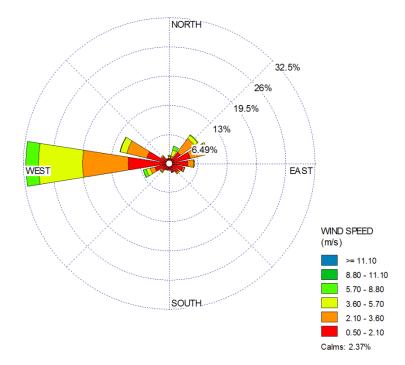
### 2.1 REGIONAL AIR QUALITY

The project site is located in Jurupa Valley, California, which is part of the South Coast Air Basin (Basin) and is under the jurisdiction of the SCAQMD.

#### 2.1.1 Climate/Meteorology

Air quality in the planning area is not only affected by various emission sources (e.g., mobile and industrial), but also by atmospheric conditions (e.g., wind speed, wind direction, temperature, and rainfall). The combination of topography, low mixing height, abundant sunshine, and emissions from the second-largest urban area in the United States gives the Basin some of the worst air pollution problems in the nation.

The nearest representative meteorological station that provides the American Meteorological Society/Environmental Protection Agency Regulatory Model (AERMOD) ready meteorological data is the Riverside Airport Meteorological Station, about 6.4 miles from the project site. Figure 4, Project Area Wind Patterns, below, shows the windrose from data measured at this station and the wind patterns for the project area.



#### **Figure 4: Project Area Wind Patterns**



#### 2.1.2 Toxic Air Contaminants

The public's exposure to TACs is a significant environmental health issue in the State of California. In 1983, the California Legislature enacted a program to identify the health effects of TACs and to reduce exposure to these contaminants to protect the public health. The Health and Safety Code defines a TAC as "an air pollutant which may cause or contribute to an increase in mortality or in serious illness, or which may pose a present or potential hazard to human health." A substance that is listed as a hazardous air pollutant pursuant to subsection (b) of Section 112 of the Federal Act (42 United States Code [USC] Section 7412[b]) is a TAC. Under State law, the California Environmental Protection Agency (CalEPA), acting through CARB, is authorized to identify a substance as a TAC if it determines the substance is an air pollutant that may cause or contribute to an increase in mortality or an increase in serious illness, or which may pose a present or potential hazard to human health.

California regulates TACs primarily through Assembly Bill (AB) 1807 (Tanner Air Toxics Act), AB 2588 (Air Toxics "Hot Spot" Information and Assessment Act of 1987), and Senate Bill (SB) 25, the Children's Environmental Health Protection Act. The Tanner Air Toxics Act sets forth a formal procedure for CARB to designate substances as TACs. Once TACs are identified, CARB adopts an "airborne toxics control measure" for sources that emit designated TACs. If there is a safe threshold for a substance at which there is no toxic effect, the control measure must reduce exposure to below that threshold. If there is no safe threshold, the measure must incorporate toxics best available control technology (T-BACT) to minimize emissions.

Air toxics from stationary sources are also regulated in California under the Air Toxics "Hot Spot" Information and Assessment Act of 1987 (AB 2588). Under AB 2588, TAC emissions from individual facilities are quantified and prioritized by the designated air quality management district or air pollution control district. High priority facilities are required to perform an HRA and, if specific thresholds are exceeded, are required to communicate the results to the public in the form of notices and public meetings.

To date, CARB has designated nearly 200 compounds as TACs. Additionally, CARB has implemented control measures for a number of compounds that pose high risks and show potential for effective control. The majority of the estimated health risks from TACs can be attributed to relatively few compounds, the most important being particulate matter from diesel-fueled engines (diesel particulate matter [DPM]).

## 3.0 THRESHOLDS

#### 3.1 HEALTH RISK ASSESSMENT THRESHOLDS OF SIGNIFICANCE

Both the State and federal governments have established health-based ambient air quality standards (AAQS) for seven air pollutants. For other air pollutants without defined significance standards, the definition of substantial pollutant concentrations varies. For TACs, "substantial" is taken to mean that the individual health risk exceeds a threshold considered to be a prudent risk management level.

The following limits for maximum individual cancer risk (MICR) and noncancer acute and chronic Hazard Index (HI) from project emissions of TACs are considered appropriate for use in determining the health risk for projects in the Basin:

• **MICR:** MICR is the estimated probability of a maximum exposed individual (MEI) contracting cancer as a result of exposure to TACs over a period of 30 years for adults and 9 years for children in residential locations and over a period of 25 years for workers. The MICR calculations include multi-pathway consideration, when applicable.

The cumulative increase in MICR that is the sum of the calculated MICR values for all TACs would be considered significant if it would result in an increased MICR greater than 10 in 1 million  $(1.0 \times 10^{-5})$  at any receptor location.

• **Chronic HI:** Chronic HI is the ratio of the estimated long-term level of exposure to a TAC for a potential MEI to its chronic reference exposure level. The chronic HI calculations include multipathway consideration, when applicable.

The project would be considered significant if the cumulative increase in total chronic HI for any target organ system would exceed 1.0 at any receptor location.

• Acute HI: Acute HI is the ratio of the estimated maximum 1-hour concentration of a TAC for a potential MEI to its acute reference exposure level.

The project would be considered significant if the cumulative increase in total acute HI for any target organ system would exceed 1.0 at any receptor location.

The SCAQMD *CEQA Air Quality Handbook* (1993, currently under revision) states that emissions of TACs are considered significant if an HRA shows an increased risk of greater than 10 in 1 million. Based on guidance from SCAQMD in the document *Health Risk Assessment Guidance for Analyzing Cancer Risks from Mobile Source Diesel Idling Emissions for CEQA Air Quality Analysis* (2003), for the purposes of this analysis, the threshold of 10 in 1 million was used as the cancer risk threshold for the proposed project.

## 4.0 IMPACTS AND MITIGATION

#### 4.1 HEALTH RISK ASSESSMENT

For the purposes of an HRA, short-term emissions are of concern for analyzing acute health impacts, and long-term emissions are of concern for analyzing chronic and carcinogenic health impacts. A screening-level multi-pathway assessment has been conducted. This technique was chosen as recommended in the OEHHA *Air Toxic Hot Spots Program Risk Assessment Guidelines* (March 2015).

This HRA has been conducted using three models: the CARB's California Emissions Factor Model, Version 2017 (EMFAC2017) for vehicle emissions factors and percentages of fuel type within the overall vehicle fleet, the United States Environmental Protection Agency's (EPA) AERMOD air dispersion model to determine how the TACs would move through the atmosphere after release from sources both on site and on surrounding roadways, and the CARB's Hotspots Analysis and Reporting Program (HARP2) model to translate the pollutant concentrations from AERMOD into individual health risks at any sensitive receptor locations surrounding the project site.

This HRA includes analyzing the inhalation, dermal soil, mother's milk, and homegrown produce pathways. This technique was chosen as prescribed in SCAQMD's *Supplemental Guidelines for Preparing Risk Assessments for the Air Toxics "Hot Spots" Information and Assessment Act* (June 2015).

The OEHHA has determined that long-term exposure to diesel exhaust particulates poses the highest cancer risk of any TAC it has evaluated. Exposure to diesel exhaust can also have immediate health effects. Diesel exhaust can irritate the eyes, nose, throat, and lungs, and it can cause coughs, headaches, lightheadedness, and nausea. In studies with human volunteers, DPM made people with allergies more susceptible to the materials to which they are allergic, such as dust and pollen. Exposure to DPM also causes inflammation in the lungs, which may aggravate chronic respiratory symptoms and increase the frequency or intensity of asthma attacks. For risk assessment procedures, the OEHHA specifies that the surrogate for whole diesel exhaust is DPM.

The conservative nature of this analysis is due primarily to the following three factors:

- The CARB-adopted diesel exhaust unit risk factor (URF) of 300 in 1 million per microgram per cubic meter (µg/m<sup>3</sup>) is based on the upper 95<sup>th</sup> percentile of estimated risk for each of the epidemiological studies used to develop the URF. Therefore, the risk factor is already representative of the conservative risk posed by DPM.
- The risk estimates assume sensitive receptors will be subject to DPM for 24 hours per day, 350 days per year. As a conservative measure, SCAQMD does not recognize indoor adjustments for

residents. However, typical people spend the majority of their time indoors versus remaining outdoors for 24 hours per day, 350 days per year.<sup>1</sup>

• The exposure to DPM is assumed to be constant for the given period analyzed (i.e., 30 years). However, emissions from DPM are expected to substantially decrease in the future with the implementation of standard regulatory requirements and technological advancement to reduce DPM.

Improvements over the last 40 years to diesel fuel and diesel engines have resulted in lower emissions of some of these contaminants. These improvements have resulted in a 75 percent reduction in particle emissions from diesel-powered trucks and other equipment as compared to 2000 levels, and by 2020, when fully implemented, will result in an 85 percent reduction.<sup>2</sup> These improvements are anticipated to continue into the foreseeable future.

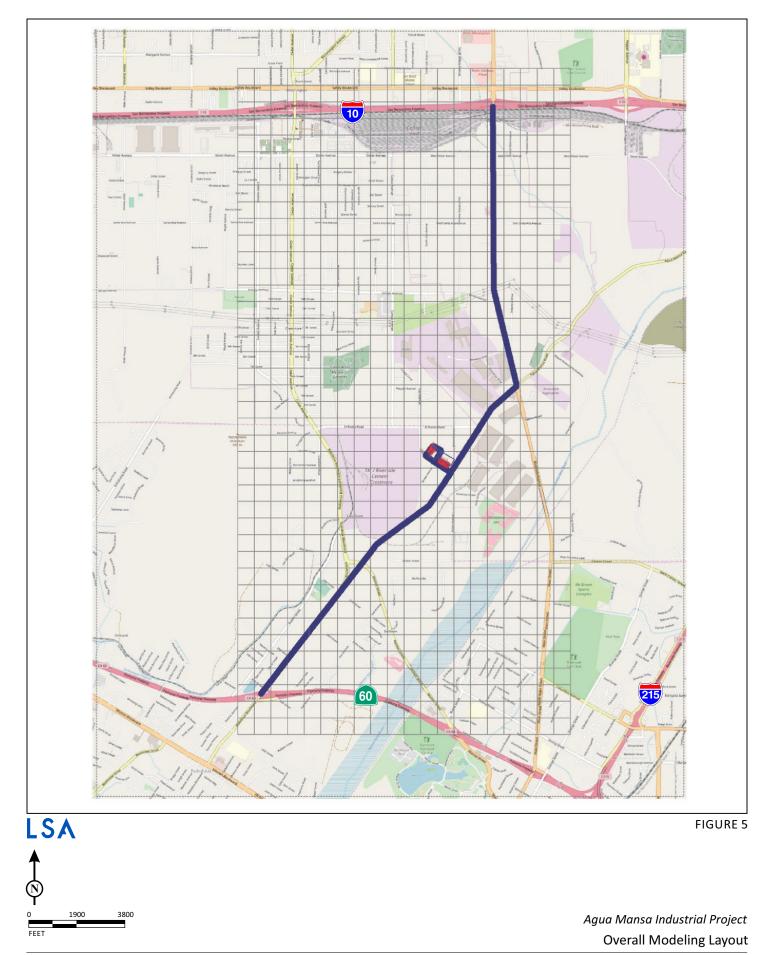
#### 4.1.1 Emission Sources

The first step of an HRA is to characterize the project-related emissions of TACs. According to the *Agua Mansa Industrial Traffic Impact Analysis* (LSA 2020), the project would generate a daily trip rate of 1,035 cars, 105 two-axle trucks, 51 three-axle trucks, and 125 four-plus-axle trucks. The traffic study also characterized the routes and percentages of the car and truck traffic that would travel to and from the project site. While the TAC emissions from gasoline-powered vehicles have a small health effect compared to DPM, this HRA includes all the traffic information described and both gasoline- and diesel-powered vehicle emissions. For the diesel exhaust emissions, it is sufficient to only consider the DPM (particulate matter less than 10 microns in diameter [PM<sub>10</sub>] and particulate matter less than 2.5 microns in size [PM<sub>2.5</sub>]) portions of the exhaust; all the TACs for the gasoline exhaust emissions are contained in the reactive organic gas (ROG) emissions. Using speciation data from CARB, the emission rates of the TAC components are derived from the total ROG emissions.

The vehicles associated with the project were assumed to operate 24 hours per day, 7 days per week, and 52 weeks per year. The project trucks operate in two modes: stationary idling and moving on and off the site. The emissions from trucks while idling result in a much higher concentration of TACs at nearby sensitive receptors compared to the emissions from moving trucks. This is due to the dispersion of emissions that occurs with distance and with travel of the vehicle. For this HRA, the truck travel emissions were modeled as a series of volume sources along on-site buildings and driveways and along truck routes to the I-10 and SR-60 freeways. These sources cover the anticipated primary truck routes as shown on Figure 5, Overall Modeling Layout, with the dark blue

<sup>&</sup>lt;sup>1</sup> In May 1991, the CARB Research Division, in association with the University of California, Berkeley, published research findings titled *Activity Patterns of California Residents*. The findings of that study indicate that on average, adults and adolescents in California spent almost 15 hours per day inside their homes and 6 hours in other indoor locations, for a total of 21 hours (87 percent of the day). About 2 hours per day were spent in transit, and just over 1 hour per day was spent in outdoor locations.

 <sup>&</sup>lt;sup>2</sup> California Environmental Protection Agency (CalEPA), Office of Environmental Health Hazard Assessment (OEHHA), and American Lung Association of California. 2001. *Health Effects of Diesel Exhaust*. May 21, 2001. Website: oehha.ca.gov/air/health-effects-diesel-exhaust, accessed May 2018.



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line. While it is possible that a few trucks could take other routes, the small number of trucks going on any routes other than those identified as the main routes would not add substantial amounts of TACs along those routes. LSA assumed vehicles traveling on site would maneuver slowly, averaging approximately 5 miles per hour (mph), and that vehicles traveling on roadways would average 35 mph.

The idling emissions of trucks operating on the project site were modeled as individual point sources at idling locations along the planned loading docks for both buildings, shown on Figure 5 as red dots. While the idling times of the trucks are regulated to be no more than 5 minutes, it is possible the trucks will stop at the loading dock and one or two other areas on site during a single delivery. For the purposes of this HRA, the idling times per delivery were conservatively assumed to be 15 minutes per delivery.

EMFAC2017 was used to determine the emissions factors of idling and operating diesel trucks to determine the total emissions of PM<sub>10</sub>. While the TAC of concern from diesel trucks is DPM, EMFAC2017 does not include emissions factors for this TAC. DPM is a component of the overall exhaust from the project-related trucks. This HRA conservatively assumes the DPM emissions are equal to the PM<sub>10</sub> emissions when actually the DPM is only a portion of the overall PM<sub>10</sub> in the truck exhaust. While it is expected that the truck emissions rate will continue to reduce over time, an HRA only allows for a single emission rate to represent the entire 25- or 30-year exposure period. The use of emissions factors for the year 2025 was selected for this HRA to be conservative. For instance, based on operations starting in 2020, using emissions factors for a 2026 vehicle fleet (the midpoint of the 9-year exposure period) or using emissions for a 2036 vehicle fleet (the midpoint of the 30-year exposure period) could be used; however, either of these would be less conservative.

The tables in Appendix A show the development of the exhaust emission rates for the trucks while operating both on the project site and on the roadways as described in the project traffic study. The tables show the average daily traffic for the entire project on each stretch of road by vehicle category. The percentage within each vehicle category that is diesel powered (from EMFAC2017) and the PM<sub>10</sub>, PM<sub>2.5</sub>, and ROG emissions factors for each vehicle category at the average vehicle speed of 5 mph on site and 35 mph on roadways are also shown. Because the AERMOD dispersion model cannot use emissions in grams per mile, emissions are converted to grams per second. The same derivation is repeated for ROG emissions from gasoline-powered vehicles (all TAC emissions from gasoline exhaust are contained in the ROG emissions).

Table A shows the development of the exhaust emission rates for the trucks while idling on the project site. These emissions are equally divided among the 11 point sources located at all the loading dock areas for the two project buildings. These are depicted on Figures 5 and 6 as red circles next to the project buildings. Emissions data results are shown in Table A using the idling emissions factors from EMFAC2017 for these trucks, combined with the total truck count, and assuming 15 minutes of idling per trip.

Facility	Hours/	Trucks/ Dav <sup>1</sup>	Trucks/		Exhaust per (g/hr) <sup>2</sup>	Idle Time (min/trip) <sup>3</sup>	Idle Exhaust Diesel (g/hr)	
	Day	Day∸	Hour	PM10	PM <sub>2.5</sub>	(mm/trip) <sup>s</sup>	PM10	PM <sub>2.5</sub>
Loading Dock	24	282	11.7	0.00010	0.00010	15	0.0003	0.0003

### **Table A: Agua Mansa Industrial Truck Idling Emission Rates**

Source: LSA Associates, Inc. (March 2020).

<sup>1</sup> Agua Mansa Industrial Traffic Impact Analysis (LSA 2020). Note that each truck visit comprises two trips, one to arrive and one to depart.

<sup>2</sup> CARB EMFAC2017 idling emissions factors for 2020 MHDT & HHDT diesel trucks.

<sup>3</sup> This table assumes each truck idles for 15 minutes per trip to account for multiple stops (i.e., at an entry check-in, loading/unloading, and miscellaneous on-site activities).

CARB = California Air Resources Board

EMFAC2017 = California Emissions Factor Model, Version 2017 g/hr = grams per hour HHDT = Heavy-Heavy-Duty Truck min/trip = minutes per trip MHDT = Medium heavy-duty truck

mph = miles per hour

 $PM_{10}$  = particulate matter less than 10 microns in diameter  $PM_{2.5}$  = particulate matter less than 2.5 microns in diameter

It was assumed the trucks would idle using their main engines rather than an auxiliary power unit (APU) or plugging in to shore power throughout their time at the project site. This is a very conservative assumption, as the loading docks are required to have electrical hookups and the trucks to have the ability to run their accessories from that electricity, so it is likely that the trucks would only be operating on their own power when arriving or departing. CARB has developed plans (CARB 2017) to transition to near-zero-emission technologies and ultimately zero-emission technologies. These will be phased in over time, possibly beginning in the 2020 decade and extending out to 2050.

## 4.1.2 American Meteorological Society/Environmental Protection Agency Regulatory Model Dispersion Modeling

In order to assess the dispersion of emissions associated with the project, air dispersion modeling was performed using AERMOD. The model is approved by the EPA when estimating the air quality impacts associated with point and fugitive sources in simple and complex terrain. The model was used to calculate the annual average and short duration (e.g., 1-hour) pollutant concentrations associated with each emitting source. Inputs for each emitting source were based on the characterizations described above. Details of these inputs are shown in Appendix B.

For the volume sources used to represent on-road mobile source activity, vertical (sigma z) dispersion parameters were developed as described in the EPA guidance for trucks. Horizontal (sigma y) dispersion parameters were generated by dividing the source separation distance by a standard deviation of 2.15, as described in the EPA guidance. For the truck idling locations, individual point sources represent the idling at all the loading docks by points spread along all loading dock locations and the total idling emissions spread equally. For all the idling sources, the release height was set to the approximate truck exhaust stack height of 12 feet, a temperature of 200°F, a flow rate of 50 meters per second, and an exhaust pipe diameter of 4 inches. Because building wake effects (building downwash) influences can significantly increase concentrations for receptors located downwind of the building close to the emissions source, the proposed new buildings were included with a building height of 45 feet for Building A and 44 feet for Building B.

The model requires additional input parameters, including local meteorology. Due to the model's sensitivity to individual parameters (e.g., wind speed, temperature, and direction), the EPA recommends meteorological data used as input into dispersion models be selected on the basis of relative spatial and temporal conditions that exist in the area of concern. As such, 5 years of meteorological data from SCAQMD's Riverside-Rubidoux Monitoring Station<sup>1</sup> (the nearest available) was used to represent local weather conditions and prevailing winds.

Receptors were placed in an approximately 2.5- by 5-mile grid, as shown on Figure 5, from west of Linden Avenue to east of Market Street, and from north of the I-10 to south of the SR-60 to characterize the regional risk levels. Additionally, discrete receptors were places at the location of all sensitive receptors surrounding the proposed project site.

#### 4.1.3 Hotspots Analysis and Reporting Program Modeling

CARB's HARP2 model is a tool that assists with the programmatic requirements of the Air Toxics "Hot Spots" Program (AB 2588). HARP2 was used to translate the TAC concentrations from AERMOD into long-term carcinogenic and chronic, and short-term acute health risk levels following the guidance in the SCAQMD risk assessment guidelines (2015) for residents and workers. These guidelines specify a minimum set of TAC pathways and HARP2 modeling options for the carcinogenic assessment. To estimate chronic noncancer risks at residential receptors, the "OEHHA-Derived Method" risk-calculation option was used. Following the OEHHA guidance (2015), an 8-hour chronic noncancer risk was calculated for residential receptors because the project would operate more than 8 hours per day and 5 days per week.

The dose-response relationship for a specific pollutant describes the association between exposure and the observed response (health effect). In other words, the relationship estimates how different levels of exposure to a pollutant change the likelihood and severity of health effects. The doseresponse relationship (the response occurring with increasing doses) varies with each pollutant, individual sensitivity, and type of health effect. Combining the results of the emission characterization and dispersion modeling described above with the dose-response assessment gives an estimate of the increased health risk for an individual exposed to the maximum predicted longterm concentrations of TACs.

#### 4.1.4 Acute Project-Related Emission Impacts

Exposure to TACs from vehicle exhaust can result in immediate health effects. However, according to the rulemaking in CARB's *Identifying Particulate Emissions from Diesel-Fueled Engines as a Toxic Air Contaminant* (1998), the available data from studies of humans exposed to diesel exhaust are not sufficient for deriving an acute noncancer health risk guidance value. Emissions from gasoline-powered vehicles do contain TACs with short-term acute health effects. The acute health risks from the project's on-site truck activity and roadway traffic are shown in Table B.

<sup>&</sup>lt;sup>1</sup> South Coast Air Quality Management District (SCAQMD). Meteorological Data for AERMOD. Website: http://www.aqmd.gov/home/library/air-quality-data-studies/meteorological-data/data-for-aermod, accessed November 2017.

	Maximum Cancer Risk	Maximum Noncancer Chronic Risk	Maximum Noncancer Acute Risk
Location	(risk per million)	(Hazard Index)	(Hazard Index)
Residential Risks	0.12 in 1 million	0.00011	0.0003
Worker Risks	0.03 in 1 million	0.0003	0.0004
SCAQMD Significance Threshold	10	1.0	1.0
Significant?	No	No	No

#### Table B: Health Risk Levels for Existing Residents Near the Project Site

Source: Compiled by LSA Associates, Inc. (March 2020).

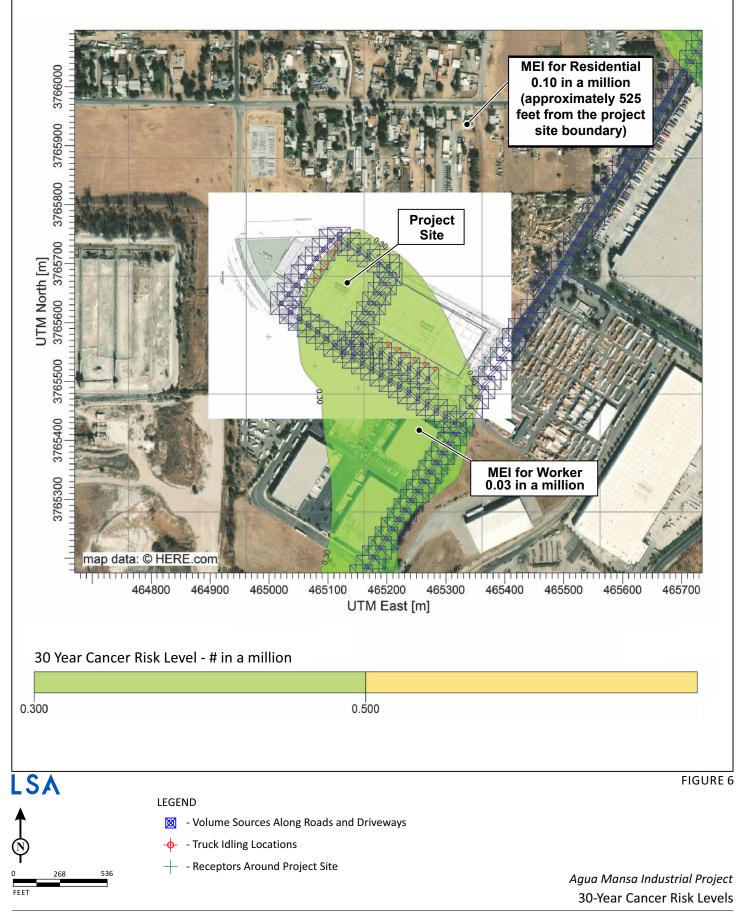
SCAQMD = South Coast Air Quality Management District

The Acute HI for the residential MEI would be 0.0003, and for the worker, the MEI would be 0.0004; both are less than the threshold of 1.0.

#### 4.1.5 Carcinogenic and Chronic Project-Related Emission Impacts

The carcinogenic and chronic health risks from the proposed project are also shown in Table B. The residential risk incorporates both the risk for a child living in a nearby residence for 9 years (the standard period of time for child risk) and an adult living in a nearby residence for 30 years (considered a conservative period of time for an individual to live in any one residence). The maximum cancer risk for the residential MEI would be 0.12 in 1 million, less than the threshold of 10 in 1 million. Figure 6, 30 Year Cancer Risk Levels, shows the extent of the 0.3 in 1 million cancer risk level. The maximum cancer risk for the worker MEI would be 0.03 in 1 million, also less than the threshold of 10 in 1 million. The chronic health risks from the project's on-site and roadway traffic are shown in Table B.

As these results show, all health risk levels to nearby residents and workers from project-related emissions of TAC would be well below SCAQMD's HRA thresholds. No significant health risk would occur from project-related truck traffic, and no mitigation is necessary. Appendix B provides the HARP modeling reports and AERMOD information.



I:\CRN1801\G\30-Year Cancer Risk Levels.cdr (11/15/2018)

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# **APPENDIX A**

# **EMISSION FACTORS FOR VEHICLES AND HEALTH RISK ASSESSMENT EMISSION RATES**

EMFAC2017 Emission Rates Region Type: Air Basin Region: South Coast Calendar Year: 2025 Season: Annual Vehicle Classification: EMFAC2011 Categories

Region         CalYr         Season         Veh_Class         Fuel         (miles/hr)         (miles/hr)         (gms/mile)         (gms/mile) <th< th=""><th>Vehicle Class</th><th>ification</th><th>EMFA</th><th>C2011 Categories</th><th></th><th>~ .</th><th></th><th></th><th></th><th></th><th></th></th<>	Vehicle Class	ification	EMFA	C2011 Categories		~ .					
South Coat         202.5         Annual Aggreg Light Veh         GAS         5         609/24         0.022443         0.00341260         0.00348260         0.00348260         D.00348260         D.00348250         D.00348260         D.00348260         D.00348260         D.00348260         D.00348260         D.00348260         D.00348260         D.00348260         D.0034724250         D.0017421480         D.001742250         D.0017421480         D.0017421480         D.0017421480         D.0017421480         D.0017421480         D.0017421480         D.0017421480         D.0017421480         D.0017421490         D.001515456         D.0017421400         D.0017421400         D.00174251         D.0017421480         D.00174251         D.0017421480         D.00174251         D.00174251         D.00174251         D.00174251         D.00174400         D.001745140         D.001745140         D.00174251	Pagion	CalVr	Sancon	Vah Class	Fuel	Speed (miles/hr)	VMT (miles/day)	ROG	PM10	PM2.5	
South Coast         2025         Annual Agereg Light Veh         GAS         10         2.354.892         0.0072169         0.0084296         0.001370165           South Coast         2025         Annual Agereg Light Veh         GAS         15         6.13317         0.123777         0.01485295         0.001370165           South Coast         2025         Annual Agereg Light Veh         GAS         25         37.941844         0.4446         0.44873459         0.01374145         0.0163275         0.00137145         0.01874257         0.01874257         0.01874257         0.01874257         0.01874257         0.01874257         0.01874257         0.01874579         0.01874579         0.01874579         0.01875479         0.01875479         0.01875479         0.01875479         0.01875479         0.01875479         0.01875479         0.01875479         0.01875479         0.001875479         0.01875489         0.01875489         0.01875489         0.01875489         0.01875489         0.01875489         0.001875489         0.001875489         0.001875489         0.001875489         0.001875489         0.001875489         0.001875489         0.001875489         0.001875489         0.001875489         0.001875489         0.001875489         0.001875489         0.001875489         0.001875489         0.001875499         0.001875499 </td <td></td> <td></td> <td></td> <td>—</td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td>				—							
South Cost         2025         Annual Aggreg Light Veb         GAS         15         6,138,317         0.122977         0.014856239         0.00357208           South Cost         2025         Annual Aggreg Light Veb         GAS         25         37,941,844         0.044854298         0.003960698         100,00786278           South Cost         2025         Annual Aggreg Light Veb         GAS         34         24,274,253         0.01271410         117,2171111         117,217111         117,217111         117,217111         117,217111         117,217111         117,217111         117,217111         117,217111         117,217111         117,217111         117,217111         117,217111         117,217111         117,217111         117,217,217111         117,217,217111         117,217,217,217,217111 <t< td=""><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td></t<>											
South Coast         2025         Annual Agereg Light Veh         GAS         20         17.975.593         0.255.481         0.038092223         0.038092223         0.038092223         0.038092223         0.038092223         0.038092223         0.0380922											
South Coast         2025         Annual Aggreg Light Veb         GAS         25         37.941,844         0.4044         0.018747028         0.003000691         11.01,11711           South Coast         2025         Annual Aggreg Light Veb         GAS         34         0.2584808         0.00217148         0.003000691         11.01,11711           South Coast         2025         Annual Aggreg Light Veb         GAS         45         14.520,160         0.008448         0.00871713         VIII Veb         GAS         55         12.158.33         0.0051710         0.00758137         0.0075137         South Coast         2025         Annual Aggreg Light Veb         GAS         65         7.717416         0.00175637         0.0075137         South Coast         2025         Annual Aggreg Light Veb         GAS         60         1.6430,118         0.001526354         0.00157365         EFs         South Coast         2025         Annual Aggreg Light Veb         SL         1.5         1.5         1.5         1.5         1.5         1.5         0.00152845         0.0017133         Gosta Coast         0.00174134         0.00174134         0.00174134         0.00174134         0.00174134         0.00174134         0.00174134         0.00174134         0.00174134         0.00174144         0.011755				00 0 0							2
South Coast         2025         Annual Aggreg Light Ve         GAS         30         42,386,143         0.35588         0.04294839         0.039640802         LIT7, LITT)           South Coast         2025         Annual Aggreg Light Ve         GAS         35         24,24923         1618705         0.00391700         MIH Motroadt           South Coast         2025         Annual Aggreg Light Ve         GAS         55         11,212,1121         0.0171631         0.00851733         0.007921483           South Coast         2025         Annual Aggreg Light Ve         GAS         55         11,224,116         0.01195369         0.0195379           South Coast         2025         Annual Aggreg Light Ve         GAS         65         7,870,401         0.049089         0.00159271         0.0055937           South Coast         2025         Annual Aggreg Light Ve         DSL         1         1.11228         0.0185548         0.001791020         EFs.           South Coast         2025         Annual Aggreg Light Ve         DSL         1         1.228         0.0185548         0.00167935         0.00757111023         Interved by           South Coast         2025         Annual Aggreg Light Ve         DSL         1         1.228         0.01358144											-
South Cose         2025         Annual Agree Light Veh         GAS         45         24,249.29         0.162376         0.02017148         0.01776486         Mit Motorecoch           South Cose         2025         Annual Agree Light Veh         GAS         45         11,763.182         0.009657333         0.009712483         Mit Motorecoch           South Cose         2025         Annual Agree Light Veh         GAS         55         12,183.33         0.00967133         0.009721483         Mit SBUE Motorecoch           South Cose         2025         Annual Agree Light Veh         GAS         65         1,770.401         0.009688363.07         0.00772143         Mit SBUE Motorecoch         EFs.           South Cose         2025         Annual Agree Light Veh         GAS         5         1,776         2.1157.08         2.714782-0         2.01757646         0.01757666         SUE Notes         2.025         Annual Agree Light Veh         DSL         5         1.1228         0.0182847         0.0171613         Mit SWE Motorecoch         DUS         5         1.1228         0.0182647         0.0104722         Light Veh         DSL         5         5         1.1228         0.0182647         0.0104720         Light Veh         DSL         5         5         1.1228         <											
South Coast         2025         Annual Aggreg Lipht Veh         GAS         4.0         17,633,182         0.106/1950         0.10277442         0.1177483         0.007811701         Mini Motorcoabt           South Coast         2025         Annual Aggreg Lipht Veh         GAS         5.5         12,158,383         0.00781483         0.00781440         0.0075844         0.00781440         0.0075844         0.00781440         0.00159527         0.00612921         0.0066129210         0.006129210         0.006129210         0.006129210         0.0061293210         0.0061293210         0.0061293210         0.0061293210         0.0061293210         0.0061293210         0.0061293210         0.0061293210         0.0061293210         0.0061293210         0.0061293210         0.006139309         0.007313049         0.00141348         0.00713548         0.00151254         0.001671011023         Trace by factoring FFS for 0.00084176         0.02504176         D.10711023         Trace by factoring FFS for 0.00084176         0.0006339320         0.000971723         UT1711023											
South Coast         2025         Annual Aggreg Light Veh         GAS         45         14,559,106         0.009647383         0.00972183         0.00972183         0.00972183           South Coast         2025         Annual Aggreg Light Veh         GAS         55         12,158,383         0.00121871         0.0078884         0.0072183         0.00972183         0.0072183         0.0072183         0.0072183         0.0072183         0.0072183         0.0072183         0.0072183         0.0072183         0.0072183         0.0075133         0.0073183         0.0075133         0.0015133         0.0015133         0.0015133         0.0015133         0.0015133         0.0015133         0.0015133         0.0015133         0.0015133         0.0015133         0.0015133         0.0015133         0.0015133         0.0015133         0.0015133         0.0015133         0.0015133         0.00151333         0.00151333         0.00151333 <t< td=""><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td></t<>											
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South Coast         2025         Annual Agerge Light Veh         DSL         5         11.228         0.018/5824         0.0018/5846         0.00415857         0.00435309           South Coast         2025         Annual Agerge Light Veh         DSL         10         41.160         0.0415848         0.004715827         0.00435309           South Coast         2025         Annual Agerge Light Veh         DSL         2         291.214         0.0588386         0.02382967         0.02308107         1D.L.P.IT.I.           South Coast         2025         Annual Agerge Light Veh         DSL         35         470.040         0.0914935         0.00383967         0.02367027         LDZ         HID.Z.H.D.Y.I.           South Coast         2025         Annual Agerge Light Veh         DSL         40         392.308         0.03581945         VMI for each to         368105 %         VMI for each to         382.010         0.0381940         VMI for each to         382.010         Coats         2025         Annual Agerge Light Veh         DSL         50         403.156         0.00381942         VMI for each to         382.010         363.010         0.00464823         0.00164753         363.010         0.00164753         363.010         0.00164921         363.0010         303.010         0.0016492											
South Coast         2025         Annual Agerg Light Veh         DSL         10         41,160         0.0415848         0.00415827         0.00433099         These EFs are derived by controls           South Coast         2025         Annual Agerg Light Veh         DSL         29         291,214         0.008528452         0.00715133         derived by factoring EFs for 0.00852845         0.0018528452         0.0018528452         0.0018528452         0.001850847         0.002801670         LDA, LDT1, LDT, LDT1, LDT2, LHD1, LDT2, LHD1, South Coast         2025         Annual Agerg Light Veh         DSL         40         302,208         0.004788173         0.00447285         and SUDS by 30000380194         VMT for each to assolve to assolve to assolve to 300057442         VMT for each to assolve to 3000380194         0.00381014         0.00415035         and SUDS by 30000380194         VMT for each to assolve to 3000380194         0.00150195         and SUDS by 3000100380194         VMT for each to assolve to 3000380194         0.00150195         gregat eight Veh         DSL         50         772,849         0.0422317         0.00648029         0.00615085         assolve to 3000380194         VMT for each to 3000380194         0.00178317         0.00149401         assolve 3000104945         S00017033											
South Coast         2025         Annual Agerge Light Veh         DSL         15         105,827         0.073274         0.00840508         0.00776133         Infest Frame derived by factoring EFS for UDA.           South Coast         2025         Annual Agerge Light Veh         DSL         20         29,1214         0.1583818         0.0185087         0.000382967         0.02362067         0.2346202         LDT1, LDT2, LLDT2, LDT2, LLDT2, LLDT2, LLDT2, LDT2, LLDT2, LLDT2, LLDT2, LLDT2, LLDT2, LDT2, LLDT2, LLDT2, LLDT2, LLDT2, LLDT2, South Coast         2025         Annual Agerge Light Veh         DSL         45         337,107         0.039876         0.00478017         0.00447835         0.00487014         0.00351049         VMT for each to BS outh Coast         2025         Annual Agerge Light Veh         DSL         55         403,156         0.0038104         0.00478017         0.00448235         0.0041751         0.00448335           South Coast         2025         Annual Agerge Light Veh         DSL         70         435         0.0108844         0.00772115         0.00448335         ejt a weighted agergaate set of EFs.           South Coast         2025         Annual To instate heavy         DSL         10         5618.263428         0.0017214         0.00077214         0.00077214         0.00077214         0.00160307         0.00176140         0.001498											
South Coast         2025         Annual Agereg Light Veh         DSL         20         291,214         0.1882818         0.01825822         0.01711023         Incluning EFs for IDA, LDTI, LDT, LDT, LDT, LDT, LDT, LDT, LDT, LDT							·				These EFs are
South Coast         2025         Annual Aggreg Light Veh         DSL         25         589.945         0.2598252         0.03032967         0.028061769         LDR.LDTI, LDT2, LHD1, LDT2, LDT2, LDT2, LDT2, LDT2, LDT2, LDT2, LDT2, LDT2, LDT2, LDT2, L							-				derived by
South Coast         2025         Annual         Aggreg Light Veh         DSL         30         706,340         0.2162245         0.02338164         0.02346202         LID72, LHD1, LHD2, MDV, SUB           South Coast         2025         Annual         Aggreg Light Veh         DSL         45         337,107         0.0399876         0.0047255         0.00447858         0.0038194         0.00447858         0.0038194         0.00447858         0.003599424         MIK Motorecech and SBUS by South Coast         2025         Annual         Aggreg Light Veh         DSL         50         352,016         0.0338104         0.00417955         0.00389976         0.00472015         0.00389876         0.00059986           South Coast         2025         Annual         Aggreg Light Veh         DSL         60         772,849         0.0422317         0.004478015         0.00148935           South Coast         2025         Annual         Aggreg Light Veh         DSL         5         1777,17115         0.0008786         4.03924064         2.02964         0.000279621           South Coast         2025         Annual         Aggreg Light Veh         DSL         5         15055.375         0.0012465         0.000279621           South Coast         2025         Annual         T6 <iinst< td=""><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td>factoring EFs for</td></iinst<>											factoring EFs for
South Coast         2025         Annual         Aggreg Light Veh         DSL         35         470,404         0.0914935         0.006383952         0.00047225         LHD2, MDV.           South Coast         2025         Annual         Aggreg Light Veh         DSL         400         392,308         0.0053498         0.006383952         0.004478153         0.004478153         0.004478153         0.004478153         0.004478153         0.004478153         0.004478153         0.004478153         0.004478153         0.004478153         0.004478153         0.004478153         0.004478153         0.004478153         0.004478153         0.004478153         0.004478153         0.0064021         VMT for each to aveighted aggregate set of ES         5         400,177         0.00448029         0.00617953         0.00124075         South Coast         2025         Annual         Aggreg Light Veh         DSL         5         1737,171415         0.0008786         0.4439454         0.00077614         0.001690621           South Coast         2025         Annual         76         instate heavy         DSL         10         5618.263428         0.0012254         0.0006775         South Coast         2025         Annual         76         instate heavy         DSL         20         41478.8504         0.0012510											LDA, LDT1,
South Coast         2025         Annual         Aggreg Light Veh         DSL         40         392,308         0.0534989         0.006383952         0.00924427         MH, Motoreach           South Coast         2025         Annual         Aggreg Light Veh         DSL         45         337,107         0.0398716         0.00481873         0.00441835         0.00481753         0.00481753         0.00481753         0.00481753         0.00481753         0.00481753         0.00481753         0.00481753         0.00481753         0.00448205         0.00448205         0.00448205         0.00448205         0.00448205         0.00448205         0.00120866         EFs.           South Coast         2025         Annual         Aggreg Light Veh         DSL         5         1737.717415         0.00078164         4.8394E-05         8.28996E-05           South Coast         2025         Annual         T6 instate heavy         DSL         15         15055.375         0.00120786         0.00070214         0.00067175           South Coast         2025         Annual         T6 instate heavy         DSL         25         8636404         0.002556         0.00129765         0.00149482           South Coast         2025         Annual         T6 instate heavy         DSL <td< td=""><td></td><td>2025</td><td>Annual</td><td>Aggreg Light Veh</td><td>DSL</td><td></td><td>706,340</td><td>0.2162245</td><td>0.02538164</td><td>0.02346202</td><td>LDT2, LHD1,</td></td<>		2025	Annual	Aggreg Light Veh	DSL		706,340	0.2162245	0.02538164	0.02346202	LDT2, LHD1,
South Coast         2025         Annual         Aggreg Light Veh         DSL         45         337,107         0.039876         0.004788173         0.00447886         and BBUS by           South Coast         2025         Annual         Aggreg Light Veh         DSL         50         0.0358104         0.004708175         0.00358783         0.00358783           South Coast         2025         Annual         Aggreg Light Veh         DSL         66         772,849         0.0422317         0.00448029         0.00358783           South Coast         2025         Annual         Aggreg Light Veh         DSL         5         1737.717415         0.0064844         0.001768174         0.00169621           South Coast         2025         Annual         T6 instate heavy         DSL         5         1737.717415         0.0007814         0.00029264         0.0007124         0.0007124         0.0007124         0.0007124         0.0007175           South Coast         2025         Annual         T6 instate heavy         DSL         25         86368.19684         0.012563         0.00109032         0.01049492           South Coast         2025         Annual         T6 instate heavy         DSL         5         97107611         0.0038386         0.0010902	South Coast				DSL	35	470,404				
South Coast         2025         Annual         Aggreg Light Veh         DSL         50         352,016         0.0338104         0.004155         0.003870149         VMT for each to get a weighted           South Coast         2025         Annual         Aggreg Light Veh         DSL         55         403,156         0.029006         0.003870149         0.0081870149           South Coast         2025         Annual         Aggreg Light Veh         DSL         65         559,769         0.028086         0.004720715         0.00418383           South Coast         2025         Annual         Aggreg Light Veh         DSL         70         435         0.0018844         0.00128076         4.4394E-05         4.28996E-021           South Coast         2025         Annual         T6 instate heavy         DSL         10         5618.263428         0.0022855         0.00072124         0.000279761           South Coast         2025         Annual         T6 instate heavy         DSL         25         86368.19684         0.012555         0.00124075         0.00149480           South Coast         2025         Annual         T6 instate heavy         DSL         40         87592.10819         0.00129733         0.001049880         0.001099498         0.001099498 </td <td>South Coast</td> <td>2025</td> <td>Annual</td> <td>Aggreg Light Veh</td> <td>DSL</td> <td>40</td> <td>392,308</td> <td>0.0534989</td> <td>0.006383952</td> <td>0.005924427</td> <td></td>	South Coast	2025	Annual	Aggreg Light Veh	DSL	40	392,308	0.0534989	0.006383952	0.005924427	
South Coast         2022         Annual         Aggreg Light Veh         DSL         55         403,156         0.0034019         0.003530194         gerg Light Veh         DSL           South Coast         2025         Annual         Aggreg Light Veh         DSL         60         772,844         0.0422317         0.00458029         0.006117955           South Coast         2025         Annual         Aggreg Light Veh         DSL         65         559,769         0.0288086         0.00120860         0.00124075           South Coast         2025         Annual         T6 instate heavy         DSL         15         15055,375         0.0042134         0.00029264         0.000270621           South Coast         2025         Annual         T6 instate heavy         DSL         15         15055,375         0.00126360         0.00120476         0.00126450           South Coast         2025         Annual         T6 instate heavy         DSL         25         86368.19684         0.015551         0.00164145         0.00199349         0.00164939           South Coast         2025         Annual         T6 instate heavy         DSL         35         82998,737         0.00166145         0.001994492         0.00149492           South Coast	South Coast	2025	Annual	Aggreg Light Veh	DSL	45	337,107	0.0399876	0.004788173	0.004447886	-
South Coast         2025         Annual         Aggreg Light Veh         DSL         403,136         0.022006         0.00580794         0.00611795           South Coast         2025         Annual         Aggreg Light Veh         DSL         60         772,849         0.022317         0.006448029         0.00611795           South Coast         2025         Annual         Aggreg Light Veh         DSL         5         577,769         0.008786         4.48394E-05         4.88394E-05         4.88394E-05 <td>South Coast</td> <td></td> <td></td> <td></td> <td>DSL</td> <td>50</td> <td>352,016</td> <td>0.0338104</td> <td>0.004155</td> <td>0.003870194</td> <td></td>	South Coast				DSL	50	352,016	0.0338104	0.004155	0.003870194	
South Coast         2025         Annual         Aggreg Light Veh         DSL         60         772,849         0.0422317         0.00063029         0.00011795           South Coast         2025         Annual         Aggreg Light Veh         DSL         65         559,769         0.028808         0.001788174         0.001690621           South Coast         2025         Annual         T6 instate heavy         DSL         10         5618.25428         0.0022859         0.00012086         0.000214075           South Coast         2025         Annual         T6 instate heavy         DSL         15         15055.375         0.0022859         0.00120266         0.000214075           South Coast         2025         Annual         T6 instate heavy         DSL         25         863619644         0.0012563         0.00125091           South Coast         2025         Annual         T6 instate heavy         DSL         30         110863.9038         0.011951         0.00169032         0.001049861           South Coast         2025         Annual         T6 instate heavy         DSL         45         8730.97611         0.003836         0.00109732         0.001049861           South Coast         2025         Annual         T6 instate heavy <td>South Coast</td> <td>2025</td> <td>Annual</td> <td>Aggreg Light Veh</td> <td>DSL</td> <td>55</td> <td>403,156</td> <td>0.029006</td> <td>0.00380194</td> <td>0.003559836</td> <td></td>	South Coast	2025	Annual	Aggreg Light Veh	DSL	55	403,156	0.029006	0.00380194	0.003559836	
South Coast         2025         Annual         Aggreg Light Veh         DSL         65         559,769         0.028808         0.004720715         0.00443335           South Coast         2025         Annual         T6 instate heavy         DSL         70         435         0.0108844         0.00172866         0.00027076           South Coast         2025         Annual         T6 instate heavy         DSL         15         15055.375         0.00021264         0.00027124         0.00067175           South Coast         2025         Annual         T6 instate heavy         DSL         20         41478.8364         0.0125805         0.00129264         0.00067175           South Coast         2025         Annual         T6 instate heavy         DSL         25         86368.19684         0.0125803         0.00149429           South Coast         2025         Annual         T6 instate heavy         DSL         35         8298.737         0.0016477         0.00109045         0.00104942           South Coast         2025         Annual         T6 instate heavy         DSL         45         87310.97611         0.003240         0.00109045         0.00104942           South Coast         2025         Annual         T6 instate heavy	South Coast				DSL	60	772,849	0.0422317	0.00648029	0.006117955	
South Coast         2025         Annual         T6 instate heavy         DSL         5         1737.717415         0.0008786         4.48394E-05         4.28996E-05           South Coast         2025         Annual         T6 instate heavy         DSL         15         5618.263428         0.00228264         0.000279621           South Coast         2025         Annual         T6 instate heavy         DSL         20         41478.83604         0.0082155         0.000702124         0.00067175           South Coast         2025         Annual         T6 instate heavy         DSL         30         110863.9038         0.011551         0.00166145         0.001498394           South Coast         2025         Annual         T6 instate heavy         DSL         40         87592.10819         0.00157358         0.001049861           South Coast         2025         Annual         T6 instate heavy         DSL         50         90153.34364         0.00310         0.001054838         0.001097352         0.00104862           South Coast         2025         Annual         T6 instate heavy         DSL         50         95700.46312         0.002410         0.001103089         0.001053569           South Coast         2025         Annual         T6	South Coast	2025	Annual	Aggreg Light Veh	DSL	65	559,769	0.0288086	0.004720715	0.004483835	LI'S.
South Coast         2025 Annual         T6 instate heavy         DSL         10         5618.263428         0.0022859         0.000129686         0.000124075           South Coast         2025 Annual         T6 instate heavy         DSL         15         15055375         0.0042134         0.000292244         0.000770124           South Coast         2025 Annual         T6 instate heavy         DSL         25         86368.19684         0.0125563         0.001082217         0.00167175           South Coast         2025 Annual         T6 instate heavy         DSL         35         82998.737         0.0066467         0.001099432         0.001049861           South Coast         2025 Annual         T6 instate heavy         DSL         45         87310.97611         0.0038836         0.001050297         0.00104862           South Coast         2025 Annual         T6 instate heavy         DSL         50         90153.34364         0.0021         0.001004862         0.001004862           South Coast         2025 Annual         T6 instate heavy         DSL         60         128037.0377         0.0028333         0.001471674         0.00140801           South Coast         2025 Annual         T6 instate heavy         DSL         70         72.0864118         15552-66 <td>South Coast</td> <td>2025</td> <td>Annual</td> <td>Aggreg Light Veh</td> <td>DSL</td> <td>70</td> <td>435</td> <td>0.0108844</td> <td>0.001768174</td> <td>0.001690621</td> <td></td>	South Coast	2025	Annual	Aggreg Light Veh	DSL	70	435	0.0108844	0.001768174	0.001690621	
South Coast         2025 Annual         T6 instate heavy         DSL         15         15055.375         0.0042134         0.00029264         0.000279621           South Coast         2025 Annual         T6 instate heavy         DSL         20         41478.83604         0.0082155         0.000702124         0.00067175           South Coast         2025 Annual         T6 instate heavy         DSL         25         86668.19684         0.0119551         0.001096945         0.00149492           South Coast         2025 Annual         T6 instate heavy         DSL         40         87592.10819         0.0013836         0.00109732         0.00104861           South Coast         2025 Annual         T6 instate heavy         DSL         40         87592.10819         0.0013836         0.001090945         0.00104862           South Coast         2025 Annual         T6 instate heavy         DSL         55         95700.46321         0.0024216         0.001050839         0.001055369           South Coast         2025 Annual         T6 instate heavy         DSL         65         101270.2946         0.0014715         0.00139035           South Coast         2025 Annual         T6 instate small         DSL         5         4432.10709         0.0045735         0.00251771 </td <td>South Coast</td> <td>2025</td> <td>Annual</td> <td>T6 instate heavy</td> <td>DSL</td> <td>5</td> <td>1737.717415</td> <td>0.0008786</td> <td>4.48394E-05</td> <td>4.28996E-05</td> <td></td>	South Coast	2025	Annual	T6 instate heavy	DSL	5	1737.717415	0.0008786	4.48394E-05	4.28996E-05	
South Coast         2025 Annual         T6 instate heavy         DSL         20         41478.83604         0.0082155         0.000702124         0.00067175           South Coast         2025 Annual         T6 instate heavy         DSL         25         86368.19684         0.012556         0.00132217         0.001666145         0.001498394           South Coast         2025 Annual         T6 instate heavy         DSL         30         110863.9038         0.011951         0.001097332         0.001049492           South Coast         2025 Annual         T6 instate heavy         DSL         45         87392.10819         0.001301         0.01097332         0.00109206           South Coast         2025 Annual         T6 instate heavy         DSL         50         90153.34364         0.001301         0.00108438         0.00109206           South Coast         2025 Annual         T6 instate heavy         DSL         55         95700.46321         0.002410         0.001164013         0.001113659           South Coast         2025 Annual         T6 instate heavy         DSL         65         101270.2946         0.002410         0.00186015         0.001939423           South Coast         2025 Annual         T6 instate small         DSL         10         14329.57079<	South Coast	2025	Annual	T6 instate heavy	DSL	10	5618.263428	0.0022859	0.000129686	0.000124075	
South Coast         2025         Annual         T6 instate heavy         DSL         25         86368.19684         0.0125563         0.00132217         0.001265019           South Coast         2025         Annual         T6 instate heavy         DSL         30         110863.9038         0.0119551         0.001560145         0.001494934           South Coast         2025         Annual         T6 instate heavy         DSL         40         87592.10819         0.0054673         0.001096945         0.001049861           South Coast         2025         Annual         T6 instate heavy         DSL         50         90153.34364         0.00110         0.00109206         0.00109206           South Coast         2025         Annual         T6 instate heavy         DSL         55         95700.4621         0.0024206         0.00110308         0.00109206           South Coast         2025         Annual         T6 instate heavy         DSL         60         128037.037         0.0024333         0.00110308         0.001040801           South Coast         2025         Annual         T6 instate heavy         DSL         70         72.0864118         1.595E-06         8.2857E-07         7.92727E-07           South Coast         2025         Ann	South Coast	2025	Annual	T6 instate heavy	DSL	15	15055.375	0.0042134	0.000292264	0.000279621	
South Coast         2025         Annual         T6 instate heavy         DSL         30         110863.9038         0.0119551         0.001566145         0.001498394           South Coast         2025         Annual         T6 instate heavy         DSL         40         87592.10819         0.001097332         0.001094942           South Coast         2025         Annual         T6 instate heavy         DSL         40         87592.10819         0.001097332         0.001094861           South Coast         2025         Annual         T6 instate heavy         DSL         45         87310.97611         0.0038386         0.00109206           South Coast         2025         Annual         T6 instate heavy         DSL         55         95700.46321         0.002420         0.00114080         0.00109206           South Coast         2025         Annual         T6 instate heavy         DSL         65         101270.2946         0.002241         0.00114013         0.00113659           South Coast         2025         Annual         T6 instate small         DSL         7         7.20864118         1.595E-06         8.2857E-07         7.9272Fe-07           South Coast         2025         Annual         T6 instate small         DSL         10 <td>South Coast</td> <td>2025</td> <td>Annual</td> <td>T6 instate heavy</td> <td>DSL</td> <td>20</td> <td>41478.83604</td> <td>0.0082155</td> <td>0.000702124</td> <td>0.00067175</td> <td></td>	South Coast	2025	Annual	T6 instate heavy	DSL	20	41478.83604	0.0082155	0.000702124	0.00067175	
South Coast         2025         Annual         T6 instate heavy         DSL         35         82998.737         0.0066467         0.001096945         0.001049492           South Coast         2025         Annual         T6 instate heavy         DSL         40         87592.10819         0.0012193         0.001097332         0.00104862           South Coast         2025         Annual         T6 instate heavy         DSL         50         90153.34364         0.00301         0.00105828         0.00109826           South Coast         2025         Annual         T6 instate heavy         DSL         60         128037.0397         0.002833         0.0014801         0.0014801           South Coast         2025         Annual         T6 instate heavy         DSL         65         101270.2946         0.002241         0.00140801           South Coast         2025         Annual         T6 instate small         DSL         5         4432.107009         0.0045735         0.000394771         0.00139035           South Coast         2025         Annual         T6 instate small         DSL         10         14329.57079         0.0113523         0.001080015         0.00139035           South Coast         2025         Annual         T6 instate sm	South Coast	2025	Annual	T6 instate heavy	DSL	25	86368.19684	0.0125563	0.001322217	0.001265019	
South Coast         2025         Annual         T6         instate heavy         DSL         40         87592.10819         0.0052193         0.001097332         0.00104861           South Coast         2025         Annual         T6         instate heavy         DSL         50         90153.34364         0.00310         0.001054383         0.00109206           South Coast         2025         Annual         T6         instate heavy         DSL         55         95700.46321         0.0024206         0.001103089         0.001055369           South Coast         2025         Annual         T6         instate heavy         DSL         65         101270.2946         0.0024206         0.001164013         0.001140801           South Coast         2025         Annual         T6         instate heavy         DSL         70         72.0864118         1.595E-06         8.2857E-07         7.92727E-07           South Coast         2025         Annual         T6         instate small         DSL         5         4432.107009         0.0045735         0.00038471         0.00039423           South Coast         2025         Annual         T6         instate small         DSL         15         38399.24288         0.0172267         0.0026573	South Coast	2025	Annual	T6 instate heavy	DSL	30	110863.9038	0.0119551	0.001566145	0.001498394	
South Coast         2025         Annual         T6 instate heavy         DSL         45         87310.97611         0.0038836         0.00105297         0.001004862           South Coast         2025         Annual         T6 instate heavy         DSL         50         90153.34364         0.00301         0.001054838         0.00109206           South Coast         2025         Annual         T6 instate heavy         DSL         60         128037.0397         0.002833         0.001471674         0.0014801           South Coast         2025         Annual         T6 instate heavy         DSL         65         101270.2946         0.002241         0.001164013         0.00113659           South Coast         2025         Annual         T6 instate heavy         DSL         70         72.0864118         1.595E-06         8.2857E-07         7.92727E-07           South Coast         2025         Annual         T6 instate small         DSL         10         14329.57079         0.0113523         0.00186015         0.00239423           South Coast         2025         Annual         T6 instate small         DSL         25         220285.0056         0.042759         0.012821012         0.01236747           South Coast         2025         Annual	South Coast	2025	Annual	T6 instate heavy	DSL	35	82998.737	0.0066467	0.001096945	0.001049492	
South Coast         2025         Annual         T6 instate heavy         DSL         50         90153.34364         0.00301         0.001054838         0.00109206           South Coast         2025         Annual         T6 instate heavy         DSL         55         95700.46321         0.0024206         0.001103089         0.001055369           South Coast         2025         Annual         T6 instate heavy         DSL         60         128037.0397         0.0028333         0.001471674         0.00140801           South Coast         2025         Annual         T6 instate heavy         DSL         70         72.0864118         1.595E-06         8.2857E-07         7.92727E-07           South Coast         2025         Annual         T6 instate small         DSL         10         14329.57079         0.01186015         0.001039423           South Coast         2025         Annual         T6 instate small         DSL         10         14329.57079         0.012820162         0.00254341         0.006273674           South Coast         2025         Annual         T6 instate small         DSL         25         220285.0056         0.427509         0.01282012         0.01232638           South Coast         2025         Annual         T6	South Coast	2025	Annual	T6 instate heavy	DSL	40	87592.10819	0.0052193	0.001097332	0.001049861	
South Coast         2025 Annual         T6 instate heavy         DSL         55         95700.46321         0.0024206         0.001103089         0.001055369           South Coast         2025 Annual         T6 instate heavy         DSL         60         128037.0397         0.0028333         0.001471674         0.001108081           South Coast         2025 Annual         T6 instate heavy         DSL         65         101270.2946         0.002241         0.001164013         0.001113659           South Coast         2025 Annual         T6 instate small         DSL         5         4432.107009         0.0045735         0.000354771         0.000339423           South Coast         2025 Annual         T6 instate small         DSL         10         14329.7079         0.0118203         0.00186015         0.001039035           South Coast         2025 Annual         T6 instate small         DSL         10         14329.7079         0.0112267         0.00257341         0.006273674           South Coast         2025 Annual         T6 instate small         DSL         25         22028.0056         0.0427509         0.012821012         0.0126638           South Coast         2025 Annual         T6 instate small         DSL         35         211691.0844         0.027116	South Coast	2025	Annual	T6 instate heavy	DSL	45	87310.97611	0.0038836	0.001050297	0.001004862	
South Coast         2025 Annual         T6 instate heavy         DSL         60         128037.0397         0.0028333         0.001471674         0.00140801           South Coast         2025 Annual         T6 instate heavy         DSL         65         101270.2946         0.002241         0.001164013         0.001113659           South Coast         2025 Annual         T6 instate heavy         DSL         70         72.0864118         1.595E-06         8.2857E-07         7.92727E-07           South Coast         2025 Annual         T6 instate small         DSL         5         4432.107009         0.0045735         0.000339423           South Coast         2025 Annual         T6 instate small         DSL         10         14329.57079         0.011323         0.00168015         0.00251787           South Coast         2025 Annual         T6 instate small         DSL         20         1057931.735         0.027126         0.006557341         0.00627367           South Coast         2025 Annual         T6 instate small         DSL         25         220285.0056         0.0427509         0.012821012         0.01266638           South Coast         2025 Annual         T6 instate small         DSL         35         211691.0844         0.027116         0.012325024 </td <td>South Coast</td> <td>2025</td> <td>Annual</td> <td>T6 instate heavy</td> <td>DSL</td> <td>50</td> <td>90153.34364</td> <td>0.00301</td> <td>0.001054838</td> <td>0.001009206</td> <td></td>	South Coast	2025	Annual	T6 instate heavy	DSL	50	90153.34364	0.00301	0.001054838	0.001009206	
South Coast         2025         Annual         T6 instate heavy         DSL         65         101270.2946         0.002241         0.001164013         0.001113659           South Coast         2025         Annual         T6 instate heavy         DSL         70         72.0864118         1.595E-06         8.2857E-07         7.92727E-07           South Coast         2025         Annual         T6 instate small         DSL         5         4432.107009         0.0045735         0.00035471         0.000339423           South Coast         2025         Annual         T6 instate small         DSL         10         14329.57079         0.0113223         0.01086015         0.00239423           South Coast         2025         Annual         T6 instate small         DSL         10         14329.57079         0.013523         0.002629636         0.002515879           South Coast         2025         Annual         T6 instate small         DSL         25         220285.0056         0.0427509         0.012821012         0.01226638           South Coast         2025         Annual         T6 instate small         DSL         30         282762.1344         0.0454048         0.01610013         0.01246038           South Coast         2025         An	South Coast	2025	Annual	T6 instate heavy	DSL	55	95700.46321	0.0024206	0.001103089	0.001055369	
South Coast2025 AnnualT6 instate heavyDSL7072.08641181.595E-068.2857E-077.92727E-07South Coast2025 AnnualT6 instate smallDSL54432.1070090.00457350.0003547710.000339423South Coast2025 AnnualT6 instate smallDSL1014329.570790.01135230.0010860150.001039035South Coast2025 AnnualT6 instate smallDSL1538399.242880.01722670.0026296360.002515879South Coast2025 AnnualT6 instate smallDSL20105793.17350.02701240.065573410.006273674South Coast2025 AnnualT6 instate smallDSL25220285.00560.04275090.0128210120.01226638South Coast2025 AnnualT6 instate smallDSL30282762.13440.04450480.016160130.01546038South Coast2025 AnnualT6 instate smallDSL35211691.08440.02721160.012320240.011791849South Coast2025 AnnualT6 instate smallDSL40223406.63290.02366480.014832920.01491132South Coast2025 AnnualT6 instate smallDSL50229939.15050.01724430.0169893890.01625436South Coast2025 AnnualT6 instate smallDSL55244087.26650.01590820.023100590.019431455South Coast2025 AnnualT6 instate smallDSL65258293.30980.0158703	South Coast	2025	Annual	T6 instate heavy	DSL	60	128037.0397	0.0028333	0.001471674	0.00140801	
South Coast         2025 Annual         T6 instate small         DSL         5         4432.107009         0.0045735         0.000354771         0.000339423           South Coast         2025 Annual         T6 instate small         DSL         10         14329.57079         0.0113523         0.001080015         0.00039035           South Coast         2025 Annual         T6 instate small         DSL         15         38399.24288         0.0172267         0.002629636         0.00273674           South Coast         2025 Annual         T6 instate small         DSL         25         220285.0056         0.0427509         0.012821012         0.0126638           South Coast         2025 Annual         T6 instate small         DSL         30         282762.1344         0.0445048         0.01610013         0.015460938           South Coast         2025 Annual         T6 instate small         DSL         35         211691.0844         0.0272116         0.012325024         0.011791849           South Coast         2025 Annual         T6 instate small         DSL         45         222689.596         0.0196782         0.014832792         0.014191132           South Coast         2025 Annual         T6 instate small         DSL         50         229939.1505         0.0172	South Coast	2025	Annual	T6 instate heavy	DSL	65	101270.2946	0.002241	0.001164013	0.001113659	
South Coast       2025       Annual       T6 instate small       DSL       10       14329.57079       0.0113523       0.001086015       0.00139035         South Coast       2025       Annual       T6 instate small       DSL       15       38399.24288       0.0172267       0.002629636       0.002515879         South Coast       2025       Annual       T6 instate small       DSL       20       105793.1735       0.0270124       0.006557341       0.006273674         South Coast       2025       Annual       T6 instate small       DSL       25       220285.0056       0.0427509       0.012821012       0.0126638         South Coast       2025       Annual       T6 instate small       DSL       30       282762.1344       0.0445048       0.016160013       0.015460938         South Coast       2025       Annual       T6 instate small       DSL       30       282762.1344       0.045048       0.01171261       0.011791849         South Coast       2025       Annual       T6 instate small       DSL       40       223406.6329       0.0236648       0.013712961       0.0114191132         South Coast       2025       Annual       T6 instate small       DSL       50       2298939.1505       0.0172443 <td>South Coast</td> <td>2025</td> <td>Annual</td> <td>T6 instate heavy</td> <td>DSL</td> <td>70</td> <td>72.0864118</td> <td>1.595E-06</td> <td>8.2857E-07</td> <td>7.92727E-07</td> <td></td>	South Coast	2025	Annual	T6 instate heavy	DSL	70	72.0864118	1.595E-06	8.2857E-07	7.92727E-07	
South Coast       2025       Annual       T6 instate small       DSL       15       38399.24288       0.0172267       0.002629636       0.002515879         South Coast       2025       Annual       T6 instate small       DSL       20       105793.1735       0.0270124       0.006557341       0.006273674         South Coast       2025       Annual       T6 instate small       DSL       25       220285.0056       0.0427509       0.012821012       0.01226638         South Coast       2025       Annual       T6 instate small       DSL       30       282762.1344       0.0445048       0.016160013       0.015460938         South Coast       2025       Annual       T6 instate small       DSL       35       211691.0844       0.0272116       0.012325024       0.011791849         South Coast       2025       Annual       T6 instate small       DSL       40       223406.6329       0.0236648       0.013712961       0.014191132         South Coast       2025       Annual       T6 instate small       DSL       50       229839.1505       0.017243       0.016989389       0.016254436         South Coast       2025       Annual       T6 instate small       DSL       55       244087.2665       0.0159082 </td <td>South Coast</td> <td>2025</td> <td>Annual</td> <td>T6 instate small</td> <td>DSL</td> <td>5</td> <td>4432.107009</td> <td>0.0045735</td> <td>0.000354771</td> <td>0.000339423</td> <td></td>	South Coast	2025	Annual	T6 instate small	DSL	5	4432.107009	0.0045735	0.000354771	0.000339423	
South Coast         2025         Annual         T6 instate small         DSL         20         105793.1735         0.0270124         0.006557341         0.006273674           South Coast         2025         Annual         T6 instate small         DSL         25         220285.0056         0.0427509         0.012821012         0.01226638           South Coast         2025         Annual         T6 instate small         DSL         30         282762.1344         0.0445048         0.016160013         0.015460938           South Coast         2025         Annual         T6 instate small         DSL         35         211691.0844         0.0272116         0.012325024         0.011791849           South Coast         2025         Annual         T6 instate small         DSL         40         223406.6329         0.0236648         0.013712961         0.011791849           South Coast         2025         Annual         T6 instate small         DSL         45         222689.596         0.0196782         0.014832792         0.0141191132           South Coast         2025         Annual         T6 instate small         DSL         50         229939.1505         0.0172443         0.016989389         0.016254436           South Coast         2025	South Coast	2025	Annual	T6 instate small	DSL	10	14329.57079	0.0113523	0.001086015	0.001039035	
South Coast         2025         Annual         T6 instate small         DSL         20         105793.1735         0.0270124         0.006557341         0.006273674           South Coast         2025         Annual         T6 instate small         DSL         25         220285.0056         0.0427509         0.012821012         0.01226638           South Coast         2025         Annual         T6 instate small         DSL         30         282762.1344         0.0445048         0.016160013         0.015460938           South Coast         2025         Annual         T6 instate small         DSL         35         211691.0844         0.0272116         0.012325024         0.011791849           South Coast         2025         Annual         T6 instate small         DSL         40         223406.6329         0.0236648         0.013712961         0.013119744           South Coast         2025         Annual         T6 instate small         DSL         45         222689.596         0.0196782         0.014832792         0.014191132           South Coast         2025         Annual         T6 instate small         DSL         55         244087.2665         0.0159082         0.02310059         0.019431455           South Coast         2025	South Coast	2025	Annual	T6 instate small	DSL	15	38399.24288	0.0172267	0.002629636	0.002515879	
South Coast         2025         Annual         T6 instate small         DSL         30         282762.1344         0.0445048         0.016160013         0.015460938           South Coast         2025         Annual         T6 instate small         DSL         35         211691.0844         0.0272116         0.012325024         0.011791849           South Coast         2025         Annual         T6 instate small         DSL         40         223406.6329         0.0236648         0.013712961         0.013119744           South Coast         2025         Annual         T6 instate small         DSL         45         222689.596         0.0196782         0.014832792         0.014191132           South Coast         2025         Annual         T6 instate small         DSL         50         229939.1505         0.0172443         0.016989389         0.016254436           South Coast         2025         Annual         T6 instate small         DSL         55         244087.2665         0.0159082         0.02310059         0.019431455           South Coast         2025         Annual         T6 instate small         DSL         65         258293.3098         0.0158703         0.022893246         0.021902894           South Coast         2025	South Coast	2025	Annual	T6 instate small	DSL	20	105793.1735				
South Coast         2025         Annual         T6 instate small         DSL         35         211691.0844         0.0272116         0.012325024         0.011791849           South Coast         2025         Annual         T6 instate small         DSL         40         223406.6329         0.0236648         0.013712961         0.013119744           South Coast         2025         Annual         T6 instate small         DSL         45         222689.596         0.0196782         0.014832792         0.014191132           South Coast         2025         Annual         T6 instate small         DSL         50         229939.1505         0.0172443         0.016989389         0.016254436           South Coast         2025         Annual         T6 instate small         DSL         55         244087.2665         0.0159082         0.020310059         0.019431455           South Coast         2025         Annual         T6 instate small         DSL         65         258293.3098         0.0158703         0.022893246         0.021902894           South Coast         2025         Annual         T6 instate small         DSL         70         183.8588301         1.13E-05         1.62959E-05         1.5591E-05           South Coast         2025	South Coast	2025	Annual	T6 instate small	DSL	25	220285.0056	0.0427509	0.012821012	0.01226638	
South Coast         2025         Annual         T6 instate small         DSL         35         211691.0844         0.0272116         0.012325024         0.011791849           South Coast         2025         Annual         T6 instate small         DSL         40         223406.6329         0.0236648         0.013712961         0.013119744           South Coast         2025         Annual         T6 instate small         DSL         45         222689.596         0.0196782         0.014832792         0.014191132           South Coast         2025         Annual         T6 instate small         DSL         50         229939.1505         0.0172443         0.016989389         0.016254436           South Coast         2025         Annual         T6 instate small         DSL         55         244087.2665         0.0159082         0.020310059         0.019431455           South Coast         2025         Annual         T6 instate small         DSL         65         258293.3098         0.0158703         0.022893246         0.021902894           South Coast         2025         Annual         T6 instate small         DSL         70         183.8588301         1.13E-05         1.62959E-05         1.5591E-05           South Coast         2025	South Coast	2025	Annual	T6 instate small			282762.1344				
South Coast         2025         Annual         T6 instate small         DSL         40         223406.6329         0.0236648         0.013712961         0.013119744           South Coast         2025         Annual         T6 instate small         DSL         45         222689.596         0.0196782         0.014832792         0.014191132           South Coast         2025         Annual         T6 instate small         DSL         50         229939.1505         0.0172443         0.016989389         0.016254436           South Coast         2025         Annual         T6 instate small         DSL         55         244087.2665         0.019082         0.02310059         0.019431455           South Coast         2025         Annual         T6 instate small         DSL         60         326562.798         0.02065         0.028944159         0.027692047           South Coast         2025         Annual         T6 instate small         DSL         65         258293.3098         0.0158703         0.022893246         0.021902894           South Coast         2025         Annual         T6T         South         South         1.62959E-05         1.5591E-05           South Coast         2025         Annual         T6TS         GAS						35					
South Coast         2025         Annual         T6 instate small         DSL         45         222689.596         0.0196782         0.014832792         0.014191132           South Coast         2025         Annual         T6 instate small         DSL         50         229939.1505         0.0172443         0.016989389         0.016254436           South Coast         2025         Annual         T6 instate small         DSL         55         244087.2665         0.0159082         0.020310059         0.019431455           South Coast         2025         Annual         T6 instate small         DSL         60         326562.798         0.020065         0.028944159         0.021902894           South Coast         2025         Annual         T6 instate small         DSL         65         258293.3098         0.0158703         0.022893246         0.021902894           South Coast         2025         Annual         T6 instate small         DSL         70         183.8588301         1.13E-05         1.62959E-05         1.5591E-05           South Coast         2025         Annual         T6TS         GAS         5         1489.485939         0.000857         1.0733E-05         9.8686E-06           South Coast         2025         Annual	South Coast					40					
South Coast         2025 Annual         T6 instate small         DSL         50         229939.1505         0.0172443         0.016989389         0.016254436           South Coast         2025 Annual         T6 instate small         DSL         55         244087.2665         0.0159082         0.020310059         0.019431455           South Coast         2025 Annual         T6 instate small         DSL         60         326562.798         0.020065         0.028944159         0.027692047           South Coast         2025 Annual         T6 instate small         DSL         65         258293.3098         0.0158703         0.022893246         0.021902894           South Coast         2025 Annual         T6 instate small         DSL         70         183.8588301         1.13E-05         1.62959E-05         1.5591E-05           South Coast         2025 Annual         T6TS         GAS         5         1489.485939         0.000857         1.0733E-05         9.8686E-06           South Coast         2025 Annual         T6TS         GAS         10         5208.249519         0.0019017         2.37113E-05         2.18016E-05           South Coast         2025 Annual         T6TS         GAS         15         13650.12523         0.00334         4.14218E-05		2025	Annual	T6 instate small			222689.596				
South Coast         2025         Annual         T6 instate small         DSL         55         244087.2665         0.0159082         0.020310059         0.019431455           South Coast         2025         Annual         T6 instate small         DSL         60         326562.798         0.020065         0.028944159         0.027692047           South Coast         2025         Annual         T6 instate small         DSL         65         258293.3098         0.0158703         0.022893246         0.021902894           South Coast         2025         Annual         T6 instate small         DSL         70         183.8588301         1.13E-05         1.62959E-05         1.5591E-05           South Coast         2025         Annual         T6TS         GAS         5         1489.485939         0.000857         1.0733E-05         9.8686E-06           South Coast         2025         Annual         T6TS         GAS         10         5208.249519         0.0019017         2.37113E-05         2.18016E-05           South Coast         2025         Annual         T6TS         GAS         15         13650.12523         0.00334         4.14218E-05         3.80858E-05											
South Coast         2025         Annual         T6 instate small         DSL         60         326562.798         0.020065         0.028944159         0.027692047           South Coast         2025         Annual         T6 instate small         DSL         65         258293.3098         0.0158703         0.022893246         0.021902894           South Coast         2025         Annual         T6 instate small         DSL         70         183.8588301         1.13E-05         1.62959E-05         1.5591E-05           South Coast         2025         Annual         T6TS         GAS         5         1489.485939         0.000857         1.0733E-05         9.8686E-06           South Coast         2025         Annual         T6TS         GAS         10         5208.249519         0.0019017         2.37113E-05         2.18016E-05           South Coast         2025         Annual         T6TS         GAS         15         13650.12523         0.00334         4.14218E-05         3.80858E-05											
South Coast         2025         Annual         T6 instate small         DSL         65         258293.3098         0.0158703         0.022893246         0.021902894           South Coast         2025         Annual         T6 instate small         DSL         70         183.8588301         1.13E-05         1.62959E-05         1.5591E-05           South Coast         2025         Annual         T6TS         GAS         5         1489.485939         0.000857         1.0733E-05         9.8686E-06           South Coast         2025         Annual         T6TS         GAS         10         5208.249519         0.0019017         2.37113E-05         2.18016E-05           South Coast         2025         Annual         T6TS         GAS         15         13650.12523         0.00334         4.14218E-05         3.80858E-05											
South Coast         2025         Annual         T6 instate small         DSL         70         183.8588301         1.13E-05         1.62959E-05         1.5591E-05           South Coast         2025         Annual         T6TS         GAS         5         1489.485939         0.000857         1.0733E-05         9.8686E-06           South Coast         2025         Annual         T6TS         GAS         10         5208.249519         0.0019017         2.37113E-05         2.18016E-05           South Coast         2025         Annual         T6TS         GAS         15         13650.12523         0.00334         4.14218E-05         3.80858E-05											
South Coast         2025         Annual         T6TS         GAS         5         1489.485939         0.000857         1.0733E-05         9.8686E-06           South Coast         2025         Annual         T6TS         GAS         10         5208.249519         0.0019017         2.37113E-05         2.18016E-05           South Coast         2025         Annual         T6TS         GAS         15         13650.12523         0.00334         4.14218E-05         3.80858E-05											
South Coast         2025 Annual         T6TS         GAS         10         5208.249519         0.0019017         2.37113E-05         2.18016E-05           South Coast         2025 Annual         T6TS         GAS         15         13650.12523         0.00334         4.14218E-05         3.80858E-05											1
South Coast         2025 Annual         T6TS         GAS         15         13650.12523         0.00334         4.14218E-05         3.80858E-05											
Dourn Coust 2025 Annuar 1015 OAS 20 53274.54400 0.0001035 /.3309/E-03 0.92445E-03											
	South Coast	2023	Annual	1015	UAS	20	55274.34408	0.0001055	1.3307/E-03	0.7244JE-03	I

South Coast	2025 Annual	T6TS	GAS	25	69211.70176	0.0089272	0.00010954	0.000100718
South Coast	2025 Annual	T6TS	GAS	30	82333.11034	0.0083441	0.000101947	9.37362E-05
South Coast	2025 Annual	T6TS	GAS	35	60150.22701	0.0050494	6.14572E-05	5.65076E-05
South Coast	2025 Annual	T6TS	GAS	40	62342.38084	0.004583	5.54312E-05	5.09669E-05
South Coast	2025 Annual	T6TS	GAS	45	60070.42004	0.0040718	4.90157E-05	4.50682E-05
South Coast	2025 Annual	T6TS	GAS	50	60151.79737	0.0039557	4.74975E-05	4.36722E-05
South Coast	2025 Annual	T6TS	GAS	55	60122.29822	0.004035	4.84421E-05	4.45407E-05
South Coast	2025 Annual	T6TS	GAS	60	65375.06349	0.0046923	5.66716E-05	5.21074E-05
South Coast	2025 Annual	T6TS	GAS	65	52861.89038	0.0043077	5.19814E-05	4.7795E-05
South Coast	2025 Annual	T6TS	GAS	70	44.84573404	3.97E-06	4.79092E-08	4.40508E-08
South Coast	2025 Annual	T7 Public	DSL	5	168.1561358	0.0001507	2.99088E-05	2.8615E-05
South Coast	2025 Annual	T7 Public	DSL	10	555.5933951	0.0003916	8.42319E-05	8.05881E-05
South Coast	2025 Annual	T7 Public	DSL	15	1499.417292	0.0006278	0.000163507	0.000156434
South Coast	2025 Annual	T7 Public	DSL	20	4225.223358	0.0009996	0.00033407	0.000319619
South Coast	2025 Annual	T7 Public	DSL	25	8890.206371	0.0015228	0.00059103	0.000565463
South Coast	2025 Annual	T7 Public	DSL	30	12047.08902	0.0016321	0.000709582	0.000678886
South Coast	2025 Annual	T7 Public	DSL	35	9335.875447	0.0010105	0.000496484	0.000475006
South Coast	2025 Annual	T7 Public	DSL	40	8993.022623	0.0007927	0.000443456	0.000424272
South Coast	2025 Annual	T7 Public	DSL	45	8594.868525	0.000637	0.000406545	0.000388958
South Coast	2025 Annual	T7 Public	DSL	50	9255.951429	0.0006047	0.000436614	0.000417726
South Coast	2025 Annual	T7 Public	DSL	55	11025.72615	0.000674	0.00053977	0.00051642
South Coast	2025 Annual	T7 Public	DSL	60	19325.8825	0.0011741	0.000975936	0.000933718
South Coast	2025 Annual	T7 Public	DSL	65	15317.28834	0.0009306	0.000773507	0.000740045
South Coast	2025 Annual	T7 Public	DSL	70	11.16065494	6.78E-07	5.63601E-07	5.3922E-07
South Coast	2025 Annual	T7IS	GAS	5	161.1567311	0.0004807	9.43486E-07	8.67894E-07
South Coast	2025 Annual	T7IS	GAS	10	563.5128504	0.00106	2.08427E-06	1.91736E-06
South Coast	2025 Annual	T7IS	GAS	15	1476.891794	0.0018501	3.64093E-06	3.34953E-06
South Coast	2025 Annual	T7IS	GAS	20	3818.714294	0.0033609	6.61939E-06	6.0899E-06
South Coast	2025 Annual	T7IS	GAS	25	7488.443709	0.0048848	9.62773E-06	8.85799E-06
South Coast	2025 Annual	T7IS	GAS	30	8908.130366	0.00454	8.96006E-06	8.24405E-06
South Coast	2025 Annual	T7IS	GAS	35	6508.026498	0.002733	5.40128E-06	4.96986E-06
South Coast	2025 Annual	T7IS	GAS	40	6745.209231	0.0024681	4.87154E-06	4.48259E-06
South Coast	2025 Annual	T7IS	GAS	45	6499.391687	0.0021833	4.30761E-06	3.96382E-06
South Coast	2025 Annual	T7IS	GAS	50	6508.196405	0.0021135	4.1741E-06	3.84106E-06
South Coast	2025 Annual	T7IS	GAS	55	6505.004709	0.0021503	4.25704E-06	3.91747E-06
South Coast	2025 Annual	T7IS	GAS	60	7073.333995	0.0024976	4.98018E-06	4.583E-06
South Coast	2025 Annual	T7IS	GAS	65	5719.456109	0.0022901	4.56798E-06	4.20371E-06
South Coast	2025 Annual	T7IS	GAS	70	4.852138387	2.11E-06	4.21012E-09	3.8744E-09

<b>Idling Emissi</b>	ions Factors			PM10	PM2.5	These Efs are the IDLEX daily regional
Region	CalYr Season	Veh_Class	Fuel	(gms/hr)	(gms/hr)	tons/day rates divided by the truck population
South Coast	2025 Annual	T6 Instate Small	DSL	5.61E-05		and 24 hrs/day.
South Coast	2025 Annual	T7	DSL	1.47E-04	1.41E-04	

### Agua Mansa Industrial Project Trip Generation

Land Uses	Uni	its	Daily
Building A			
Manufacturing	140.2	TSF	
Trips/Unit (Cars)			3.089
Trips/Unit (2-Axle Trucks)			0.314
Trips/Unit (3-Axle Trucks)			0.153
Trips/Unit (4+ Axle Trucks)			0.374
Trips/Unit (Total)			3.930
Trip Generation (Cars)			433
Trip Generation (2-Axle Trucks)			44
Trip Generation (3-Axle Trucks)			21
Trip Generation (4+ Axle Trucks)			52
Trip Generation (Total)			551
Building B			
Manufacturing	194.8	TSF	
Trips/Unit (Cars)			3.089
Trips/Unit (2-Axle Trucks)			0.314
Trips/Unit (3-Axle Trucks)			0.153
Trips/Unit (4+ Axle Trucks)			0.374
Trips/Unit (Total)			3.930
Trip Generation (Cars)			602
Trip Generation (2-Axle Trucks)			61
Trip Generation (3-Axle Trucks)			30
Trip Generation (4+ Axle Trucks)			73
Trip Generation (Total)			766
Summary			
Trip Generation (Cars)			1,035
Trip Generation (2-Axle Trucks)			105
Trip Generation (3-Axle Trucks)			51
Trip Generation (4+ Axle Trucks)			125
Trip Generation (Total)			1,317

Note: From Traffic Study (November 2018)

TSF = Thousand Square-Feet

The trip generation was developed using rates from the Institute of Transportation Engineers (ITE) Trip Generation Manual (10th Edition) for Land Use 140 – "Manufacturing." The resulting trips were converted to trucks and passenger vehicles based on the vehicle mix from the City of Fontana's Truck Trip Generation Study (August 2003). As such, 78.6% of project traffic will be passenger vehicles and 21.4% of project traffic will be trucks. All truck trips were converted to passenger car equivalents (PCEs) using a 1.5 PCE factor for 2-axle trucks, 2.0 for 3-axle trucks, and 3.0 for 4- and more axle trucks.

Onsite travel -			AADT by Tr								
along	along		2-Axle <sup>3</sup>	3-Axle <sup>4</sup>	4+-Axle <sup>5</sup>						Spe
Bldg A		434	45	22	53						
		%	of Vehicles That	Are Diesel-Powe	red						
Average		2.6%	73%	73%	99%					diesel part.	
Speed		Diesel Exhau	st PM10 & PM2	2.5 Emissions at a	5 mph (g/mi)7					PM2.5	
5 mph	$PM_{10}$	0.0018	3.55E-04	4.48E-05	2.99E-05					1,3-butadiene	e 0.
	PM <sub>2.5</sub>	0.0017	3.39E-04	4.29E-05	2.86E-05					benzene	0.
Total distance		% 0	f Vehicles That A					ethylbenzene	0.		
covered by		97%	27%	27%	0.9%		_			MEK	0.
Onsite travel -		Gasoline	Exhaust ROG E	missions at 5 m	ph (g/mi)7	Number				naphthalene	0.
driveway	ROG	0.028	8.57E-04	8.57E-04	4.81E-04	of	Emissio	n Rates pe	er source	propylene	0.
sources		PM <sub>10</sub> ,	PM <sub>2.5</sub> & ROG E	Exhaust Emission	ns (g/s)	Sources	g/s	lb/hr	lb/yr	styrene	0.
	$PM_{10}$	5.73E-08	3.32E-08	2.05E-09	4.45E-09	22	4.4E-09	3.5E-08	0.0003	toluene	0.
394 meters	PM <sub>2.5</sub>	5.29E-08	3.18E-08	1.96E-09	4.25E-09	22	4.1E-09	3.3E-08	0.0003	m & p-xylen	e 0.
	ROG	3.38E-05	2.89E-08	1.41E-08	6.50E-10	22	1.5E-06	1.2E-05	0.1070		

#### **Speciated Emissions Rates**

		lb/yr	lb/hr
diesel part.		3.07E-04	3.50E-08
PM2.5		2.87E-04	3.28E-08
1,3-butadiene	0.0055	5.89E-04	6.72E-08
benzene	0.02636	2.82E-03	3.22E-07
ethylbenzene	0.01072	1.15E-03	1.31E-07
MEK	0.00019	2.03E-05	2.32E-09
naphthalene	0.00048	5.14E-05	5.86E-09
propylene	0.03127998	3.35E-03	3.82E-07
styrene	0.00126	1.35E-04	1.54E-08
toluene	0.05879998	6.29E-03	7.18E-07
m & p-xylene	0.03639998	3.90E-03	4.44E-07

<sup>1</sup> AADT from project traffic study

<sup>2</sup> LDV assumed to LDA (Passenger Cars)

<sup>3</sup> 2 axle trucks are assumed to be MDV (Medium-Duty Truck GVW=5,574-8,500 lbs.)

<sup>4</sup> 3 axle trucks are assumed to be MHDT (Medium-Heavy Duty Truck GVW=14,001-33,000 lbs.)

<sup>5</sup> 4+ axle trucks are assumed to be HHDT (Heavy-Heavy Duty Truck GVW=33,001-60,000 lbs.)

<sup>6</sup> Source: EMFAC2017 fleet populations.

Onsite trav	el -		AADT by Tru	uck Category <sup>1</sup>		]				
along		LDV <sup>2</sup>	2-Axle <sup>3</sup>	3-Axle <sup>4</sup>	4+-Axle <sup>5</sup>					
Bldg B		602	62	30	73					
		%	of Vehicles That	Are Diesel-Powe	red <sup>6</sup>	1				
Average		2.6%	73%	73%	99%					d
Speed		Diesel Exhau	ist PM10 & PM2	.5 Emissions at	5 mph (g/mi)7	1				P
5 mph	PM <sub>10</sub>	0.0018	3.55E-04	4.48E-05	2.99E-05	]				1
	PM <sub>2.5</sub>	0.0017	3.39E-04	4.29E-05	2.86E-05					b
<b>T</b> ( ) ! (		% c	of Vehicles That A	re Gasoline-Pow	ered	1				e
Total distance covered by		97%	27%	27%	0.9%					N
Onsite travel -		Gasoline	Exhaust ROG E	missions at 5 m	ph (g/mi)7	Number				n
driveway	ROG	0.028	8.57E-04	8.57E-04	4.81E-04	of	Emissio	n Rates pe	er source	р
sources		PM <sub>10</sub>	, PM <sub>2.5</sub> & ROG F	Exhaust Emission	ns (g/s)	Sources	g/s	lb/hr	lb/yr	SI
	PM <sub>10</sub>	2.91E-08	1.68E-08	1.02E-09	2.24E-09	9	5.5E-09	4.3E-08	0.0004	to
144 meters	PM <sub>2.5</sub>	2.69E-08	1.60E-08	9.80E-10	2.15E-09	9	5.1E-09	4.1E-08	0.0004	n
	ROG	1.72E-05	1.46E-08	7.07E-09	3.28E-10	9	1.9E-06	1.5E-05	0.1329	

		lb/yr	lb/hr
diesel part.		3.80E-04	4.33E-08
PM2.5		3.56E-04	4.06E-08
1,3-butadiene	0.0055	7.31E-04	8.34E-08
benzene	0.02636	3.50E-03	4.00E-07
ethylbenzene	0.01072	1.42E-03	1.63E-07
MEK	0.00019	2.53E-05	2.88E-09
naphthalene	0.00048	6.38E-05	7.28E-09
propylene	0.03127998	4.16E-03	4.74E-07
styrene	0.00126	1.67E-04	1.91E-08
toluene	0.05879998	7.82E-03	8.92E-07
m & p-xylene	0.03639998	4.84E-03	5.52E-07

<sup>1</sup> AADT from project traffic study

<sup>2</sup> LDV assumed to LDA (Passenger Cars)

<sup>3</sup> 2 axle trucks are assumed to be MDV (Medium-Duty Truck GVW=5,574-8,500 lbs.)

<sup>4</sup> 3 axle trucks are assumed to be MHDT (Medium-Heavy Duty Truck GVW=14,001-33,000 lbs.)

<sup>5</sup> 4+ axle trucks are assumed to be HHDT (Heavy-Heavy Duty Truck GVW=33,001-60,000 lbs.)

<sup>6</sup> Source: EMFAC2017 fleet populations.

Hall Ave. fr	om		AADT by Tru	ick Category <sup>1</sup>		I	Percent of t	ruck traffic	on this road	1			
Project Drive	way 1	LDV <sup>2</sup>	2-Axle <sup>3</sup>	3-Axle <sup>4</sup>	4+-Axle <sup>5</sup>			50%		S	peciated Emis	sions Rates	
east to Proj. D	rwy. 2	217	23	11	27								
		%	of Vehicles That A	Are Diesel-Powe	ered							lb/yr	lb/hr
Average		2.6%	73%	73%	99%					diesel part.		2.21E-03	2.52E-07
Speed		Diesel Exhaus	st PM10 & PM2.	5 Emissions at 3	85 mph (g/mi)7					PM2.5		2.10E-03	2.39E-07
35 mph	PM <sub>10</sub>	0.0109	1.23E-02	1.10E-03	4.96E-04					1,3-butadiene	0.0055	1.49E-03	1.70E-07
	PM <sub>2.5</sub>	0.0100	1.18E-02	1.05E-03	4.75E-04					benzene	0.02636	7.12E-03	8.13E-07
		% 0	f Vehicles That A	re Gasoline-Pow	vered					ethylbenzene	0.01072	2.90E-03	3.30E-07
Total distance		97%	27%	27%	0.9%		_			MEK	0.00019	5.13E-05	5.86E-09
covered by		Gasoline	Exhaust ROG Er	nissions at 35 m	ph (g/mi)7	Number				naphthalene	0.00048	1.30E-04	1.48E-08
Hall Ave. from	ROG	0.168	5.05E-03	5.05E-03	2.73E-03	of	Emissio	n Rates pe	er source	propylene	0.03127998	8.45E-03	9.64E-07
sources		PM <sub>10</sub> ,	PM <sub>2.5</sub> & ROG E	xhaust Emissio	ns (g/s)	Sources	g/s	lb/hr	lb/yr	styrene	0.00126	3.41E-04	3.88E-08
	PM <sub>10</sub>	3.30E-08	1.14E-07	4.84E-09	7.24E-09	5	3.2E-08	2.5E-07	0.0022	toluene	0.05879998	1.59E-02	1.81E-06
76 meters	PM <sub>2.5</sub>	3.05E-08	1.09E-07	4.63E-09	6.93E-09	5	3.0E-08	2.4E-07	0.0021	m & p-xylene	0.03639998	9.84E-03	1.12E-06
	ROG	1.94E-05	1.68E-08	8.03E-09	3.63E-10	5	3.9E-06	3.1E-05	0.2702				

<sup>1</sup> AADT from project traffic study

<sup>2</sup> LDV assumed to LDA (Passenger Cars)

<sup>3</sup> 2 axle trucks are assumed to be MDV (Medium-Duty Truck GVW=5,574-8,500 lbs.)

<sup>4</sup> 3 axle trucks are assumed to be MHDT (Medium-Heavy Duty Truck GVW=14,001-33,000 lbs.)

<sup>5</sup> 4+ axle trucks are assumed to be HHDT (Heavy-Heavy Duty Truck GVW=33,001-60,000 lbs.)

<sup>6</sup> Source: EMFAC2017 fleet populations.

Hall Ave. fr	om		AADT by Tru	ick Category <sup>1</sup>		] 1	Percent of t	ruck traffic	on this roa	d			
<b>Project Drive</b>	way 2	LDV <sup>2</sup>	2-Axle <sup>3</sup>	3-Axle <sup>4</sup>	4+-Axle <sup>5</sup>			15%		S	peciated Emis	ssions Rates	
east to Agua Ma	nza Rd	156	16	8	19								
	ſ	%	of Vehicles That	Are Diesel-Powe	red							lb/yr	lb/hr
Average		2.6%	73%	73%	99%					diesel part.		1.77E-03	2.02E-07
Speed		Diesel Exhaus	st PM10 & PM2.	5 Emissions at 3	5 mph (g/mi)7					PM2.5		1.68E-03	1.92E-07
35 mph	PM <sub>10</sub>	0.0109	1.23E-02	1.10E-03	4.96E-04					1,3-butadiene	0.0055	1.22E-03	1.39E-07
	PM <sub>2.5</sub>	0.0100	1.18E-02	1.05E-03	4.75E-04					benzene	0.02636	5.84E-03	6.66E-07
		% o	f Vehicles That A	re Gasoline-Pow	rered					ethylbenzene	0.01072	2.38E-03	2.71E-07
Total distance		97%	27%	27%	0.9%		_			MEK	0.00019	4.21E-05	4.80E-09
covered by	_	Gasoline	Exhaust ROG Ei	nissions at 35 m	ph (g/mi)7	Number				naphthalene	0.00048	1.06E-04	1.21E-08
Hall Ave. from	ROG	0.168	5.05E-03	5.05E-03	2.73E-03	of	Emissio	n Rates pe	er source	propylene	0.03127998	6.93E-03	7.91E-07
sources		PM <sub>10</sub> ,	PM <sub>2.5</sub> & ROG E	xhaust Emission	ns (g/s)	Sources	g/s	lb/hr	lb/yr	styrene	0.00126	2.79E-04	3.19E-08
	PM <sub>10</sub>	7.57E-08	2.52E-07	1.12E-08	1.63E-08	14	2.5E-08	2.0E-07	0.0018	toluene	0.05879998	1.30E-02	1.49E-06
242 meters	PM <sub>2.5</sub>	7.01E-08	2.41E-07	1.07E-08	1.56E-08	14	2.4E-08	1.9E-07	0.0017	m & p-xylene	0.03639998	8.07E-03	9.20E-07
	ROG	4.45E-05	3.73E-08	1.87E-08	8.15E-10	14	3.2E-06	2.5E-05	0.2216				

<sup>1</sup> AADT from project traffic study

<sup>2</sup> LDV assumed to LDA (Passenger Cars)

<sup>3</sup> 2 axle trucks are assumed to be MDV (Medium-Duty Truck GVW=5,574-8,500 lbs.)

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<sup>5</sup> 4+ axle trucks are assumed to be HHDT (Heavy-Heavy Duty Truck GVW=33,001-60,000 lbs.)

<sup>6</sup> Source: EMFAC2017 fleet populations.

Brown Ave.	from		AADT by Tru	ick Category <sup>1</sup>		] 1	Percent of t	ruck traffic	on this roa	đ			
Hall Ave.	to	LDV <sup>2</sup>	2-Axle <sup>3</sup>	3-Axle <sup>4</sup>	4+-Axle <sup>5</sup>			85%		S	peciated Emis	ssions Rates	
Agua Mansa	n Rd.	880	90	44	107								
		%	of Vehicles That	Are Diesel-Powe	red							lb/yr	lb/hr
Average		2.6%	73%	73%	99%					diesel part.		7.08E-03	8.08E-07
Speed		Diesel Exhaus	st PM10 & PM2.	5 Emissions at 3	5 mph (g/mi)7					PM2.5		6.73E-03	7.68E-07
35 mph	$PM_{10}$	0.0109	1.23E-02	1.10E-03	4.96E-04					1,3-butadiene	0.0055	4.90E-03	5.59E-07
	PM <sub>2.5</sub>	0.0100	1.18E-02	1.05E-03	4.75E-04					benzene	0.02636	2.35E-02	2.68E-06
		% 0	f Vehicles That A	re Gasoline-Pow	rered <sup>6</sup>					ethylbenzene	0.01072	9.55E-03	1.09E-06
Total distance		97%	27%	27%	0.9%		_			MEK	0.00019	1.69E-04	1.93E-08
covered by		Gasoline l	Exhaust ROG Ei	missions at 35 m	ph (g/mi)7	Number				naphthalene	0.00048	4.28E-04	4.88E-08
Brown Ave.	ROG	0.168	5.05E-03	5.05E-03	2.73E-03	of	Emissio	n Rates pe	er source	propylene	0.03127998	2.79E-02	3.18E-06
from sources		PM <sub>10</sub> ,	PM <sub>2.5</sub> & ROG E	xhaust Emission	ns (g/s)	Sources	g/s	lb/hr	lb/yr	styrene	0.00126	1.12E-03	1.28E-07
	$PM_{10}$	8.48E-07	2.82E-06	1.23E-07	1.82E-07	39	1.0E-07	8.1E-07	0.0071	toluene	0.05879998	5.24E-02	5.98E-06
481 meters	PM <sub>2.5</sub>	7.85E-07	2.70E-06	1.17E-07	1.74E-07	39	9.7E-08	7.7E-07	0.0067	m & p-xylene	0.03639998	3.24E-02	3.70E-06
	ROG	4.99E-04	4.17E-07	2.04E-07	9.12E-09	39	1.3E-05	1.0E-04	0.8910				

<sup>1</sup> AADT from project traffic study

<sup>2</sup> LDV assumed to LDA (Passenger Cars)

<sup>3</sup> 2 axle trucks are assumed to be MDV (Medium-Duty Truck GVW=5,574-8,500 lbs.)

<sup>4</sup> 3 axle trucks are assumed to be MHDT (Medium-Heavy Duty Truck GVW=14,001-33,000 lbs.)

<sup>5</sup> 4+ axle trucks are assumed to be HHDT (Heavy-Heavy Duty Truck GVW=33,001-60,000 lbs.)

<sup>6</sup> Source: EMFAC2017 fleet populations.

Agua Manza	Rd.		AADT by Tru	ick Category <sup>1</sup>		I	Percent of t	ruck traffic	on this road	l			
from Brown	Ave.	LDV <sup>2</sup>	2-Axle <sup>3</sup>	3-Axle <sup>4</sup>	4+-Axle <sup>5</sup>			70%		S	peciated Emis	sions Rates	
south to SR	k-60	725	74	36	88								
	ĺ	%	of Vehicles That A	Are Diesel-Powe	red							lb/yr	lb/hr
Average		2.6%	73%	73%	99%					diesel part.		9.06E-03	1.03E-06
Speed		Diesel Exhaus	st PM10 & PM2.	5 Emissions at 3	85 mph (g/mi)7					PM2.5		8.61E-03	9.82E-07
35 mph	PM <sub>10</sub>	0.0109	1.23E-02	1.10E-03	4.96E-04					1,3-butadiene	0.0055	6.28E-03	7.16E-07
	PM <sub>2.5</sub>	0.0100	1.18E-02	1.05E-03	4.75E-04					benzene	0.02636	3.01E-02	3.43E-06
		% o	f Vehicles That A	re Gasoline-Pow	vered					ethylbenzene	0.01072	1.22E-02	1.40E-06
Total distance		97%	27%	27%	0.9%		_			MEK	0.00019	2.17E-04	2.47E-08
covered by	[	Gasoline	Exhaust ROG Er	nissions at 35 m	ph (g/mi)7	Number				naphthalene	0.00048	5.48E-04	6.25E-08
Agua Manza	ROG	0.168	5.05E-03	5.05E-03	2.73E-03	of	Emissio	n Rates pe	er source	propylene	0.03127998	3.57E-02	4.07E-06
Rd. sources		PM <sub>10</sub> ,	PM <sub>2.5</sub> & ROG E	xhaust Emissio	ns (g/s)	Sources	g/s	lb/hr	lb/yr	styrene	0.00126	1.44E-03	1.64E-07
	PM <sub>10</sub>	4.68E-06	1.55E-05	6.72E-07	1.00E-06	168	1.3E-07	1.0E-06	0.0091	toluene	0.05879998	6.71E-02	7.66E-06
3,221 meters	PM <sub>2.5</sub>	4.33E-06	1.49E-05	6.43E-07	9.60E-07	168	1.2E-07	9.8E-07	0.0086	m & p-xylene	0.03639998	4.15E-02	4.74E-06
	ROG	2.75E-03	2.29E-06	1.12E-06	5.02E-08	168	1.6E-05	1.3E-04	1.1414				

<sup>1</sup> AADT from project traffic study

<sup>2</sup> LDV assumed to LDA (Passenger Cars)

<sup>3</sup> 2 axle trucks are assumed to be MDV (Medium-Duty Truck GVW=5,574-8,500 lbs.)

<sup>4</sup> 3 axle trucks are assumed to be MHDT (Medium-Heavy Duty Truck GVW=14,001-33,000 lbs.)

<sup>5</sup> 4+ axle trucks are assumed to be HHDT (Heavy-Heavy Duty Truck GVW=33,001-60,000 lbs.)

<sup>6</sup> Source: EMFAC2017 fleet populations.

Agua Manza	ı Rd.		AADT by Tru	ick Category <sup>1</sup>		I I	Percent of t	ruck traffic	on this road	1			
from Brown	Ave.	LDV <sup>2</sup>	2-Axle <sup>3</sup>	3-Axle <sup>4</sup>	4+-Axle <sup>5</sup>			30%		S	Speciated Emis	sions Rates	
north to Rivers	ide Ave.	311	32	16	38								
		%	of Vehicles That A	Are Diesel-Powe	red <sup>6</sup>							lb/yr	lb/hr
Average		2.6%	73%	73%	99%					diesel part.		3.88E-03	4.43E-07
Speed		Diesel Exhaus	st PM10 & PM2.	5 Emissions at 3	65 mph (g/mi)7					PM2.5		3.69E-03	4.21E-07
35 mph	$PM_{10}$	0.0109	1.23E-02	1.10E-03	4.96E-04					1,3-butadiene	0.0055	2.67E-03	3.05E-07
	PM <sub>2.5</sub>	0.0100	1.18E-02	1.05E-03	4.75E-04					benzene	0.02636	1.28E-02	1.46E-06
		% 0	f Vehicles That A	re Gasoline-Pow	ered <sup>6</sup>					ethylbenzene	0.01072	5.20E-03	5.94E-07
Total distance		97%	27%	27%	0.9%		_			MEK	0.00019	9.22E-05	1.05E-08
covered by		Gasoline	Exhaust ROG Ei	missions at 35 m	ph (g/mi)7	Number				naphthalene	0.00048	2.33E-04	2.66E-08
Agua Manza	ROG	0.168	5.05E-03	5.05E-03	2.73E-03	of	Emissio	n Rates pe	er source	propylene	0.03127998	1.52E-02	1.73E-06
Rd. sources		PM <sub>10</sub> ,	PM <sub>2.5</sub> & ROG E	xhaust Emissio	ns (g/s)	Sources	g/s	lb/hr	lb/yr	styrene	0.00126	6.12E-04	6.98E-08
	$PM_{10}$	9.95E-07	3.33E-06	1.48E-07	2.15E-07	84	5.6E-08	4.4E-07	0.0039	toluene	0.05879998	2.85E-02	3.26E-06
1,597 meters	PM <sub>2.5</sub>	9.21E-07	3.18E-06	1.42E-07	2.05E-07	84	5.3E-08	4.2E-07	0.0037	m & p-xylene	0.03639998	1.77E-02	2.02E-06
	ROG	5.85E-04	4.92E-07	2.46E-07	1.08E-08	84	7.0E-06	5.5E-05	0.4855				

<sup>1</sup> AADT from project traffic study

<sup>2</sup> LDV assumed to LDA (Passenger Cars)

<sup>3</sup> 2 axle trucks are assumed to be MDV (Medium-Duty Truck GVW=5,574-8,500 lbs.)

<sup>4</sup> 3 axle trucks are assumed to be MHDT (Medium-Heavy Duty Truck GVW=14,001-33,000 lbs.)

<sup>5</sup> 4+ axle trucks are assumed to be HHDT (Heavy-Heavy Duty Truck GVW=33,001-60,000 lbs.)

<sup>6</sup> Source: EMFAC2017 fleet populations.

Riverside A	ve.		AADT by Tru	ick Category <sup>1</sup>		] I	Percent of t	ruck traffic	on this road	l			
from Agua Mai	nza Rd.	LDV <sup>2</sup>	2-Axle <sup>3</sup>	3-Axle <sup>4</sup>	4+-Axle <sup>5</sup>			30%		S	peciated Emis	sions Rates	
to I-10		311	32	16	38								
		%	of Vehicles That A	Are Diesel-Powe	ered							lb/yr	lb/hr
Average		2.6%	73%	73%	99%					diesel part.		3.92E-03	4.47E-07
Speed		Diesel Exhaus	st PM10 & PM2.	5 Emissions at 3	85 mph (g/mi)7					PM2.5		3.72E-03	4.24E-07
35 mph	PM <sub>10</sub>	0.0109	1.23E-02	1.10E-03	4.96E-04	J				1,3-butadiene	0.0055	2.69E-03	3.07E-07
	PM <sub>2.5</sub>	0.0100	1.18E-02	1.05E-03	4.75E-04					benzene	0.02636	1.29E-02	1.47E-06
		% 0	f Vehicles That A	re Gasoline-Pow	vered <sup>6</sup>					ethylbenzene	0.01072	5.25E-03	5.99E-07
Total distance		97%	27%	27%	0.9%		_			MEK	0.00019	9.31E-05	1.06E-08
covered by	ſ	Gasoline	Exhaust ROG Er	nissions at 35 m	ıph (g/mi)7	Number				naphthalene	0.00048	2.35E-04	2.68E-08
Riverside Ave.	ROG	0.168	5.05E-03	5.05E-03	2.73E-03	of	Emissio	n Rates pe	er source	propylene	0.03127998	1.53E-02	1.75E-06
sources		PM <sub>10</sub> ,	PM <sub>2.5</sub> & ROG E	xhaust Emissio	ns (g/s)	Sources	g/s	lb/hr	lb/yr	styrene	0.00126	6.17E-04	7.04E-08
	PM <sub>10</sub>	2.09E-06	7.00E-06	3.11E-07	4.51E-07	175	5.6E-08	4.5E-07	0.0039	toluene	0.05879998	2.88E-02	3.29E-06
3,356 meters	PM <sub>2.5</sub>	1.94E-06	6.69E-06	2.98E-07	4.32E-07	175	5.3E-08	4.2E-07	0.0037	m & p-xylene	0.03639998	1.78E-02	2.03E-06
	ROG	1.23E-03	1.03E-06	5.17E-07	2.26E-08	175	7.0E-06	5.6E-05	0.4898				

<sup>1</sup> AADT from project traffic study

<sup>2</sup> LDV assumed to LDA (Passenger Cars)

<sup>3</sup> 2 axle trucks are assumed to be MDV (Medium-Duty Truck GVW=5,574-8,500 lbs.)

<sup>4</sup> 3 axle trucks are assumed to be MHDT (Medium-Heavy Duty Truck GVW=14,001-33,000 lbs.)

<sup>5</sup> 4+ axle trucks are assumed to be HHDT (Heavy-Heavy Duty Truck GVW=33,001-60,000 lbs.)

<sup>6</sup> Source: EMFAC2017 fleet populations.

	Hour	Deliveries	Trips per	Diesel Idle Exhaust PM <sub>10</sub>	Diesel Idle Exhaust PM <sub>2.5</sub>	Idle Time	Idle Exhaust Diesel PM <sub>10</sub>	Idle Exhaust Diesel PM <sub>2.5</sub>
Facility	per day	per day <sup>1</sup>	Hour	(gm/vh-hr) <sup>2</sup>	(gm/vh-hr) <sup>2</sup>	(min/trip) <sup>3</sup>	(gm/hr)	(gm/hr)
Loading docks	24	282	11.7	0.00010	0.00010	15	0.0003	0.0003

]	Number of Sources	Diesel PM10 lb/hr	Diesel PM10 lb/yr	Diesel PM2.5 lb/hr	Diesel PM2.5 lb/yr
ľ	11	5.8E-08	0.0005	5.6E-08	0.0005

<sup>1</sup> AADT from project traffic study. Note that each truck visit comprises two trips, one to arrive and one to leave.

<sup>2</sup> Source: EMFAC2017 idling emission factors for 2025 MHDT & HHDT diesel trucks.

<sup>3</sup> It is assumed that each truck idles for 15 minute per trip to account for multiple stops, i.e. at an entry check-in, loading/unloading and miscellaneous tasks.



# **APPENDIX B**

# **AERMOD OUTPUT AND HARP RESULTS**

\*\*\* AERMOD - VERSION 19191 \*\*\* \*\*\* Agua Mansa Industrial HRA \*\*\* AERMET - VERSION 16216 \*\*\* \*\*\* \* \* \* 03/12/20 \* \* \* 12:15:11 PAGE 1 \*\*\* MODELOPTs: ReqDFAULT CONC ELEV URBAN ADJ U\* \*\*\* MODEL SETUP OPTIONS SUMMARY \* \* \* . . . . . . . . . . . . . . . . . . . \*\*Model Is Setup For Calculation of Average CONCentration Values. -- DEPOSITION LOGIC --\*\*NO GAS DEPOSITION Data Provided. \*\*NO PARTICLE DEPOSITION Data Provided. \*\*Model Uses NO DRY DEPLETION. DRYDPLT = F \*\*Model Uses NO WET DEPLETION. WETDPLT = F \*\*Model Uses URBAN Dispersion Algorithm for the SBL for 527 Source(s), for Total of 1 Urban Area(s): Urban Population = 101315.0 ; Urban Roughness Length = 1.000 m \*\*Model Uses Regulatory DEFAULT Options: 1. Stack-tip Downwash. 2. Model Accounts for ELEVated Terrain Effects. 3. Use Calms Processing Routine. 4. Use Missing Data Processing Routine. 5. No Exponential Decay. 6. Urban Roughness Length of 1.0 Meter Assumed. \*\*Other Options Specified: ADJ U\* - Use ADJ U\* option for SBL in AERMET CCVR Sub - Meteorological data includes CCVR substitutions TEMP Sub - Meteorological data includes TEMP substitutions \*\*Model Assumes No FLAGPOLE Receptor Heights. \*\*The User Specified a Pollutant Type of: TOXICS \*\*Model Calculates 1 Short Term Average(s) of: 1-HR and Calculates PERIOD Averages \*\*This Run Includes: 527 Source(s); 527 Source Group(s); and 876 Receptor(s) 11 POINT(s), including with: 0 POINTCAP(s) and 0 POINTHOR(s) and: 516 VOLUME source(s) and: 0 AREA type source(s) and 0 LINE source(s) and 0 RLINE/RLINEXT source(s) 0 OPENPIT source(s) and: and: 0 BUOYANT LINE source(s) with 0 line(s) \*\*Model Set To Continue RUNning After the Setup Testing. \*\*The AERMET Input Meteorological Data Version Date: 16216 \*\*Output Options Selected: Model Outputs Tables of PERIOD Averages by Receptor Model Outputs Tables of Highest Short Term Values by Receptor (RECTABLE Keyword) Model Outputs External File(s) of High Values for Plotting (PLOTFILE Keyword) Model Outputs Separate Summary File of High Ranked Values (SUMMFILE Keyword) \*\*NOTE: The Following Flags May Appear Following CONC Values: c for Calm Hours m for Missing Hours b for Both Calm and Missing Hours \*\*Misc. Inputs: Base Elev. for Pot. Temp. Profile (m MSL) = 397.00 ; Decay Coef. = 0.000 ; Rot. Angle = 0.0 Emission Units = GRAMS/SEC ; Emission Rate Unit Factor = 0.10000E+07 Output Units = MICROGRAMS/M\*\*3 \*\*Approximate Storage Requirements of Model = 26.0 MB of RAM. \*\*Input Runstream File: aermod.inp \*\*Output Print File: aermod.out \*\*File for Summary of Results: P:\CFN1601\BACKGROUND\HRA\AERMOD\CFN1601.SUM

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*** AERMOD - VERS	SION 19191 ***	*** A	qua Mansa	a Industrial HRA ***	03/12/20	0
*** AERMET - VERS	SION 16216 ***	* * *	-	***	12:15:11	1
					PAGE	2
*** MODELOPTs:	RegDFAULT CO	NC ELEV	URBAN A	ADJ_U*		

\*\*\* POINT SOURCE DATA \*\*\*

SOURCE ID	NUMBER PART. CATS.	EMISSION RATE (GRAMS/SEC)	X (METERS)	Y (METERS)	BASE ELEV. (METERS)	STACK HEIGHT (METERS)	STACK TEMP. (DEG.K)	STACK EXIT VEL. (M/SEC)	STACK DIAMETER (METERS)	BLDG EXISTS	URBAN SOURCE	CAP/ HOR	EMIS RATE SCALAR VARY BY
IDLE01	0	0.10000E+01	465113.5	3765732.1	286.1	3.80	366.00	50.00	0.10	YES	YES	NO	
IDLE02	0	0.10000E+01	465107.2	3765717.2	285.9	3.80	366.00	50.00	0.10	YES	YES	NO	
IDLE03	0	0.10000E+01	465097.4	3765701.4	285.8	3.80	366.00	50.00	0.10	YES	YES	NO	
IDLE04	0	0.10000E+01	465089.0	3765688.9	285.7	3.80	366.00	50.00	0.10	YES	YES	NO	
IDLE05	0	0.10000E+01	465079.3	3765673.7	285.7	3.80	366.00	50.00	0.10	YES	YES	NO	
IDLE06	0	0.10000E+01	465202.4	3765563.8	284.6	3.80	366.00	50.00	0.10	YES	YES	NO	
IDLE07	0	0.10000E+01	465216.2	3765554.5	284.2	3.80	366.00	50.00	0.10	YES	YES	NO	
IDLE08	0	0.10000E+01	465229.6	3765546.7	284.0	3.80	366.00	50.00	0.10	YES	YES	NO	
IDLE09	0	0.10000E+01	465247.4	3765538.3	283.7	3.80	366.00	50.00	0.10	YES	YES	NO	
IDLE10	0	0.10000E+01	465263.9	3765530.0	283.4	3.80	366.00	50.00	0.10	YES	YES	NO	
IDLE11	0	0.10000E+01	465281.4	3765521.3	287.1	3.80	366.00	50.00	0.10	YES	YES	NO	

*** AERMOD - VERSION	19191 ***	*** Aqua Mansa Industrial HRA	* * *	03/12/20
*** AERMET - VERSION	16216 ***	* * *	* * *	12:15:11
				PAGE 3

SOURCE ID	NUMBER PART. CATS.	EMISSION RATE (GRAMS/SEC)	X (METERS)	Y (METERS)	BASE ELEV. (METERS)	RELEASE HEIGHT (METERS)	INIT. SY (METERS)	INIT. SZ (METERS)	URBAN SOURCE	EMISSION RATE SCALAR VARY BY	
HALLA1 HALLA2 HALLA3 HALLA4 HALLA5 HALLB01 HALLB02 HALLB04 HALLB05 HALLB06 HALLB06 HALLB07 HALLB08 HALLB09 HALLB10 HALLB11 HALLB11 HALLB12 HALLB13 HALLB13 HALLB13 HALLB13 HALLB14 AMS_001 AMS_002 AMS_003 AMS_004 AMS_005 AMS_006 AMS_007 AMS_008 AMS_008 AMS_009 AMS_011 AMS_012 AMS_013 AMS_015 AMS_015 AMS_015 AMS_016 AMS_017 AMS_018 AMS_019 AMS_020 AMS	â	0 100007.01			0.05 0	0.11					
HALLAI	0	0.10000E+01	465036.4	3/6561/.3	285.0	3.11	8.82 8.82	2.89 2.89	YES YES		
HALLAZ	0	0.10000E+01	465051.7	3/65606.1	284.9	3.11	8.82 8.82	2.89			
HALLAS	0	0.10000E+01	465067.0	3765595.0	284.7	3.11	8.82 8.82		YES YES		
HALLA4	0	0.10000E+01	465082.4	3765583.9	284.0	3.11	8.82	2.89 2.89	YES		
HALLAD	0	0.10000E+01	465097.7	3765561 4	284.4	3.11 2.11	8.66	2.89	YES		
HALLBUI	0	0.10000E+01	405111.5	3763361.4	284.3	3.11	8.66	2.89	YES		
INTIDUZ	0	0.10000E+01	403127.2	2765541 2	204.1	2.11	8.66	2.89	YES		
INTIDO/	0	0.10000E+01	403142.0	2765521 2	204.1	2.11	8.66	2.89	YES		
UNITEO5	0	0.10000E+01	403130.3	3765521 2	203.9	3.11	8.66	2.89	YES		
UNITROS	0	0.10000E+01	405174.2	3765511 1	203.0	3.11	8.66	2.89	YES		
HALLBOO	0	0.10000E+01	465205 5	3765501 0	283.5	3.11	8.66	2.89	YES		
HALLBOS	0	0.10000E+01	465221 2	3765491 0	203.3	3 11	8.66	2.89	YES		
HALLBOO	0	0.10000E+01	465236 9	3765480 9	283.1	3 11	8.66	2.89	YES		
HALLBIO	0	0 10000E+01	465252 5	3765470 8	282 9	3 11	8.66	2.89	YES		
HALLB11	0	0 10000E+01	465268 2	3765460 8	282.8	3 11	8.66	2.89	YES		
HALLB12	Ő	0 10000E+01	465283 9	3765450 7	282 9	3 11	8.66	2.89	YES		
HALLB13	Õ	0.10000E+01	465299.6	3765440.6	283.4	3.11	8.66	2.89	YES		
HALLB14	Õ	0.10000E+01	465315.2	3765430.5	284.1	3.11	8.66	2.89	YES		
AMS 001	0	0.10000E+01	465156.5	3765169.3	277.5	3.11	8.97	2.89	YES		
AMS 002	0	0.10000E+01	465145.9	3765153.2	277.4	3.11	8.97	2.89	YES		
AMS 003	0	0.10000E+01	465135.2	3765137.1	277.1	3.11	8.97	2.89	YES		
AMS 004	0	0.10000E+01	465124.6	3765121.0	276.9	3.11	8.97	2.89	YES		
AMS 005	0	0.10000E+01	465114.0	3765104.9	276.7	3.11	8.97	2.89	YES		
AMS 006	0	0.10000E+01	465103.4	3765088.8	276.4	3.11	8.97	2.89	YES		
AMS <sup>007</sup>	0	0.10000E+01	465092.7	3765072.7	276.3	3.11	8.97	2.89	YES		
AMS 008	0	0.10000E+01	465082.1	3765056.6	276.1	3.11	8.97	2.89	YES		
AMS_009	0	0.10000E+01	465071.5	3765040.5	275.9	3.11	8.97	2.89	YES		
AMS_010	0	0.10000E+01	465059.4	3765025.8	275.6	3.11	8.97	2.89	YES		
AMS_011	0	0.10000E+01	465043.9	3765014.3	275.4	3.11	8.97	2.89	YES		
AMS_012	0	0.10000E+01	465028.4	3765002.9	275.3	3.11	8.97	2.89	YES		
AMS_013	0	0.10000E+01	465012.8	3764991.5	275.0	3.11	8.97	2.89	YES		
AMS_014	0	0.10000E+01	464997.3	3764980.0	274.7	3.11	8.97	2.89	YES		
AMS_015	0	0.10000E+01	464981.8	3764968.6	274.4	3.11	8.97	2.89	YES		
AMS_016	0	0.10000E+01	464966.3	3764957.1	274.3	3.11	8.97	2.89	YES		
AMS_017	0	0.10000E+01	464950.7	3764945.7	274.0	3.11	8.97	2.89	YES		
AMS_018	U	U.10000E+01	464935.2	3/64934.3	272.8	3.11	8.97	2.89	YES		
AMS_019	0	U.IUUU0E+01	464919.7	3/64922.8	2/2.4	3.11	8.97	2.89	YES		
AMS_UZU	U	0.10000E+01	464904.1	3/64911.4	2/2.4	3.11 2.11	8.97	2.89	YES		
AMS_UZI	U	0.100006+01	404888.6	3/64899.9	212.2	3.11	8.97	2.89	YES		

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SOURCE ID	NUMBER PART. CATS.	EMISSION RATE (GRAMS/SEC)	X (METERS)	Y (METERS)	BASE ELEV. (METERS)	RELEASE HEIGHT (METERS)	INIT. SY (METERS)	INIT. SZ (METERS)	SOURCE	EMISSION RATE SCALAR VARY BY	
AMS_022	0	0.10000E+01			272.5		8.97	2.89	YES		
AMS_023	0			3764877.1		3.11	8.97	2.89	YES		
AMS_024	0	0.10000E+01			272.7	3.11	8.97	2.89	YES		
AMS_025	0	0.10000E+01				3.11	8.97	2.89	YES		
AMS_026	0	0.10000E+01				3.11	8.97	2.89	YES		
AMS_027	0	0.10000E+01				3.11	8.97	2.89	YES		
AMS_028	0	0.10000E+01			272.7	3.11	8.97	2.89	YES		
AMS_029	0			3764808.4	272.8	3.11	8.97	2.89	YES		
AMS_030	0	0.10000E+01				3.11	8.97	2.89	YES		
AMS_031	0	0.10000E+01				3.11	8.97	2.89	YES		
AMS_032	0	0.10000E+01				3.11	8.97	2.89	YES		
AMS_033	0	0.10000E+01			272.4	3.11	8.97	2.89	YES		
AMS_034	0			3764751.2	272.5	3.11	8.97	2.89	YES		
AMS_035	0	0.10000E+01			272.5	3.11	8.97	2.89	YES		
AMS_036	0	0.10000E+01				3.11	8.97	2.89	YES		
AMS_037	0	0.10000E+01				3.11	8.97	2.89	YES		
AMS_038	0	0.10000E+01				3.11	8.97	2.89	YES		
AMS_039	0			3764694.0		3.11	8.97	2.89	YES		
AMS_040	0	0.10000E+01				3.11	8.97	2.89	YES		
AMS_041	0	0.10000E+01				3.11	8.97	2.89	YES		
AMS_042	0	0.10000E+01				3.11	8.97	2.89	YES		
AMS_043	0	0.10000E+01				3.11	8.97	2.89	YES		
AMS 044	0			3764636.8	272.1	3.11	8.97	2.89	YES		
AMS <sup>045</sup>	0	0.10000E+01	464516.0	3764625.3	272.0	3.11	8.97	2.89	YES		
AMS 046	0	0.10000E+01	464500.4	3764613.9	272.0	3.11	8.97	2.89	YES		
AMS <sup>047</sup>	0	0.10000E+01	464484.9	3764602.5	272.0	3.11	8.97	2.89	YES		
AMS 048	0	0.10000E+01	464469.4	3764591.0	272.0	3.11	8.97	2.89	YES		
AMS <sup>049</sup>	0	0.10000E+01			272.0	3.11	8.97	2.89	YES		
AMS 050	0	0.10000E+01	464438.3	3764568.1	271.7	3.11	8.97	2.89	YES		
AMS 051	0	0.10000E+01	464425.4	3764554.0	271.0	3.11	8.97	2.89	YES		
AMS 052	0	0.10000E+01	464413.6	3764538.8	270.5	3.11	8.97	2.89	YES		
AMS 053	0	0.10000E+01	464401.8	3764523.5	269.8	3.11	8.97	2.89	YES		
AMS 054	0	0.10000E+01	464390.0	3764508.3	268.8	3.11	8.97	2.89	YES		
AMS 055	0	0.10000E+01	464378.2	3764493.0	268.3	3.11	8.97	2.89	YES		
AMS 056	0	0.10000E+01	464366.3	3764477.8	267.8	3.11	8.97	2.89	YES		
AMS 057	0	0.10000E+01	464354.5	3764462.5	267.4	3.11	8.97	2.89	YES		
AMS 058	0	0.10000E+01				3.11	8.97	2.89	YES		
AMS 059	0	0.10000E+01				3.11	8.97	2.89	YES		
AMS 060	Ō			3764416.8	265.0	3.11	8.97	2.89	YES		
AMS_022 AMS_024 AMS_024 AMS_025 AMS_026 AMS_027 AMS_028 AMS_029 AMS_031 AMS_031 AMS_031 AMS_032 AMS_034 AMS_035 AMS_036 AMS_037 AMS_038 AMS_038 AMS_038 AMS_038 AMS_038 AMS_038 AMS_040 AMS_041 AMS_042 AMS_045 AMS_045 AMS_045 AMS_045 AMS_045 AMS_045 AMS_045 AMS_046 AMS_047 AMS_045 AMS_045 AMS_045 AMS_045 AMS_050 AMS_051 AMS_051 AMS_055 AMS_055 AMS_055 AMS_056 AMS_057 AMS_059 AMS_050 AMS_059 AMS_050 AMS_059 AMS_050 AMS_050 AMS_050 AMS_056 AMS_050 AMS_050 AMS_050 AMS_050 AMS_050 AMS_050 AMS_050 AMS_050 AMS_057 AMS_050 AMS_05	Ō	0.10000E+01			264.2	3.11	8.97	2.89	YES		
	-						/				

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SOURCE ID	NUMBER PART. CATS.	EMISSION RATE (GRAMS/SEC)	X (METERS)	Y (METERS)	BASE ELEV. (METERS)	RELEASE HEIGHT (METERS)	INIT. SY (METERS)	INIT. SZ (METERS)	URBAN SOURCE	EMISSION RATE SCALAR VARY BY
21/2 0.00	0	0 100000.01	464005 5	2764206 2	0.62.6	2 1 1	0 07	0.00	1100	
AMS_062	0	0.10000E+01	464295.5	3/64386.3	263.6	3.11	8.97		YES YES	
AMS_063	0	0.10000E+01	404283.7	3764371.0	203.3	3.11	8.97 8.97	2.89	YES	
AMS_064	0	0.10000E+01	464271.9	3764333.8	263.0	3.11	8.97	2.89	YES	
AMS_065	0	0.10000E+01	464260.0	3764340.0	262.9	3.11 2.11	8.97	2.89	YES	
AMS_060	0	0.10000E+01	404248.2	3764323.3	202.0	3.11 2.11	8.97	2.89	YES	
AMS_067	0	0.10000E+01	464236.4	3764310.1	262.3	3.11	8.97	2.89	YES	
AMS_068	0	0.10000E+01	464224.6	3764294.8	262.4	3.11	8.97	2.89	YES	
AMS_069	0	0.10000E+01	464212.8	3764279.0	262.3	3.11	8.9/	2.89	YES	
AMS_070	0	0.10000E+01	464201.0	3764264.3	262.9	3.11	8.97 8.97	2.89	YES	
AMS_071	0	0.10000E+01	404189.2	3764249.1	201.0	3.11	8.9/	2.89	YES	
AMS_072	0	0.10000E+01	4641/7.4	3764233.8	260.0	3.11	8.97 8.97	2.89	YES	
AMS_073	0	0.10000E+01	404105.0	3764218.0	238./	3.11	8.9/	2.89	YES	
AMS_074	0	0.10000E+01	464155.8	3764203.3	238.1	3.11	8.97 8.97	2.89	YES	
AMS_075	0	0.10000E+01	464141.9	3764188.1	237.8	3.11	8.97	2.89	YES	
AMS_076	0	0.10000E+01	464130.1	3764172.8	237.7	3.11	8.97	2.89	YES	
AMS_077	0	0.10000E+01	404118.3	3/6413/.6	237.3	3.11	8.9/	2.89	YES	
AMS_078	0	0.10000E+01	464106.5	3764142.3	237.3	3.11	8.97		YES	
AMS_079	0	0.10000E+01	464094.7	3/6412/.1	237.4	3.11	8.97 8.97	2.89 2.89	YES	
AMS_080	0	0.10000E+01	464082.9	3764111.8	237.4	3.11	8.97	2.89	YES	
AMS_081	0	0.10000E+01	464071.1	3764096.6	257.4	3.11	8.9/	2.89	YES	
AMS_082	0	0.10000E+01	464059.5	3764081.3	257.5	3.11	8.97 8.97	2.89	YES	
AMS_083	0	0.10000E+01	464047.5	3764066.1	257.5	3.11	8.97	2.89	YES	
AMS_084	0	0.10000E+01	464035.6	3764050.8	257.3	3.11	8.97			
AMS_085	0	0.10000E+01	464023.8	3/64035.6	257.4	3.11	8.97	2.89	YES	
AMS_086	0	0.10000E+01	464012.0	3764020.3	257.7	3.11	8.97	2.89	YES	
AMS_087	0	0.10000E+01	464000.2	3764005.1	257.9	3.11	8.97	2.89	YES YES	
AMS_088	0	0.10000E+01	403988.4	3763989.8	257.9	3.11	8.97 8.97	2.89 2.89	YES	
AMS_089	0	0.10000E+01	463976.6	3763974.0	257.9	3.11	8.9/	2.89	YES	
AMS_090	0	0.10000E+01	403904.8	3763939.3	257.8	3.11	8.97 8.97	2.89	YES	
AMS_091	0	0.10000E+01	463953.0	3763944.1	257.9	3.11	8.97	2.89	YES	
AMS_092	0	0.10000E+01	463941.1	3763928.8	257.9	3.11	8.9/	2.89	YES	
AMS_093	0	0.10000E+01	403929.3	3763913.0	238.2	3.11	8.97 8.97	2.89	YES	
AMS_094	0	0.10000E+01	463917.3	3763898.4	258.4	3.11	8.97		YES	
AMS_095	0	0.10000E+01	463905.7	3/63883.1	258.8	3.11	8.97	2.89	YES	
AMS_096	0	0.10000E+01	463893.9	3/6386/.9	259.0	3.11	8.97	2.89		
AMS_U97	U	0.100005+01	403082.1	3/03032.0	259.2	3.11	8.97	2.89 2.89	YES YES	
AMS_U98	U	0.100005+01	4038/0.3	3/6383/.4	259.5	3.11	8.97			
AMS_099	U	0.100005+01	403030.5	3/63822.1	259./	3.11	8.97	2.89	YES	
AMS_100	0	0.10000E+01	403040./	3/03806.9	259.9	3.11 2.11	8.97 8.97	2.89 2.89	YES YES	
AMS_062 AMS_063 AMS_064 AMS_065 AMS_066 AMS_066 AMS_067 AMS_068 AMS_070 AMS_071 AMS_072 AMS_077 AMS_073 AMS_074 AMS_077 AMS_076 AMS_076 AMS_076 AMS_077 AMS_078 AMS_077 AMS_078 AMS_078 AMS_078 AMS_078 AMS_078 AMS_081 AMS_081 AMS_083 AMS_083 AMS_084 AMS_083 AMS_084 AMS_085 AMS_086 AMS_087 AMS_086 AMS_081 AMS_081 AMS_082 AMS_080 AMS_090 AMS_091 AMS_092 AMS_095 AMS_096 AMS_097 AMS_098 AMS_097 AMS_098 AMS_098 AMS_097 AMS_098 AMS_098 AMS_097 AMS_098 AMS_099 AMS_099 AMS_099 AMS_099 AMS_007 AMS_007 AMS_000 AMS_001 AMS_001 AMS_000 AMS_001 AMS_000 AMS_001 AMS_000 AMS_001 AMS_000 AMS_000 AMS_001 AMS_000 AMS_00	U	0.100008+01	403034.0	2102121.0	200.0	3.11	0.9/	2.09	ILS	

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SOURCE ID	NUMBER PART. CATS.	EMISSION RATE (GRAMS/SEC)	X (METERS)	Y (METERS)	BASE ELEV. (METERS)	RELEASE HEIGHT (METERS)	INIT. SY (METERS)	INIT. SZ (METERS)	URBAN SOURCE	EMISSION RATE SCALAR VARY BY	
AMS 102	0	0.10000E+01	463823.0	3763776.4	260.2	3.11	8.97	2.89	YES		
AMS 103	0	0.10000E+01	463811.2	3763761.1	260.4	3.11	8.97	2.89	YES		
AMS 104	0	0.10000E+01	463799.4	3763745.9	260.5	3.11	8.97	2.89	YES		
AMS 105	0	0.10000E+01	463787.6	3763730.6	260.7	3.11	8.97	2.89	YES		
AMS <sup>106</sup>	0	0.10000E+01	463775.8	3763715.4	260.9	3.11	8.97	2.89	YES		
AMS 107	0	0.10000E+01	463764.0	3763700.1	261.1	3.11	8.97	2.89	YES		
AMS_108	0	0.10000E+01	463752.2	3763684.9	261.2	3.11	8.97	2.89	YES		
AMS_109	0	0.10000E+01	463740.4	3763669.6	261.5	3.11	8.97	2.89	YES		
AMS_110	0	0.10000E+01	463728.5	3763654.4	261.8	3.11	8.97	2.89	YES		
AMS_111	0	0.10000E+01	463716.7	3763639.1	262.2	3.11	8.97	2.89	YES		
AMS_112	0	0.10000E+01	463704.9	3763623.9	262.6	3.11	8.97	2.89	YES		
AMS_113	0	0.10000E+01	463693.1	3763608.6	263.1	3.11	8.97	2.89	YES		
AMS_114	0	0.10000E+01	463681.3	3763593.4	263.9	3.11	8.97	2.89	YES		
AMS_115	0	0.10000E+01	463669.5	3763578.1	264.3	3.11	8.97	2.89	YES		
AMS_116	0	0.10000E+01	463657.7	3763562.9	264.7	3.11	8.97	2.89	YES		
AMS_117	0	0.10000E+01	463645.9	3763547.6	264.8	3.11	8.97	2.89	YES		
AMS_118	0	0.10000E+01	463634.1	3763532.4	264.7	3.11	8.97	2.89	YES		
AMS_119	0	0.10000E+01	463622.2	3763517.1	264.7	3.11	8.97	2.89	YES		
AMS_120	0	0.10000E+01	463610.4	3763501.9	264.5	3.11	8.97	2.89	YES		
AMS_121	0	0.10000E+01	463598.6	3763486.6	264.4	3.11	8.97	2.89	YES		
AMS_122	0	0.10000E+01	463586.8	3763471.4	264.2	3.11	8.97	2.89	YES		
AMS_123	0	0.10000E+01	463575.0	3763456.2	263.9	3.11	8.97	2.89	YES		
AMS_124	0	0.10000E+01	463563.2	3763440.9	263.8	3.11	8.97	2.89	YES		
AMS_125	0	0.10000E+01	463551.4	3763425.7	263.6	3.11	8.97	2.89	YES		
AMS_126	0	0.10000E+01	463539.6	3763410.4	263.3	3.11	8.97	2.89	YES		
AMS_127	0	0.10000E+01	463527.8	3763395.2	263.2	3.11	8.97	2.89	YES		
AMS_128	0	0.10000E+01	463515.9	3763379.9	262.9	3.11	8.97	2.89	YES		
AMS_129	0	0.10000E+01	463504.1	3/63364./	262.6	3.11	8.97	2.89	YES		
AMS_130	0	0.10000E+01	463492.3	3/63349.4	262.4	3.11	8.97	2.89	YES		
AMS_131	0	0.10000E+01	463480.5	3/63334.2	262.1	3.11	8.97	2.89	YES		
AMS_132	0	0.10000E+01	463468.7	3/63318.9	261.8	3.11	8.97	2.89	YES		
AMS_133	0	0.10000E+01	463456.9	3/63303./	261.6	3.11	8.97	2.89	YES		
AMS_134	0	0.10000E+01	463445.1	3763288.4	261.4	3.11	8.97	2.89	YES		
AMS_135	0	0.10000E+01	463433.3	3/632/3.2	261.2	3.11	8.97	2.89	YES YES		
AMS_136	0	0.10000E+01	463421.5	3/6325/.9	261.1	3.11	8.97	2.89 2.89			
AMO 120	0	0.100005+01	403409.0	2762227	200.9	3.11 2 11	0.9/	2.89	YES YES		
AMG_120	0	0.100005+01	403391.8	2762212	200.8	3.11 2 11	0.9/	2.89	YES		
AMS_139	0	0.100005+01	403300.0	2762106 0	200.0 260 5	3.11 2 11	0.9/	2.89	YES		
AMG 141	0	0.100005+01	403314.2	3763191 7	260.3	3.11 3.11	0.9/	2.89	YES		
ID AMS 102 AMS 103 AMS 104 AMS 105 AMS 106 AMS 107 AMS 107 AMS 109 AMS 110 AMS 111 AMS 112 AMS 112 AMS 113 AMS 114 AMS 115 AMS 116 AMS 117 AMS 116 AMS 117 AMS 118 AMS 119 AMS 120 AMS 120 AMS 122 AMS 122 AMS 123 AMS 124 AMS 122 AMS 122 AMS 123 AMS 124 AMS 126 AMS 127 AMS 128 AMS 128 AMS 127 AMS 128 AMS 127 AMS 128 AMS 127 AMS 131 AMS 131 AMS 132 AMS 131 AMS 132 AMS 137 AMS 139 AMS 139 AMS 141	U	0.100000101	-00002.4	J,03101./	200.4	2.11	0.97	2.09	201		

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SOURCE ID	NUMBER PART. CATS.	EMISSION RATE (GRAMS/SEC)	X (METERS)	Y (METERS)	BASE ELEV. (METERS)	RELEASE HEIGHT (METERS)	INIT. SY (METERS)	INIT. SZ (METERS)	URBAN SOURCE	EMISSION RATE SCALAR VARY BY
AMS 142	0	0 10000E+01	463350 6	3763166 4	260 2	3 11	8.97	2.89	YES	
AMS 143	Ő	0.10000E+01	463338.8	3763151.2	260.0	3.11	8.97	2.89	YES	
AMS 144	Ō	0.10000E+01	463327.0	3763135.9	259.9	3.11	8.97	2.89	YES	
AMS 145	Ō	0.10000E+01	463315.2	3763120.7	259.7	3.11	8.97	2.89	YES	
AMS 146	0	0.10000E+01	463303.3	3763105.4	259.5	3.11	8.97	2.89	YES	
AMS 147	0	0.10000E+01	463291.5	3763090.2	259.4	3.11	8.97	2.89	YES	
AMS 148	0	0.10000E+01	463279.7	3763074.9	259.2	3.11	8.97	2.89	YES	
AMS 149	0	0.10000E+01	463267.9	3763059.7	259.0	3.11	8.97	2.89	YES	
AMS <sup>150</sup>	0	0.10000E+01	463256.1	3763044.5	258.8	3.11	8.97	2.89	YES	
AMS_151	0	0.10000E+01	463244.3	3763029.2	258.7	3.11	8.97	2.89	YES	
AMS_152	0	0.10000E+01	463232.5	3763014.0	258.6	3.11	8.97	2.89	YES	
AMS_153	0	0.10000E+01	463220.7	3762998.7	258.4	3.11	8.97	2.89	YES	
AMS_154	0	0.10000E+01	463208.8	3762983.5	258.2	3.11	8.97	2.89	YES	
AMS_155	0	0.10000E+01	463197.0	3762968.2	257.9	3.11	8.97	2.89	YES	
AMS_156	0	0.10000E+01	463185.2	3762953.0	257.6	3.11	8.97	2.89	YES	
AMS_157	0	0.10000E+01	463173.4	3762937.7	257.4	3.11	8.97	2.89	YES	
AMS_158	0	0.10000E+01	463161.6	3762922.5	257.2	3.11	8.97	2.89	YES	
AMS_159	0	0.10000E+01	463149.8	3762907.2	257.0	3.11	8.97	2.89	YES	
AMS_160	0	0.10000E+01	463138.0	3762892.0	256.8	3.11	8.97	2.89	YES	
AMS_161	0	0.10000E+01	463126.2	3762876.7	256.1	3.11	8.97	2.89	YES	
AMS_162	0	0.10000E+01	463114.4	3762861.5	255.4	3.11	8.97	2.89	YES	
AMS_163	0	0.10000E+01	463102.5	3762846.2	254.4	3.11	8.97	2.89	YES	
AMS_164	0	0.10000E+01	463090.7	3762831.0	253.5	3.11	8.97	2.89	YES	
AMS_165	0	0.10000E+01	463078.9	3762815.7	252.8	3.11	8.97	2.89	YES	
AMS_166	0	0.10000E+01	463067.1	3762800.5	252.3	3.11	8.97	2.89	YES	
AMS_167	0	0.10000E+01	463055.3	3762785.2	251.9	3.11	8.97	2.89	YES	
AMS_168	0	0.10000E+01	463043.5	3/62//0.0	251.4	3.11	8.97	2.89	YES	
AMN_UUI	0	0.10000E+01	465167.1	3/65185.4	277.8	3.11	8.97	2.89	YES	
AMN_002	0	0.10000E+01	465177.8	3765201.5	2/8.1	3.11	8.97 8.97	2.89 2.89	YES YES	
AMIN_003	0	0.10000E+01	403188.4	3765217.0	278.5	3.11	8.97	2.89	YES	
AMIN_004	0	0.10000E+01	465199.0	3765233.7	279.1	3.11	8.97	2.89	YES	
AMN_005	0	0.10000E+01	465209.7	3765265 0	2/9.8	3.11 2.11	8.97	2.89	YES	
AMN 000	0	0.10000E+01	403220.3	2765201 0	200.0	2.11	8.97	2.89	YES	
AMN 007	0	0.10000E+01	403230.9	2765200 0	201.3	2.11	8.97	2.89	YES	
AMN 000	0	0.10000E+01	403241.0	376531/ 1	201.9	3.11	8.97	2.89	YES	
AMN 010	0	0.10000E+01	405252.2	3765330 2	202.4	3.11	8.97	2.89	YES	
AMN 011	0	0 10000E+01	465273 5	3765346 3	202.0	3 11	8.97	2.89	YES	
AMN 012	0	0 10000E+01	465284 1	3765362 4	283.4	3 11	8.97	2.89	YES	
AMN 013	0	0 10000E+01	465294 7	3765378 5	283.6	3 11	8.97	2.89	YES	
AMS_142 AMS_143 AMS_144 AMS_145 AMS_146 AMS_146 AMS_147 AMS_150 AMS_150 AMS_150 AMS_151 AMS_155 AMS_155 AMS_155 AMS_155 AMS_157 AMS_157 AMS_157 AMS_158 AMS_157 AMS_160 AMS_161 AMS_161 AMS_162 AMS_164 AMS_165 AMS_166 AMS_166 AMS_166 AMS_166 AMS_167 AMS_168 AMS_100 AMN_001 AMN_002 AMN_006 AMN_007 AMN_008 AMN_001 AMN_011 AMN_012 AMN_013	0	0.10000HI01	100201.1	5,055,0.5	200.0	0.11	0.57	2.09	100	

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SOURCE ID AMN_014 AMN_015 AMN_016 AMN_016 AMN_017 AMN_018 AMN_020 AMN_020 AMN_021 AMN_022 AMN_022 AMN_023 AMN_024 AMN_025 AMN_025 AMN_026 AMN_025 AMN_026 AMN_027 AMN_028 AMN_027 AMN_031 AMN_031 AMN_031 AMN_031 AMN_033 AMN_033 AMN_033 AMN_038 AMN_038 AMN_038 AMN_038 AMN_038 AMN_038 AMN_038 AMN_038 AMN_040 AMN_040 AMN_041 AMN_046 AMN_046 AMN_046 AMN_047 AMN_048 AMN_048 AMN_049 AMN_050 AMN_051 AMN_051 AMN_051 AMN_051 AMN_053	NUMBER PART. CATS.	EMISSION RATE (GRAMS/SEC)	X (METERS)	Y (METERS)	BASE ELEV. (METERS)	RELEASE HEIGHT (METERS)	INIT. SY (METERS)	INIT. SZ (METERS)	URBAN SOURCE	EMISSION RATE SCALAR VARY BY	
AMN_014	0	0.10000E+01	465305.3	3765394.6	283.9	3.11	8.97	2.89	YES		
AMN_015	0	0.10000E+01	465316.0	3765410.7	284.1	3.11	8.97	2.89	YES		
AMN_016	0	0.10000E+01	465326.6	3765426.8	284.4	3.11	8.97	2.89	YES		
AMN_017	0	0.10000E+01	465335.2	3765442.5	284.6	3.11	8.97	2.89	YES		
AMN_018	0	0.10000E+01	465342.9	3765457.0	284.8	3.11	8.97	2.89	YES		
AMN_019	0	0.10000E+01	465353.3	3765473.3	285.2	3.11	8.97	2.89	YES		
AMN_020	0	0.10000E+01	465363.6	3765489.5	285.7	3.11	8.97	2.89	YES		
AMN_021	0	0.10000E+01	465374.0	3765505.8	286.2	3.11	8.97	2.89	YES		
AMN_022	0	0.10000E+01	465384.4	3765522.1	286.6	3.11	8.97	2.89	YES		
AMN_023	0	0.10000E+01	465394.7	3765538.4	286.9	3.11	8.97	2.89	YES		
AMN_024	0	0.10000E+01	465405.1	3765554.6	287.2	3.11	8.97	2.89	YES		
AMN_025	0	0.10000E+01	465415.5	3765570.9	287.3	3.11	8.97	2.89	YES		
AMN_026	0	0.10000E+01	465425.8	3765587.2	287.4	3.11	8.97	2.89	YES		
AMN_027	0	0.10000E+01	465436.2	3765603.4	287.3	3.11	8.97	2.89	YES		
AMN_028	0	0.10000E+01	465446.5	3765619.7	287.2	3.11	8.97	2.89	YES		
AMN_029	0	0.10000E+01	465456.9	3765636.0	287.0	3.11	8.97	2.89	YES		
AMN_030	0	0.10000E+01	465467.3	3765652.3	286.8	3.11	8.97	2.89	YES		
AMN_031	0	0.10000E+01	465477.6	3765668.5	286.4	3.11	8.97	2.89	YES		
AMN_032	0	0.10000E+01	465488.0	3765684.8	286.3	3.11	8.97	2.89	YES		
AMN_033	0	0.10000E+01	465498.3	3765701.1	286.1	3.11	8.97	2.89	YES		
AMN_034	0	0.10000E+01	465508.7	3765717.4	286.0	3.11	8.97	2.89	YES		
AMN_035	0	0.10000E+01	465519.1	3765733.6	285.9	3.11	8.97	2.89	YES		
AMN_036	0	0.10000E+01	465529.4	3765749.9	285.9	3.11	8.97	2.89	YES		
AMN_037	0	0.10000E+01	465539.8	3765766.2	285.8	3.11	8.97	2.89	YES		
AMN_038	0	0.10000E+01	465550.2	3765782.4	285.7	3.11	8.97	2.89	YES		
AMN_039	0	0.10000E+01	465560.5	3765798.7	285.7	3.11	8.97	2.89	YES		
AMN_040	0	0.10000E+01	465570.9	3765815.0	285.6	3.11	8.97	2.89	YES		
AMN 041	0	0.10000E+01	465581.2	3765831.3	285.5	3.11	8.97	2.89	YES		
AMN 042	0	0.10000E+01	465591.6	3765847.5	285.4	3.11	8.97	2.89	YES		
AMN 043	0	0.10000E+01	465602.0	3765863.8	285.2	3.11	8.97	2.89	YES		
AMN 044	0	0.10000E+01	465612.3	3765880.1	285.0	3.11	8.97	2.89	YES		
AMN 045	0	0.10000E+01	465622.7	3765896.3	284.8	3.11	8.97	2.89	YES		
AMN 046	0	0.10000E+01	465633.1	3765912.6	284.5	3.11	8.97	2.89	YES		
AMN 047	0	0.10000E+01	465643.4	3765928.9	284.2	3.11	8.97	2.89	YES		
AMN 048	0	0.10000E+01	465653.8	3765945.2	284.0	3.11	8.97	2.89	YES		
AMN 049	0	0.10000E+01	465664.1	3765961.4	283.6	3.11	8.97	2.89	YES		
AMN 050	0	0.10000E+01	465674.5	3765977.7	283.2	3.11	8.97	2.89	YES		
AMN 051	0	0.10000E+01	465684.9	3765994.0	282.8	3.11	8.97	2.89	YES		
AMN 052	0	0.10000E+01	465695.2	3766010.2	282.0	3.11	8.97	2.89	YES		
AMN 053	0	0.10000E+01	465705.6	3766026.5	281.2	3.11	8.97 8.97	2.89	YES		
—											

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		EMISSION RATE (GRAMS/SEC)					INIT. SY (METERS)	SZ	SOURCE	EMISSION RATE SCALAR VARY BY
AMN 054 AMN 055 AMN 055 AMN 056 AMN 057 AMN 058 AMN 060 AMN 061 AMN 062 AMN 063 AMN 064 AMN 064 AMN 065 AMN 066 AMN 066 AMN 066 AMN 066 AMN 067 AMN 069 AMN 077 AMN 078 AMN 077 AMN 078 AMN 077 AMN 078 AMN 077 AMN 078 AMN 077 AMN 078 AMN 078 AMN 081 AMN 081 AMN 081 AMN 081 AMN 081 AMN 081 AMN 082 AMN 084 RVSD001 RVSD002 RVSD003 RVSD004 RVSD005 RVSD007 RVSD008 RVSD007 RVSD008	<u>^</u>	0.100007.01		0		0.11	0 07	0.00		
AMN_054	0	0.10000E+01	465/16.0	3766042.8	280.3	3.11 3.11	8.97 8.97	2.89 2.89	YES YES	
AMN_055	0	0.10000E+01	465/26.3	3766059.1	279.5	3.11 3.11	8.97 8.97	2.89	YES	
AMN_056	0	0.10000E+01	403/30./	3766001 6	278.0	3.11	8.97	2.89	YES	
AMN_057	0	0.10000E+01	465747.0	3766107 0	276.0	3.11	8.97	2.89	YES	
AMIN_050	0	0.10000E+01	403737.4	3766124 1	270.2	3.11	8.97	2.89	YES	
AMN_059	0	0.10000E+01	403707.0	3766140 4	273.3	3.11	8.97	2.89	YES	
AMN_061	0	0.10000E+01	465788 5	3766156 7	274.4	3.11	8.97	2.89	YES	
AMN_062	0	0.10000E+01	465798 8	3766173 0	273.2	3.11	8.97	2.89	YES	
AMN 063	0	0.10000E+01	465809 2	3766189 2	272 6	3.11	8.97	2.89	YES	
AMN 064	0	0.10000E+01	465822 5	3766203 0	272.0	3.11	8.97	2.89	YES	
AMN 065	Ő	0 10000E+01	465836 9	3766215 8	271 8	3.11	8.97	2.89	YES	
AMN 066	Ő	0 10000E+01	465851 3	3766228 7	271.7	3.11	8.97	2.89	YES	
AMN 067	õ	0 10000E+01	465865 7	3766241 5	271 3	3.11	8.97	2.89	YES	
AMN 068	õ	0 10000E+01	465880 1	3766254 3	271 1	3.11	8.97	2.89	YES	
AMN 069	õ	0.10000E+01	465894.5	3766267.1	271.4	3.11	8.97	2.89	YES	
AMN 070	0	0.10000E+01	465909.0	3766280.0	271.7	3.11	8.97	2.89	YES	
AMN 071	Ō	0.10000E+01	465923.4	3766292.8	271.6	3.11	8.97	2.89	YES	
AMN 072	0	0.10000E+01	465937.8	3766305.6	271.5	3.11	8.97	2.89	YES	
AMN 073	0	0.10000E+01	465952.2	3766318.5	271.6	3.11	8.97	2.89	YES	
AMN 074	0	0.10000E+01	465966.6	3766331.3	271.6	3.11	8.97	2.89	YES	
AMN 075	0	0.10000E+01	465981.0	3766344.1	271.4	3.11	8.97	2.89	YES	
AMN 076	0	0.10000E+01	465995.4	3766356.9	271.4	3.11	8.97	2.89	YES	
AMN 077	0	0.10000E+01	466009.8	3766369.8	271.5	3.11	8.97	2.89	YES	
AMN 078	0	0.10000E+01	466024.2	3766382.6	271.7	3.11	8.97	2.89	YES	
AMN 079	0	0.10000E+01	466038.6	3766395.4	271.8	3.11	8.97	2.89	YES	
AMN 080	0	0.10000E+01	466053.0	3766408.2	271.9	3.11	8.97	2.89	YES	
AMN 081	0	0.10000E+01	466067.5	3766421.1	271.9	3.11	8.97	2.89	YES	
AMN 082	0	0.10000E+01	466081.9	3766433.9	272.1	3.11	8.97	2.89	YES	
AMN 083	0	0.10000E+01	466096.3	3766446.7	272.1	3.11	8.97	2.89	YES	
AMN 084	0	0.10000E+01	466110.7	3766459.6	272.4	3.11	8.97	2.89	YES	
RVSD001	0	0.10000E+01	466109.5	3766496.0	273.0	3.11	8.97	2.89	YES	
RVSD002	0	0.10000E+01	466105.0	3766514.8	273.3	3.11	8.97	2.89	YES	
RVSD003	0	0.10000E+01	466100.5	3766533.5	273.6	3.11	8.97	2.89	YES	
RVSD004	0	0.10000E+01	466096.0	3766552.3	273.8	3.11	8.97	2.89	YES	
RVSD005	0	0.10000E+01	466091.5	3766571.0	274.1	3.11	8.97	2.89	YES	
RVSD006	0	0.10000E+01	466087.0	3766589.8	274.3	3.11	8.97	2.89	YES	
RVSD007	0	0.10000E+01	466082.5	3766608.5	274.8	3.11	8.97	2.89	YES	
RVSD008	0	0.10000E+01	466077.9	3766627.3	274.9	3.11	8.97	2.89	YES	
RVSD009	0	0.10000E+01	466073.4	3766646.1	275.2	3.11	8.97	2.89	YES	

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SOURCE ID	NUMBER PART. CATS.	EMISSION RATE (GRAMS/SEC)	E X (METERS)	Y (METERS)	BASE ELEV. (METERS)	RELEASE HEIGHT (METERS)	INIT. SY (METERS)	INIT. SZ (METERS)	URBAN SOURCE	EMISSION RATE SCALAR VARY BY
RVSD010 RVSD011 RVSD012 RVSD013 RVSD014 RVSD015 RVSD016 RVSD017 RVSD018 RVSD019 RVSD020 RVSD020 RVSD021 RVSD022 RVSD022 RVSD023 RVSD024 RVSD022 RVSD023 RVSD024 RVSD027 RVSD026 RVSD027 RVSD028 RVSD029 RVSD030 RVSD031 RVSD031 RVSD031 RVSD031 RVSD033 RVSD033 RVSD034 RVSD035 RVSD035 RVSD036 RVSD037 RVSD038 RVSD037 RVSD038 RVSD038 RVSD037 RVSD038 RVSD037 RVSD038 RVSD037 RVSD038 RVSD037 RVSD040 RVSD041 RVSD041 RVSD041 RVSD042 RVSD044 RVSD045 RVSD048 RVSD048 RVSD048 RVSD049										
RVSD010	0	0.10000E+01	466068.9	3766664.8	275.4	3.11	8.97	2.89		
RVSD011	0	0.10000E+01	466064.4	3766683.6	275.7	3.11	8.97	2.89	YES	
RVSD012	0	0.10000E+01	466059.9	3766702.3	276.1	3.11	8.97	2.89	YES	
RVSD013	0	0.10000E+01	466055.4	3766721.1	276.3	3.11	8.97	2.89	YES	
RVSD014	0	0.10000E+01	466050.9	3766739.8	276.9	3.11	8.97	2.89	YES	
RVSD015	0	0.10000E+01	466046.4	3766758.6	277.2	3.11	8.97	2.89	YES	
RVSD016	0	0.10000E+01	466041.9	3766777.3	278.0	3.11	8.97	2.89	YES	
RVSD017	0	0.10000E+01	466037.4	3766796.1	278.2	3.11	8.97	2.89	YES	
RVSD018	0	0.10000E+01	466032.9	3766814.8	278.9	3.11	8.97	2.89	YES	
RVSD019	0	0.10000E+01	466028.4	3766833.6	279.5	3.11	8.97	2.89	YES	
RVSD020	0	0.10000E+01	466023.9	3766852.4	280.4	3.11	8.97	2.89	YES	
RVSD021	0	0.10000E+01	466019.4	3766871.1	281.1	3.11	8.97	2.89	YES	
RVSD022	0	0.10000E+01	466014.9	3766889.9	282.0	3.11	8.97	2.89	YES	
RVSD023	0	0.10000E+01	466010.4	3766908.6	282.7	3.11	8.97	2.89	YES	
RVSD024	0	0.10000E+01	466005.9	3766927.4	283.6	3.11	8.97	2.89	YES	
RVSD025	0	0.10000E+01	466001.4	3766946.1	284.4	3.11	8.97	2.89	YES	
RVSD026	0	0.10000E+01	465996.9	3766964.9	285.2	3.11	8.97	2.89	YES	
RVSD027	0	0.10000E+01	465992.3	3766983.6	285.9	3.11	8.97	2.89	YES	
RVSD028	0	0.10000E+01	465987.8	3767002.4	286.7	3.11	8.97	2.89	YES	
RVSD029	0	0.10000E+01	465983.3	3767021.1	287.4	3.11	8.97	2.89	YES	
RVSD030	0	0.10000E+01	465978.8	3767039.9	288.0	3.11	8.97	2.89	YES	
RVSD031	0	0.10000E+01	465974.3	3767058.6	288.6	3.11	8.97	2.89	YES	
RVSD032	0	0.10000E+01	465969.8	3767077.4	289.2	3.11	8.97	2.89	YES	
RVSD033	0	0.10000E+01	465965.3	3767096.2	289.8	3.11	8.97	2.89	YES	
RVSD034	0	0.10000E+01	465960.8	3767114.9	290.3	3.11	8.97	2.89	YES	
RVSD035	0	0.10000E+01	465956.3	3767133.7	290.8	3.11	8.97	2.89	YES	
RVSD036	0	0.10000E+01	465951.8	3767152.4	291.3	3.11	8.97	2.89	YES	
RVSD037	0	0.10000E+01	465947.3	3767171.2	291.9	3.11	8.97	2.89	YES	
RVSD038	0	0.10000E+01	465942.8	3767189.9	292.2	3.11	8.97	2.89	YES	
RVSD039	0	0.10000E+01	465938.3	3767208.7	292.6	3.11	8.97	2.89	YES	
RVSD040	0	0.10000E+01	465933.8	3767227.4	292.9	3.11	8.97	2.89	YES	
RVSD041	0	0.10000E+01	465929.3	3767246.2	293.1	3.11	8.97	2.89	YES	
RVSD042	0	0.10000E+01	465924.8	3767264.9	293.4	3.11	8.97	2.89	YES	
RVSD043	0	0.10000E+01	465920.3	3767283.7	293.5	3.11	8.97	2.89	YES	
RVSD044	0	0.10000E+01	465915.8	3767302.5	293.7	3.11	8.97	2.89	YES	
RVSD045	0	0.10000E+01	465911.3	3767321.2	293.8	3.11	8.97	2.89	YES	
RVSD046	0	0.10000E+01	465906.8	3767340.0	294.0	3.11	8.97	2.89	YES	
RVSD047	0	0.10000E+01	465902.3	3767358.7	294.1	3.11	8.97	2.89	YES	
RVSD048	0	0.10000E+01	465897.8	3767377.5	294.2	3.11	8.97	2.89	YES	
RVSD049	0	0.10000E+01	465893.2	3767396.2	294.4	3.11	8.97	2.89	YES	

*** AERMOD - VERSION	19191 ***	*** Aqua Mansa Industrial HRA	* * *	03/12/20
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SOURCE ID	NUMBER PART. CATS.	EMISSION RATE (GRAMS/SEC)	X (METERS)	Y (METERS)	BASE ELEV. (METERS)	RELEASE HEIGHT (METERS)	INIT. SY (METERS)	INIT. SZ (METERS)	URBAN SOURCE	EMISSION RATE SCALAR VARY BY
RVSD050 RVSD051 RVSD052 RVSD053 RVSD055 RVSD056 RVSD057 RVSD057 RVSD059 RVSD060 RVSD061 RVSD062 RVSD063 RVSD064 RVSD063 RVSD064 RVSD065 RVSD066 RVSD067 RVSD067 RVSD068 RVSD070 RVSD071 RVSD073 RVSD073 RVSD074 RVSD073 RVSD074 RVSD075 RVSD075 RVSD077 RVSD078 RVSD077 RVSD078 RVSD078 RVSD079 RVSD078 RVSD078 RVSD079 RVSD078 RVSD078 RVSD078 RVSD078 RVSD078 RVSD078 RVSD078 RVSD078 RVSD078 RVSD078 RVSD078 RVSD078 RVSD078 RVSD078 RVSD078 RVSD077 RVSD078 RVSD078 RVSD084 RVSD084 RVSD087 RVSD087 RVSD087 RVSD087 RVSD084 RVSD087 RVSD087 RVSD087 RVSD087 RVSD087 RVSD088 RVSD087 RVSD088 RVSD087 RVSD088 RVSD087 RVSD088 RVSD087 RVSD088 RVSD087 RVSD088 RVSD087 RVSD088 RVSD087 RVSD088 RVSD089										
RVSD050	0	0.10000E+01	465888.8	3767415.0	294.5	3.11	8.97	2.89	YES	
RVSD051	0	0.10000E+01	465884.2	3767433.7	294.6	3.11	8.97	2.89	YES	
RVSD052	0	0.10000E+01	465879.7	3767452.5	294.8	3.11	8.97	2.89	YES	
RVSD053	0	0.10000E+01	465875.2	3767471.2	294.9	3.11	8.97	2.89	YES	
RVSD054	0	0.10000E+01	465870.7	3767490.0	295.1	3.11	8.97	2.89	YES	
RVSD055	0	0.10000E+01	465866.2	3767508.8	295.3	3.11	8.97	2.89	YES	
RVSD056	0	0.10000E+01	465861.7	3767527.5	295.5	3.11	8.97	2.89	YES	
RVSD057	0	0.10000E+01	465857.2	3767546.3	295.7	3.11	8.97	2.89	YES	
RVSD058	0	0.10000E+01	465852.7	3767565.0	295.9	3.11	8.97	2.89	YES	
RVSD059	0	0.10000E+01	465848.2	3767583.8	296.1	3.11	8.97	2.89	YES	
RVSD060	0	0.10000E+01	465843.7	3767602.5	296.2	3.11	8.97	2.89	YES	
RVSD061	0	0.10000E+01	465839.7	3767621.3	296.5	3.11	8.97	2.89	YES	
RVSD062	0	0.10000E+01	465839.6	3767640.6	296.6	3.11	8.97	2.89	YES	
RVSD063	0	0.10000E+01	465839.5	3767659.9	296.8	3.11	8.97	2.89	YES	
RVSD064	0	0.10000E+01	465839.4	3767679.2	296.9	3.11	8.97	2.89	YES	
RVSD065	0	0.10000E+01	465839.3	3767698.5	297.1	3.11	8.97	2.89	YES	
RVSD066	0	0.10000E+01	465839.2	3767717.8	297.2	3.11	8.97	2.89	YES	
RVSD067	0	0.10000E+01	465839.1	3767737.1	297.4	3.11	8.97	2.89	YES	
RVSD068	0	0.10000E+01	465839.0	3767756.3	297.5	3.11	8.97	2.89	YES	
RVSD069	0	0.10000E+01	465838.9	3767775.6	297.7	3.11	8.97	2.89	YES	
RVSD070	0	0.10000E+01	465838.8	3767794.9	297.9	3.11	8.97	2.89	YES	
RVSD071	0	0.10000E+01	465838.7	3767814.2	298.1	3.11	8.97	2.89	YES	
RVSD072	0	0.10000E+01	465838.6	3767833.5	298.3	3.11	8.97	2.89	YES	
RVSD073	0	0.10000E+01	465838.5	3767852.8	298.5	3.11	8.97	2.89	YES	
RVSD074	0	0.10000E+01	465838.5	3767872.1	298.8	3.11	8.97	2.89	YES	
RVSD075	0	0.10000E+01	465838.3	3767891.4	299.0	3.11	8.97	2.89	YES	
RVSD076	0	0.10000E+01	465838.2	3767910.6	299.2	3.11	8.97	2.89	YES	
RVSD077	0	0.10000E+01	465838.2	3767929.9	299.5	3.11	8.97	2.89	YES	
RVSD078	0	0.10000E+01	465838.1	3767949.2	299.7	3.11	8.97	2.89	YES	
RVSD079	0	0.10000E+01	465838.0	3767968.5	299.9	3.11	8.97	2.89	YES	
RVSD080	0	0.10000E+01	465837.9	3767987.8	300.1	3.11	8.97	2.89	YES	
RVSD081	0	0.10000E+01	465837.8	3768007.1	300.3	3.11	8.97	2.89	YES	
RVSD082	0	0.10000E+01	465837.7	3768026.4	300.6	3.11	8.97	2.89	YES	
RVSD083	0	0.10000E+01	465837.6	3768045.7	300.8	3.11	8.97	2.89	YES	
RVSD084	0	0.10000E+01	465837.5	3768064.9	301.2	3.11	8.97	2.89	YES	
RVSD085	U	U.10000E+01	465837.4	3/68084.2	301.6	3.11	8.97	2.89	YES	
RVSD086	0	U.10000E+01	465837.3	3768103.5	302.1	3.11	8.97	2.89	YES	
RVSD087	0	U.10000E+01	465837.2	3768122.8	302.6	3.11	8.97	2.89	YES	
RVSD088	0	U.10000E+01	465837.1	3/68142.1	303.2	3.11	8.97	2.89	YES	
RVSD089	0	0.10000E+01	465837.0	3768161.4	303.8	3.11	8.97	2.89	YES	

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SOURCE ID	NUMBER PART. CATS.	EMISSION RATE (GRAMS/SEC)	X (METERS)	Y (METERS)	BASE ELEV. (METERS)	RELEASE HEIGHT (METERS)	INIT. SY (METERS)	INIT. SZ (METERS)	URBAN SOURCE	EMISSION RATE SCALAR VARY BY	
ID           RVSD090           RVSD091           RVSD092           RVSD093           RVSD095           RVSD096           RVSD097           RVSD098           RVSD099           RVSD100           RVSD101           RVSD102           RVSD103           RVSD104           RVSD105           RVSD106           RVSD107           RVSD108           RVSD109           RVSD107           RVSD108           RVSD109           RVSD107           RVSD108           RVSD109           RVSD110           RVSD110           RVSD111           RVSD111           RVSD112           RVSD113           RVSD114           RVSD115           RVSD116           RVSD117           RVSD120           RVSD121           RVSD122           RVSD123           RVSD124           RVSD125           RVSD126           RVSD127           RVSD128           RVSD129	0	0 100000.01	465036 0	2760100 7	204 4	2 11	0 07	2 00	VEO		
RVSD090	0	0.10000E+01	465836.9	3768180.7	304.4	3.11	8.97	2.89	YES YES		
RVSDU91	0	0.10000E+01	403030.0	3768200.0	304.8	3.11 2.11	0.9/	2.89	YES		
RVSDU9Z	0	0.10000E+01	403030.7	3760219.2	305.3	3.11 2.11	0.9/	2.89	YES		
RVSD095	0	0.10000E+01	400000.0	3760230.J	305.0	2.11	0.97	2.09	YES		
RVSD094	0	0.10000E+01	405030.5	3769277 1	306 1	3.11	9 97	2.05	YES		
RVSD095	0	0.10000E+01	400000.4	3769296 /	306.2	3.11	0.97	2.09	YES		
RVSD090	0	0.10000E+01	405030.5	3769315 7	306.2	3.11	9 97	2.05	YES		
RVSD097	0	0.10000E+01	405030.2	3769335 0	306.3	3.11	9 97	2.05	YES		
RVSD090	0	0.10000E+01	465836 0	3768354 2	306.2	3.11	8 97	2.09	YES		
RVSD100	0	0.10000E+01	465835 9	3768373 5	306.0	3 11	8 97	2.05	YES		
RVSD100	0	0.10000E+01	465835 8	3768392 8	305.9	3 11	8 97	2.89	YES		
RVSD101 RVSD102	0	0.10000E+01	465835 7	3768412 1	305.7	3 11	8 97	2.89	YES		
RVSD103	0	0 10000E+01	465835 6	3768431 4	305 3	3 11	8 97	2 89	YES		
RVSD104	0	0 10000E+01	465835 5	3768450 7	304 9	3 11	8 97	2 89	YES		
RVSD105	Ő	0.10000E+01	465835.5	3768470.0	304.4	3.11	8.97	2.89	YES		
RVSD106	Õ	0.10000E+01	465835.3	3768489.3	303.9	3.11	8.97	2.89	YES		
RVSD107	õ	0.10000E+01	465835.3	3768508.5	303.4	3.11	8.97	2.89	YES		
RVSD108	0	0.10000E+01	465835.2	3768527.8	302.9	3.11	8.97	2.89	YES		
RVSD109	0	0.10000E+01	465835.1	3768547.1	302.5	3.11	8.97	2.89	YES		
RVSD110	0	0.10000E+01	465835.0	3768566.4	302.2	3.11	8.97	2.89	YES		
RVSD111	0	0.10000E+01	465834.9	3768585.7	302.0	3.11	8.97	2.89	YES		
RVSD112	0	0.10000E+01	465834.8	3768605.0	301.9	3.11	8.97	2.89	YES		
RVSD113	0	0.10000E+01	465834.7	3768624.3	301.9	3.11	8.97	2.89	YES		
RVSD114	0	0.10000E+01	465834.6	3768643.6	301.9	3.11	8.97	2.89	YES		
RVSD115	0	0.10000E+01	465834.5	3768662.8	302.1	3.11	8.97	2.89	YES		
RVSD116	0	0.10000E+01	465834.4	3768682.1	302.3	3.11	8.97	2.89	YES		
RVSD117	0	0.10000E+01	465834.3	3768701.4	302.6	3.11	8.97	2.89	YES		
RVSD118	0	0.10000E+01	465834.2	3768720.7	302.9	3.11	8.97	2.89	YES		
RVSD119	0	0.10000E+01	465834.1	3768740.0	303.1	3.11	8.97	2.89	YES		
RVSD120	0	0.10000E+01	465834.0	3768759.3	303.4	3.11	8.97	2.89	YES		
RVSD121	0	0.10000E+01	465833.9	3768778.6	303.7	3.11	8.97	2.89	YES		
RVSD122	0	0.10000E+01	465833.8	3768797.9	304.0	3.11	8.97	2.89	YES		
RVSD123	0	0.10000E+01	465833.7	3768817.1	304.3	3.11	8.97	2.89	YES		
RVSD124	0	0.10000E+01	465833.6	3768836.4	304.6	3.11	8.97	2.89	YES		
RVSD125	0	0.10000E+01	465833.5	3768855.7	304.9	3.11	8.97	2.89	YES		
RVSD126	0	0.10000E+01	465833.4	3768875.0	305.2	3.11	8.97	2.89	YES		
RVSD127	0	0.10000E+01	465833.3	3768894.3	305.5	3.11	8.97	2.89	YES		
RVSD128	0	0.10000E+01	465833.2	3768913.6	305.8	3.11	8.97	2.89	YES		
RVSD129	0	0.10000E+01	465833.1	3768932.9	306.1	3.11	8.97	2.89	YES		

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										EMISSION RATE SCALAR VARY BY
RVSD130 RVSD131 RVSD132 RVSD132 RVSD132 RVSD134 RVSD135 RVSD136 RVSD136 RVSD137 RVSD138 RVSD140 RVSD141 RVSD142 RVSD143 RVSD144 RVSD144 RVSD145 RVSD146 RVSD146 RVSD150 RVSD151 RVSD152 RVSD153 RVSD154 RVSD155 RVSD155 RVSD155 RVSD155 RVSD156 RVSD157 RVSD157 RVSD158 RVSD157 RVSD158 RVSD159 RVSD159 RVSD160 RVSD161 RVSD161 RVSD161 RVSD165 RVSD164 RVSD165 RVSD166 RVSD167 RVSD168 RVSD168 RVSD168 RVSD168 RVSD169	0	0.100007.01	465000 0	0.000000	226.4	0.11	0 0 7	0.00		
RVSD130	0	0.10000E+01	465833.0	3768952.2	306.4	3.11	8.97	2.89	YES	
RVSD131	0	0.10000E+01	465832.9	3/689/1.4	306.7	3.11	8.97	2.89	YES YES	
RVSD132	0	0.10000E+01	465832.8	3768990.7	306.9	3.11	8.97	2.89	YES	
RVSD133	0	0.10000E+01	403032.7	3769010.0	307.2	3.11	8.9/	2.89	YES	
RVSD134	0	0.10000E+01	403032.0	3769029.3	307.5	2.11	0.9/	2.89	YES	
RVSD135	0	0.10000E+01	403032.3	3769048.6	307.7	3.11	8.9/	2.89	YES	
RVSD130	0	0.10000E+01	403032.3	3769067.9	307.9	2.11	0.9/	2.89	YES	
RVSDI37	0	0.10000E+01	403032.4	3769087.2	308.2	2.11	0.9/	2.89	YES	
RVSD130	0	0.10000E+01	400002.0	2760125 0	200.3	2.11	0.97	2.09	YES	
RVSD139	0	0.10000E+01	405052.2	3769145 0	300.7	3 11	9 97	2.05	YES	
RVSD140	0	0.10000E+01	465832.0	3769164 3	309.0	3 11	9 97	2.05	YES	
RVSD141 RVSD142	0	0.10000E+01	465831 9	3769183 6	309.5	3 11	8 97	2.09	YES	
RVSD142	0	0.10000E+01	465831 8	3769202 9	309.0	3 11	8 97	2.05	YES	
RVSD145	0	0.10000E+01	465831 7	3769202.2	310 0	3 11	8 97	2.05	YES	
RVSD144 RVSD145	0	0.10000E+01	465831 6	3769241 5	310.3	3 11	8 97	2.05	YES	
RVSD115	0	0 10000E+01	465831 5	3769260 8	310.6	3 11	8 97	2.89	YES	
RVSD147	0	0 10000E+01	465831 4	3769280 0	310.8	3 11	8 97	2 89	YES	
RVSD148	õ	0.10000E+01	465831.3	3769299.3	311.1	3.11	8.97	2.89	YES	
RVSD149	Õ	0.10000E+01	465831.2	3769318.6	311.4	3.11	8.97	2.89	YES	
RVSD150	0	0.10000E+01	465831.1	3769337.9	311.6	3.11	8.97	2.89	YES	
RVSD151	0	0.10000E+01	465831.0	3769357.2	311.9	3.11	8.97	2.89	YES	
RVSD152	0	0.10000E+01	465830.9	3769376.5	312.5	3.11	8.97	2.89	YES	
RVSD153	0	0.10000E+01	465830.8	3769395.8	313.2	3.11	8.97	2.89	YES	
RVSD154	0	0.10000E+01	465830.7	3769415.1	314.2	3.11	8.97	2.89	YES	
RVSD155	0	0.10000E+01	465830.6	3769434.3	315.5	3.11	8.97	2.89	YES	
RVSD156	0	0.10000E+01	465830.5	3769453.6	316.9	3.11	8.97	2.89	YES	
RVSD157	0	0.10000E+01	465830.4	3769472.9	318.3	3.11	8.97	2.89	YES	
RVSD158	0	0.10000E+01	465830.3	3769492.2	319.8	3.11	8.97	2.89	YES	
RVSD159	0	0.10000E+01	465830.2	3769511.5	321.2	3.11	8.97	2.89	YES	
RVSD160	0	0.10000E+01	465830.1	3769530.8	322.5	3.11	8.97	2.89	YES	
RVSD161	0	0.10000E+01	465830.0	3769550.1	323.7	3.11	8.97	2.89	YES	
RVSD162	0	0.10000E+01	465829.9	3769569.3	324.9	3.11	8.97	2.89	YES	
RVSD163	0	0.10000E+01	465829.8	3769588.6	325.8	3.11	8.97	2.89	YES	
RVSD164	0	0.10000E+01	465829.8	3769607.9	326.7	3.11	8.97	2.89	YES	
RVSD165	0	0.10000E+01	465829.6	3769627.2	327.5	3.11	8.97	2.89	YES	
RVSD166	0	0.10000E+01	465829.5	3769646.5	321.3	3.11	8.97	2.89	YES	
RVSD167	0	0.10000E+01	465829.5	3769665.8	319.7	3.11	8.97	2.89	YES	
RVSD168	0	0.10000E+01	465829.4	3769685.1	320.2	3.11	8.97	2.89	YES	
RVSD169	0	0.10000E+01	465829.3	3769704.4	320.6	3.11	8.97	2.89	YES	

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SOURCE ID	NUMBER PART. CATS.	EMISSION RATE (GRAMS/SEC)	X (METERS)	Y (METERS)	BASE ELEV. (METERS)	RELEASE HEIGHT (METERS)	INIT. SY (METERS)	INIT. SZ (METERS)	URBAN SOURCE	EMISSION RATE SCALAR VARY BY	
D140D170	0	0 100000.01	465000 0	2760702	220.0	2 11	0 07	0 00			
RVSD170	0	0.10000E+01	465829.2	3/69/23.6	320.8	3.11	8.97	2.89	YES YES		
RVSD171	0	0.10000E+01	403829.1	3769742.9	320.8	3.11 2.11	0.9/	2.89	YES		
RVSD172	0	0.10000E+01	403829.0	3/09/02.2	320.7	3.11 2.11	0.9/	2.89	YES		
RVSD173	0	0.10000E+01	403020.9	3769900 9	324.0	3.11	0.97	2.09	YES		
DVCD175	0	0.10000E+01	405020.0	3769820.1	328 5	3.11	9 97	2.05	YES		
NSD175	0	0.10000E+01	465269 5	3765505 2	285 5	3.11	8 41	2.09	YES		
052_01	0	0.10000E+01	465253 5	3765513 7	283.5	3 11	8 41	2.05	YES		
052_02	0	0.10000E+01	465237 5	3765522 2	283.4	3 11	8 41	2.05	YES		
052_03	0	0 10000E+01	465221 6	3765530 7	283.8	3 11	8 41	2.89	YES		
0.52_0.5	Õ	0.10000E+01	465205.6	3765539.2	284.1	3.11	8.41	2.89	YES		
0S2_06	Ō	0.10000E+01	465189.7	3765547.7	284.4	3.11	8.41	2.89	YES		
0S2_07	0	0.10000E+01	465173.7	3765556.2	284.5	3.11	8.41	2.89	YES		
OS2 08	0	0.10000E+01	465157.7	3765563.2	284.6	3.11	8.41	2.89	YES		
OS2_09	0	0.10000E+01	465140.9	3765556.4	284.2	3.11	8.41	2.89	YES		
OS1 01	0	0.10000E+01	465021.5	3765632.8	285.1	3.11	8.95	2.89	YES		
OS1_02	0	0.10000E+01	465033.3	3765648.0	285.5	3.11	8.95	2.89	YES		
OS1_03	0	0.10000E+01	465045.1	3765663.2	285.6	3.11	8.95	2.89	YES		
OS1_04	0	0.10000E+01	465056.9	3765678.4	285.9	3.11	8.95	2.89	YES		
OS1_05	0	0.10000E+01	465068.7	3765693.6	285.9	3.11	8.95	2.89	YES		
OS1_06	0	0.10000E+01	465080.5	3765708.8	286.0	3.11	8.95	2.89	YES		
OS1_07	0	0.10000E+01	465092.3	3765724.0	286.1	3.11	8.95	2.89	YES		
OS1_08	0	0.10000E+01	465104.1	3765739.2	286.1	3.11	8.95	2.89	YES		
OS1_09	0	0.10000E+01	465118.3	3765742.3	286.2	3.11	8.95	2.89	YES		
OS1_10	0	0.10000E+01	465135.1	3765733.0	286.2	3.11	8.95	2.89	YES		
OS1_11	0	0.10000E+01	465151.9	3765723.6	286.4	3.11	8.95	2.89	YES		
OS1_12	0	0.10000E+01	465168.7	3765714.2	289.6	3.11	8.95	2.89	YES		
OS1_13	0	0.10000E+01	465185.5	3/65/04.8	289.8	3.11	8.95	2.89	YES YES		
051_14	0	0.10000E+01	465202.3	3765693.3	289.0	3.11 2.11	8.95	2.89	YES		
081_15	0	0.10000E+01	405200.4	3765665 0	209.5	3.11	0.95	2.09	YES		
051_17	0	0.10000E+01	465187 2	3765649 2	286 7	3.11	8 95	2.09	YES		
051_17	0	0.10000E+01	465177 7	3765632 5	285.8	3.11	8 95	2.09	YES		
051_10	0	0.10000E+01	465168 1	3765615 8	285.4	3 11	8 95	2.05	YES		
051_10	0	0 10000E+01	465158 6	3765599 1	285.0	3 11	8 95	2.89	YES		
051_20	Õ	0.10000E+01	465149.0	3765582.4	284.6	3.11	8.95	2.89	YES		
051 22	0	0.10000E+01	465139.5	3765565.8	284.5	3.11	8.95	2.89	YES		
BRWN 01	0	0.10000E+01	465126.0	3765539.2	284.0	3.11	5.91	2.89	YES		
BRWN 02	0	0.10000E+01	465119.2	3765528.5	283.8	3.11	5.91	2.89	YES		
RVSD170 RVSD171 RVSD172 RVSD173 RVSD173 RVSD174 RVSD175 OS2_01 OS2_02 OS2_03 OS2_04 OS2_05 OS2_06 OS2_06 OS2_07 OS2_08 OS2_09 OS1_01 OS1_01 OS1_02 OS1_03 OS1_04 OS1_05 OS1_06 OS1_07 OS1_08 OS1_09 OS1_10 OS1_10 OS1_11 OS1_12 OS1_13 OS1_14 OS1_15 OS1_16 OS1_17 OS1_18 OS1_19 OS1_10 OS1_11 OS1_12 OS1_13 OS1_14 OS1_15 OS1_16 OS1_17 OS1_18 OS1_19 OS1_20 OS1_20 OS1_21 OS1_22 BRWN_01 BRWN_02 BRWN_03	0	0.10000E+01	465112.4	3765517.8	283.5	3.11	5.91	2.89	YES		

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SOURCE ID	NUMBER PART. CATS.	EMISSION RATE (GRAMS/SEC)	X (METERS)	Y (METERS)	BASE ELEV. (METERS)	RELEASE HEIGHT (METERS)	INIT. SY (METERS)	INIT. SZ (METERS)	URBAN SOURCE	EMISSION RATE SCALAR VARY BY
		0.10000E+01					5.91	2.89	YES	
BRWN 05	0	0.10000E+01					5.91	2.89	YES	
BRWN 06	Ő	0.10000E+01	465092.0	3765485.6	282.8	3.11	5.91	2.89	YES	
BRWN 07	õ	0.10000E+01	465085.2	3765474.9	282.6	3.11	5.91	2.89	YES	
BRWN 08	0	0.10000E+01	465078.4	3765464.1	282.4	3.11	5.91	2.89	YES	
BRWN 09	0	0.10000E+01				3.11	5.91	2.89	YES	
BRWN 10	0			3765442.7		3.11	5.91	2.89	YES	
BRWN 11	0	0.10000E+01	465058.0	3765431.9		3.11	5.91	2.89	YES	
BRWN 12	0	0.10000E+01	465051.2	3765421.2	281.6	3.11	5.91	2.89	YES	
BRWN 13	0	0.10000E+01	465044.4	3765410.5	281.4	3.11	5.91	2.89	YES	
BRWN 14	0	0.10000E+01	465037.6	3765399.7	281.2	3.11	5.91	2.89	YES	
BRWN 15	0	0.10000E+01	465030.8	3765389.0		3.11	5.91	2.89	YES	
BRWN 16	0	0.10000E+01	465024.0	3765378.3	280.8	3.11	5.91	2.89	YES	
BRWN 17	0	0.10000E+01	465017.2	3765367.5	280.5	3.11	5.91	2.89	YES	
BRWN 18	0	0.10000E+01	465010.4	3765356.8	280.3	3.11	5.91	2.89	YES	
BRWN_19	0			3765346.1		3.11	5.91	2.89	YES	
BRWN 20	0	0.10000E+01				3.11	5.91	2.89	YES	
BRWN 21	0	0.10000E+01				3.11	5.91	2.89	YES	
BRWN 22	0	0.10000E+01				3.11	5.91	2.89	YES	
BRWN_23	0	0.10000E+01				3.11	5.91	2.89	YES	
BRWN_24	0	0.10000E+01					5.91	2.89	YES	
BRWN_25	0	0.10000E+01				3.11	5.91	2.89	YES	
BRWN_26	0	0.10000E+01					5.91	2.89	YES	
BRWN_27	0			3765277.4		3.11	5.91	2.89	YES	
BRWN_28	0			3765270.3		3.11	5.91	2.89	YES	
BRWN_29	0	0.10000E+01				3.11	5.91	2.89	YES	
BRWN_30	0	0.10000E+01				3.11	5.91	2.89	YES	
BRWN_31	0	0.10000E+01				3.11	5.91	2.89	YES	
BRWN_32	0			3765241.6		3.11	5.91	2.89	YES	
BRWN_33	0	0.10000E+01				3.11	5.91	2.89	YES	
BRWN_34	0	0.10000E+01				3.11	5.91	2.89	YES	
BRWN_35	0	0.10000E+01				3.11	5.91	2.89	YES	
BRWN_36	0			3765213.0		3.11	5.91	2.89	YES	
BRWN_37	0	0.10000E+01	465137.5	3765205.8	277.2	3.11	5.91	2.89	YES	
BRWN_38	0	0.10000E+01			277.3	3.11	5.91	2.89	YES	
BRWN_04 BRWN_05 BRWN_06 BRWN_07 BRWN_08 BRWN_09 BRWN_10 BRWN_11 BRWN_12 BRWN_12 BRWN_14 BRWN_14 BRWN_15 BRWN_15 BRWN_15 BRWN_16 BRWN_15 BRWN_17 BRWN_18 BRWN_19 BRWN_22 BRWN_22 BRWN_22 BRWN_22 BRWN_22 BRWN_22 BRWN_22 BRWN_22 BRWN_22 BRWN_22 BRWN_22 BRWN_22 BRWN_22 BRWN_22 BRWN_33 BRWN_31 BRWN_37 BRWN_38 BRWN_37 BRWN_39	0	0.10000E+01	465158.5	3765191.5	277.6	3.11	5.91	2.89	YES	

* AERMOD -	VERSION	19191 ***	*** Agua Mansa Industrial HRA	* * *
* AERMET -	VERSION	16216 ***	***	* * *

03/12/20

12:15:11 PAGE 50

\*\*\* MODELOPTs: RegDFAULT CONC ELEV URBAN ADJ U\*

\* \* \*

\* \* \*

#### \*\*\* GRIDDED RECEPTOR NETWORK SUMMARY \*\*\*

#### \*\*\* NETWORK ID: UCART1 ; NETWORK TYPE: GRIDCART \*\*\*

\*\*\* X-COORDINATES OF GRID \*\*\* (METERS)

462761.4, 462961.4, 463161.4, 463361.4, 463561.4, 463761.4, 463961.4, 464161.4, 464361.4, 464561.4, 464761.4, 464961.4, 465161.4, 465361.4, 465561.4, 465761.4, 465961.4, 466161.4, 466361.4, 466561.4, 466761.4,

#### \*\*\* Y-COORDINATES OF GRID \*\*\* (METERS)

3762278.8, 3762478.8, 3762678.8, 3762878.8, 3763078.8, 3763278.8, 3763478.8, 3763678.8, 3763878.8, 3764078.8, 3764278.8, 3764478.8, 3764678.8, 3764878.8, 3765078.8, 3765278.8, 3765478.8, 3765678.8, 3765678.8, 3766078.8, 3766078.8, 3766278.8, 3766478.8, 3766678.8, 3766678.8, 3767078.8, 3767278.8, 3767478.8, 3767678.8, 3767878.8, 3768078.8, 3769278.8, 3769478.8, 3769678.8, 3769878.8, 3770078.8, 3700278.8,

* * *	03/12/20
* * *	12:15:11
	PAGE 63

* * *	DIS	CRETE	CART	resian	RECEPTO	RS ***
(X-COC	DRD,	Y-COC	DRD,	ZELEV,	ZHILL,	ZFLAG)
			(ME	ETERS)		

( 464999.3, 3765575.9,	284.0,	365.1,	0.0);	( 465077.6, 3765525.9,	283.7,	365.1,	0.0);
( 465150.9, 3765487.6,	282.9,	365.1,	0.0);	( 465257.5, 3765419.4,	281.9,	365.1,	0.0);
( 465037.5, 3765934.7,	285.5,	285.5,	0.0);	( 465091.3, 3765945.8,	285.3,	285.3,	0.0);
(465151.8, 3765942.5,	285.6,	285.6,	0.0);	( 465175.6, 3765936.4,	285.7,	285.7,	0.0);
(465149.0, 3765915.3,	285.4,	285.4,	0.0);	( 465211.1, 3765939.1,	285.5,	285.5,	0.0);
(465251.6, 3765943.6,	285.9,	285.9,	0.0);	( 465340.9, 3765932.5,	287.8,	287.8,	0.0);
(465292.1, 3765933.6,	286.8,	286.8,	0.0);	(465103.0, 3765882.6,	285.6,	285.6,	0.0);
(465035.3, 3765902.0,	285.7,	285.7,	0.0);				

*** AERMOD - VERSION 19191 *** *** Agua Mansa Industrial HRA *** AERMET - VERSION 16216 *** ***		***	03/12/20 12:15:11 PAGE 66
*** MODELOPTs: RegDFAULT CONC ELEV URBAN ADJ_U*			
*** UP TO THE FIRST 24 HOURS OF METEORO	LOGICAL DATA ***		
	3190 RAMAR_AIR_STATION 2012	Met Version:	16216
First 24 hours of scalar data YR MO DY JDY HR HO U* W* DT/DZ ZICNV ZIMCH M-O LEN ZO BO	WEN ALBEDO REF WS WD	HT REF TA	НТ
$\begin{array}{cccccccccccccccccccccccccccccccccccc$	$\begin{array}{cccccccccccccccccccccccccccccccccccc$	10.1 288.1 10.1 287.0 10.1 287.0 10.1 285.9 10.1 285.4 10.1 287.0 10.1 284.2 10.1 284.2 10.1 288.1 10.1 289.2 10.1 296.4 10.1 296.4 10.1 298.8 10.1 300.4 10.1 302.5 10.1 3	2.0 2.0 2.0 2.0 2.0 2.0 2.0 2.0 2.0 2.0
$ \begin{array}{cccccccccccccccccccccccccccccccccccc$	$\begin{array}{cccccccccccccccccccccccccccccccccccc$	10.1       300.9         10.1       297.5         10.1       295.4         10.1       292.0         10.1       292.5         10.1       290.9         10.1       290.4         10.1       289.2         10.1       289.2         10.1       288.8	2.0 2.0 2.0 2.0 2.0 2.0 2.0 2.0 2.0 2.0

Firs	t hou	ir d	of profi	ile	data							
YR M	O DY	HR	HEIGHT	F	WDIR	WSPD	AMB	TMP	sigmaA	sigmaW	sigmaV	
12 0	1 01	01	10.1	1	55.	2.93	28	38.2	99.0	-99.00	-99.00	

F indicates top of profile (=1) or below (=0)

*** AERMOD - VERSION 19191 *	* *** Aqua Mansa Industrial HRA	* * *	03/12/20
*** AERMET - VERSION 16216 *	* ***	* * *	12:15:11
*** MODELOPTs: RegDFAULT	ONC ELEV URBAN ADJ_U*		PAGE 9707

- \*\*\* Message Summary : AERMOD Model Execution \*\*\*
- ----- Summary of Total Messages ------

Α	Total	of	0	Fatal Error Message(s)
A	Total	of	986	Warning Message(s)
A	Total	of	1638	Informational Message(s)

- A Total of 43848 Hours Were Processed
- A Total of 1039 Calm Hours Identified
- A Total of 599 Missing Hours Identified ( 1.37 Percent)

\*\*\*\*\*\*\* FATAL ERROR MESSAGES \*\*\*\*\*\*\*

\*\*\* NONE \*\*\*

#### \*\*\*\*\*\*\* WARNING MESSAGES \*\*\*\*\*\*\*

ME W1	186 237	73 MEOPEN:	THRESH 1M	1IN 1-min	ASOS	wind speed t	threshold u	ısed	0.50
ME WI	187 237	73 MEOPEN:	ADJ U* Op	tion for	Stabl	le Low Winds	used in AH	ERMET	
OU WS	565 245	54 OUPLOT:	Possible	Conflict	With	Dynamically	Allocated	FUNIT	PLOTFILE
OU WS	565 245	55 OUPLOT:	Possible	Conflict	With	Dynamically	Allocated	FUNIT	PLOTFILE
OU WS	565 245	OUPLOT:	Possible	Conflict	With	Dynamically	Allocated	FUNIT	PLOTFILE
OU WS	565 245	57 OUPLOT:	Possible	Conflict	With	Dynamically	Allocated	FUNIT	PLOTFILE
OU WS	565 245	58 OUPLOT:	Possible	Conflict	With	Dynamically	Allocated	FUNIT	PLOTFILE
OU WS	565 245	59 OUPLOT:	Possible	Conflict	With	Dynamically	Allocated	FUNIT	PLOTFILE
OU WS	565 246	50 OUPLOT:	Possible	Conflict	With	Dynamically	Allocated	FUNIT	PLOTFILE
OU WS	565 246	51 OUPLOT:	Possible	Conflict	With	Dynamically	Allocated	FUNIT	PLOTFILE
OU WS	565 246	52 OUPLOT:	Possible	Conflict	With	Dynamically	Allocated	FUNIT	PLOTFILE
OU WS	565 246	53 OUPLOT:	Possible	Conflict	With	Dynamically	Allocated	FUNIT	PLOTFILE
OU WS	565 246	54 OUPLOT:	Possible	Conflict	With	Dynamically	Allocated	FUNIT	PLOTFILE
OU WS	565 246	55 OUPLOT:	Possible	Conflict	With	Dynamically	Allocated	FUNIT	PLOTFILE
OU V	<b>N565 3</b> 4	21 PERPLT	: Possible	Conflict	. With	Dynamically	7		

00	WODO	3421	PERPLT:	POSSIDIE	CONTILCU	WICU	Dynamically
OU	W565	3422	PERPLT:	Possible	Conflict	With	Dynamically
OU	W565	<b>3</b> 423	PERPLT:	Possible	Conflict	With	Dynamically
OU	W565	3424	PERPLT:	Possible	Conflict	With	Dynamically
OU	W565	<b>3</b> 425	PERPLT:	Possible	Conflict	With	Dynamically
OU	W565	3426	PERPLT:	Possible	Conflict	With	Dynamically
OU	W565	3427	PERPLT:	Possible	Conflict	With	Dynamically
OU	W565	3428	PERPLT:	Possible	Conflict	With	Dynamically
OU	W565	3429	PERPLT:	Possible	Conflict	With	Dynamically
OU	W565	<b>3</b> 430	PERPLT:	Possible	Conflict	With	Dynamically
OU	W565	<b>3</b> 431	PERPLT:	Possible	Conflict	With	Dynamically
OU	W565	<b>3</b> 432	PERPLT:	Possible	Conflict	With	Dynamically
OU	W565	<b>3</b> 433	PERPLT:	Possible	Conflict	With	Dynamically
OU	W565	3434	PERPLT:	Possible	Conflict	With	Dynamically
OU	W565	<b>3</b> 435	PERPLT:	Possible	Conflict	With	Dynamically
OU	W565	<b>3</b> 436	PERPLT:	Possible	Conflict	With	Dynamically
OU	W565	<b>3</b> 437	PERPLT:	Possible	Conflict	With	Dynamically

\*\*\*\*\*

\*\*\* AERMOD Finishes Successfully \*\*\*

HARP Project Summary Report 3/12/2020 10:06:12 AM

\*\*\*PROJECT INFORMATION\*\*\* HARP Version: 19121 Project Name: HARP2 Project Output Directory: P:\CRN1801\HRA\Modeling\HARP2 HARP Database: NA

\*\*\*POLLUTANT HEALTH INFORMATION\*\*\* Health Database: C:\HARP2\Tables\HEALTH17320.mdb Health Table Version: HEALTH19252 Official: True

PolID InhChronic8HR	PolAbbrev REL	InhCancer	OralCancer	AcuteREL	InhChronicREL	OralChronicREL
9901	DieselExhPM	1.1			5	
88101	PM25					
106990	1,3-Butadiene	0.6		660	2	9
71432	Benzene	0.1		27	3	3
100414	Ethyl Benzene	0.0087			2000	
78933	MEK			13000		
91203	Naphthalene	0.12			9	
115071	Propylene				3000	
100425	Styrene			21000	900	
108883	Toluene			37000	300	
1330207	Xylenes			22000	700	

HARP2 - HRACalc (dated 19044) 3/13/2020 11:30:21 AM - Output Log GLCs loaded successfully Pollutants loaded successfully Pathway receptors loaded successfully \* RISK SCENARIO SETTINGS Receptor Type: Resident Scenario: All Calculation Method: Derived \*\*\*\*\* EXPOSURE DURATION PARAMETERS FOR CANCER Start Age: -0.25 Total Exposure Duration: 30 Exposure Duration Bin Distribution 3rd Trimester Bin: 0.25 0<2 Years Bin: 2 2<9 Years Bin: 0 2<16 Years Bin: 14 16<30 Years Bin: 14 16 to 70 Years Bin: 0 PATHWAYS ENABLED NOTE: Inhalation is always enabled and used for all assessments. The remaining pathways are only used for cancer and noncancer chronic assessments. Inhalation: True Soil: True Dermal: True Mother's milk: True Water: False Fish: False Homegrown crops: True Beef: False Dairy: False Pig: False Chicken: False Egg: False \*\*\*\*\* INHALATION Daily breathing rate: RMP \*\*Worker Adjustment Factors\*\* Worker adjustment factors enabled: NO \*\*Fraction at time at home\*\* 3rd Trimester to 16 years: OFF 16 years to 70 years: OFF \*\*\*\*\* SOIL & DERMAL PATHWAY SETTINGS Deposition rate (m/s): 0.02 Soil mixing depth (m): 0.01 Dermal climate: Warm \*\*\*\*\* HOMEGROWN CROP PATHWAY SETTINGS Household type: HouseholdsthatGarden Fraction leafy: 0.137 Fraction exposed: 0.137 Fraction protected: 0.137 Fraction root: 0.137 TIER 2 SETTINGS Tier2 not used. Calculating cancer risk

HARP2 - HRACalc (dated 19044) 3/13/2020 1:44:48 PM - Output Log GLCs loaded successfully Pollutants loaded successfully Pathway receptors loaded successfully \*\*\*\* RISK SCENARIO SETTINGS Receptor Type: Resident Scenario: NCChronic8HR Calculation Method: Derived \*\*\*\*\*\* EXPOSURE DURATION PARAMETERS FOR CANCER \*\*Exposure duration are only adjusted for cancer assessments\*\* \*\*\*\*\* PATHWAYS ENABLED NOTE: Inhalation is always enabled and used for all assessments. The remaining pathways are only used for cancer and noncancer chronic assessments. Inhalation: True Soil: False Dermal: False Mother's milk: False Water: False Fish: False Homegrown crops: False Beef: False Dairy: False Pig: False Chicken: False Egg: False \*\*\*\*\*\* INHALATION Daily breathing rate: RMP \*\*Worker Adjustment Factors\*\* Worker adjustment factors enabled: NO \*\*Fraction at time at home\*\* NOTE: Exposure duration (i.e., start age, end age, ED, & FAH) are only adjusted for cancer assessments. TIER 2 SETTINGS Tier2 not used. \*\*\*\* Calculating chronic 8hr risk Chronic 8-hr risk breakdown by pollutant and receptor saved to: P:\CRN1801\HRA\Modeling\HARP2\hra\8 Hr - NCChronic8HrRisk.csv Chronic 8-hr risk total by receptor saved to: P:\CRN1801\HRA\Modeling\HARP2\hra\8 Hr -NCChronic8HrRiskSumByRec.csv HRA ran successfully

HARP2 - HRACalc (dated 19044) 3/13/2020 11:26:56 AM - Output Log GLCs loaded successfully Pollutants loaded successfully Pathway receptors loaded successfully \* RISK SCENARIO SETTINGS Receptor Type: Worker Scenario: All Calculation Method: Derived \*\*\*\*\*\*\* EXPOSURE DURATION PARAMETERS FOR CANCER Start Age: 16 Total Exposure Duration: 25 Exposure Duration Bin Distribution 3rd Trimester Bin: 0 0<2 Years Bin: 0 2<9 Years Bin: 0 2<16 Years Bin: 0 16<30 Years Bin: 0 16 to 70 Years Bin: 25 PATHWAYS ENABLED NOTE: Inhalation is always enabled and used for all assessments. The remaining pathways are only used for cancer and noncancer chronic assessments. Inhalation: True Soil: True Dermal: True Mother's milk: True Water: False Fish: False Homegrown crops: True Beef: False Dairy: False Pig: False Chicken: False Egg: False \*\*\*\*\*\* INHALATION Daily breathing rate: RMP \*\*Worker Adjustment Factors\*\* Worker adjustment factors enabled: NO \*\*Fraction at time at home\*\* 3rd Trimester to 16 years: OFF 16 years to 70 years: OFF \*\*\*\* SOIL & DERMAL PATHWAY SETTINGS Deposition rate (m/s): 0.02 Soil mixing depth (m): 0.01 Dermal climate: Warm \*\*\*\*\* HOMEGROWN CROP PATHWAY SETTINGS Household type: HouseholdsthatGarden Fraction leafy: 0.137 Fraction exposed: 0.137 Fraction protected: 0.137 Fraction root: 0.137 TIER 2 SETTINGS Tier2 not used. \*\*\*\*\*\* Calculating cancer risk

HRA ran successfully

Attachment B: Memorandum from Chris Schulze to Terry Johnson (May 17. 2023)



# Memo

To: Terry Johnson, Best Development Group

From: Chris Schulze – President, TSD Engineering, Inc.

- CC: Jim Moose, RMM Environmental Law
- Date: May 17, 2023
- **Re:** Grocery Outlet Fort Bragg CA Design Development and Programing for Site Lotting Study

TSD has been involved in the subject project and the development of the site starting in January 2019. With the development of the Grocery Outlet and the current site plan layout, including building placement and parking lot orientation, several factors have been evaluated prior to final design decisions in developing a site plan. The process of the early conceptual planning phase is typically what TSD identifies as Design Development and Programming phase and below is a short list of factors that influenced the development of the site plan.

- Tenant Specifications and Requirements
- General Plan & Zoning Code Requirements
- Surrounding Zoning
- Surrounding existing and proposed land use.
- California Building Code
- > Surveying information to include easements and/or development restrictions.
- Physical features of the property
- Utility Infrastructure
- Pre-Application Meetings with City

TSD has revisited our design notes, as applicable to the civil engineering elements, in the design development and programming process and has summarized our findings that support the iterations of the site plan that have led to the current site layout.

- ✓ Subject Property has a relatively deep and narrow lot configuration and does not meet Grocery Outlet Prototypes. Modification to the Grocery Outlet Building Prototype was required.
- ✓ Ensure Setbacks are identified and satisfied.
- ✓ Key factor that was considered early on was the location/operation of the Truck Dock and loading area.
  - Truck Dock/Loading Area needed to be placed in location as not visible from the adjacent streets and most specifically from the residential property to the east...requires the truck dock to be placed on western edge of property

785 Orchard Drive, Suite 110, Folsom, CA 95630 P 916.608.0707 F 916.608.0701

expect more

and use building to screen the truck dock and loading areas to minimize visibility and acoustical factors.

- Truck Dock being placed immediately adjacent to the existing Motel Use on the adjacent property to the east was a concern and was one of the factors that led to the Building Placement to be located adjacent to South Street and such the Truck Dock and Loading Area would be adjacent to a vacant property with commercial zoning.
- ✓ Subject Property is currently developed, and existing utility infrastructure (water, sewer, electricity, telephone, and communications) is all served and located within South Street. With most of the utility infrastructure to serve Grocery Outlet coming from South Street this was also a factor in the Building Placement to be located adjacent to South Street.
- ✓ South Franklin Street and North Harbor Street have an acute angle at the intersection. Based on the non-perpendicular acute angle of street alignments this would require building placement on North Harbor Drive to setback further into the property to maintain the required 20-foot building setback.

Attachment C: Letter from Devon Patel, Manager of Super 8 Motel to City Council (May 27, 2023) Dear Fort Bragg City Council and Planning Commission,

I manage the Super 8 Hotel on Main Street.

I understand that a vote will be taken on the Grocery Outlet application on the June 5,2023.

At the Super 8, I have a front row window to what happens here in Fort Bragg. As you know, we are located on Main Street/Hwy 1, we expect noise. We are surrounded by businesses of all kinds, other hotels, gas station, pizza place, a huge Safeway is down the road and more. We are a mixed-use area. I *do not* expect the traffic or the noise to be any different when a Grocery Outlet is here. We are a small town with a small population base. I do think it would be much safer and nicer to have a clean, new Grocery Outlet where my guests can conveniently shop. The current building on the site is neglected and has safety issues, as well as it is a magnet for homeless. I know other nearby owners frequently call the police regarding illegal activity on that site. I want to help the homeless in town, however, I would rather my guests who are here on vacation could be spared seeing some of the irregular activity, or safety concerns.

There have been complaints from locals about the trucks that park occasionally on the applicant's lot. Many of those drivers sleep at my Hotel. They bring food to the City of Fort Bragg, which I think is **essential**. Moreover, many of the houses on S. Franklin are across from commercial buildings. They understand there will always be some level of noise and activity. I do not think it will be as extreme as some describe.

We are working hard to remodel our Super 8 hotel. I am grateful to serve out-of-towners who contribute so much to the local economy and to those who may be temporarily in need of a clean room due to unforeseen circumstances. We think it will be a better experience for our guests and will help to beautify the area. A new Grocery Outlet store would give this part of Fort Bragg a visual and safety boost. It may also mean less driving to Willits or Ukiah to shop for food for my family and the hotel.

Lastly, I understand an accommodation has been made and a cement wall will go up between our Super 8 and the new Grocery Outlet store. Thank you for making that accommodation. Please approve this project/application. Thank you for your consideration.

Devon Patel, General Manager

Super 8 Fort Bragg California 888 S. Main Street, Fort Bragg, CA 95437 - 707-964-4003 City Council,

I recommend one or more of you have someone on the City's legal team provide advice on the following procedural concerns:

- It appears the City didn't have the school district review the DEIR as a responsible agency (and there might even be a requirement to do so).
- It appears that Davey Beak/AH wasn't consulted concerning the project's potential impacts on the ambulance service.
- It appears that Caltrans wasn't consulted concerning the traffic analysis even though it was explicitly changed from the earlier approved but cancelled application to reflect allegedly permissible left turns off of N. Harbor Drive. However, it is not clear that Caltrans actually authorized left turns at N. Harbor Drive and there is some evidence to suggest they did not authorize them and someone else removed the sign at some point.

Doing these entitlement reviews for what is a fairly significant project by Fort Bragg standards should involve truly-informed decision making and when we forget to seek the input of community stakeholders like the school district or the emergency services at our nearby hospital we undermine that critical piece of every review.

Regards,

--Jacob

From:	Jacob Patterson
То:	<u>City Clerk</u>
Cc:	<u>cdd</u>
Subject:	Comment for 6/5/2023 PC Public Hearing on Grocery Outlet Project
Date:	Tuesday, May 30, 2023 12:54:03 PM

# City Council,

The Planning Commission recommended approval of the Grocery Outlet project and incorporated many special conditions to try to make this project consistent with our certified LCP. I want to suggest some additional language for the City Council's consideration for the meeting on the 5th.

Specifically, I want to be sure the new special condition requiring preservation of the existing healthy mature trees along the northern segment of the west side of the project site. I want to ensure that it not only preserves the trees but that they are explicitly protected from damage during demolition and construction activities with best management practices (BMPs) like creating a root protection zone that prohibits any heavy equipment or materials storage within the protection zones (usually the tree canopy drip line plus 5 feet out), only permitting hand excavations or air spades that keep the root structures intact within the protection zone. It should explicitly prohibit severing roots bigger than one (1) inch in diameter as well. I also want to be sure that any trees (either new ones planted as part of the project or the existing trees along the northern portion of the western boundary of the project site facing Chevron) are not only planted and retained but that if any trees die, they have the affirmative duty to not only install and maintain the landscaping as approved but they also need to replace anything that dies within a year of the plant's death and for replacement trees to be planted at a rate that ensures the existing canopy cover is effectively replaced within 5 years of replanting, which might mean a greater number of replacement trees than the one(s) that may die.

The other special condition I want to suggest revising is the one that addresses the east and north facades. Staff originally recommended a second special condition addressing the west facade too but it wasn't adopted because the PC mistakenly thought the west facade was blocked already by the motel, which is only true for about 2/3rds of the west facade. That special condition should be revised to include the west facade (at the same location where the trees are) because it will actually be visually prominent from Main Street. I recommend extending the hardie board over the CMU on just that visible portion of the west facade, including the existing boundary trees to be retained, should be created and presented on the 5th along with the other three facades that were already simulated.

You might want to consider another new special condition as well as revising the two special conditions mentioned above. Last time, the PC added a unique special condition that required any future sign requests to be presented back to the PC rather than staff over the counter because many people thought the real reason that GrocOut wants to be at the far north of the project site is so that west facade is visible from Main Street and they may want to add another sign up there so drivers on Main can see that there is a GrocOut when they drive down Main Street. We don't want a bait-and-switch or bifurcated review situation where the applicant suggests they only want the parking lot freestanding sign and one over the Franklin Street entrance when they likely want another (ugly and formulaic) sign on the visually prominent west facade. I would add a special condition prohibiting any future signs other than the two

approved as part of this application, which wouldn't actually prohibit such signs but it would require GrocOut to apply for a CDP amendment and sign permit if they want to add another sign at a future date that would happen in a public context rather than over-the-counter. Last time the PC just required that it would come to them so the public and the PC would be able to know and potentially say no to a visually offensive sign on the west facade, which is the same basic result either way it is drafted.

Best,

--Jacob

# Dear City Clerk,

As a long time business of this community, we at Emerald Dolphin Inn & Mini Golf would very much like to see a Grocery Outlet in Fort Bragg. This would be a great asset to our community in so many ways. It would bring many long term jobs for locals as well as many temporary jobs while it's being built. We don't believe it will impact traffic because any of the patrons will be locals and visiting tourists that will already be in Fort Bragg. Another positive thing about Grocery Outlet is that it not only has less expensive food and beverages but also offers many household goods and sundries. We are all for a Grocery Outlet in beautiful Fort Bragg!

Kind Regards,

# **Emerald Dolphin Inn & Mini Golf**

1211 S Main Street, Fort Bragg, CA. 95437 tele: 707.964.6699 fax: 707.962.0338 www.emeralddolphin.com stay@emeralddolphin.com I want to voice my support for the Grocery Outlet , we need this in our community.

Sherry Fischer Fort Bragg Ca.

Sent from my iPad

Please count me as a supporter of this project. As I have spoken several times before, this company has tried to come to Fort Bragg for years and years, and should be welcomed in to the community. A few folks that don't want any new development should not outweigh the needs of the community in general.

This old building has the chance to be demolished and start a new asset to the community.

Thank you.

Paul Clark DRE 00640014 809 North Main Street Fort Bragg, CA 95437 707-964-0811 pclark@fortbraggrealty.co Dear folk

Here is a better version of my letter re: the Grocery Outlet project.

Ed Oberweiser

Dear City Development Department and City Clerk 5/31/23

I am a regular cyclist and one of the founding members of Seniors On Bikes Fort Bragg. I regularly

ride my bicycle from my home off Benson Lane down highway 20 towards Highway 1. I am a consistent user of the both the South and North Coastal Trails.

The draft EIR analysis of traffic effects of the Grocery Outlet Store are definitely outdated and need

to be redone. That analysis is five years out of date (2019). The traffic in Fort Bragg has increased

greatly since the Covid outbreak in 2020. Many more people are driving their cars in the area. Also,

more people are riding bicycles due to being unemployed and the economic effect of Covid on the

economy.Many of these new cyclists are extremely inexperienced in riding in traffic with automobiles.

I am a very experienced bicyclist having worked for 6.5 years at a bicycle delivery business in Santa Barbara, CA which has a higher population than all of Mendocino County. I have also ridden

a bicycle from Eugene Oregon to Santa Barbara CA. I have also participated in the Konocti Challenge five times. The first two times i rode in the metric century option there.

It has already become too dangerous for me to ever attempt to attempt the entrance to the Southern Coastal trail from Highway 1 just north of the Noyo River Bridge. I recently had an accident while attempting to do so and had a head injury even though I was wearing a helmet. I

blacked out and had to be helicoptered to a hospital in Santa Rosa.

As a result, I never attempt to enter the trail at that point. I now always go to the Cypress Street intersection with Highway 1. Traffic will increase there as well due to the Grocery Outlet

project as outlined in the draft EIR. This will make a trip to the Adventist Hospital more full of traffic

and will increase traffic and its pollution for many residents in the housing areas along the way

there.

The Grocery Outlet store will increase traffic on highway 20 and on the traffic coming from south

of the Hare Creek bridge as well. The bridge is already substandard for the existing traffic. It is so

dangerous for bicycles that I already avoid using it. Caltrans has no plans for improving that bridge

until 2025 at a cost of more than 23 and a half million dollars.

The Grocery Outlet project will increase automobile traffic in Fort Bragg in general. Especially

during the tourist season. This traffic has already increased due to global climate change making

the weather drier and hotter inland from our coast.

These factors make it necessary to reevaluate the Grocery Outlet project and its impact on the traffic

situation because of how it may effect the tourist trade in our area which is a main economic generator

here.

Edward M. Oberweiser 19244 Benson Lane Fort Bragg, CA 707-964-7065

On Wed, May 31, 2023 at 7:26 AM Edward Oberweiser <<u>marbury.1947@gmail.com</u>> wrote:

City Council,

I forgot to include the Planning Commission's special condition about the signage from the last review. I think you should consider adding a similar special condition to this potential approval as well.

Last time the Planning Commission included the following as Special Condition 20: "A separate sign permit from the City of Fort Bragg will be required for this project. This sign and any future sign permits for this site shall be reviewed and approved by the Planning Commission."

I recommend a shortened version because I think the two proposed signs are part of the review and potential approval this time, which is proper since concurrent processing by the same review authority of all necessary permits for the entire project is required by our code. The shortened version would read "Any future sign permits for this site shall be reviewed and potentially approved by the Planning Commission" or "Additional signs besides the single free-standing monument sign in the parking lot area and a wall-mounted sign above the building entrance are prohibited and any additional signs will require a CDP amendment and sign permit, which shall be reviewed and potentially approved by the Planning Commission".

The reason for this special condition is to avoid the possibility of additional, potentially objectionable signs being added to this project without any public notice or hearings because simple sign permits are handled administratively by staff over-the-counter. This special condition would avoid the applicant holding off and trying to process additional sign permit applications at the staff level without public notice or the opportunity to be heard.

Best,

--Jacob

On Wed, May 31, 2023 at 2:27 PM Jacob Patterson <<u>jacob.patterson.esq@gmail.com</u>> wrote: City Council,

Please consider the following suggested revisions to the draft special conditions recommended by the Planning Commission for the Grocery Outlet project. I already commented about why I think these (or similar) revisions are justified in my prior comment but the specific language I recommend is attached in both Word and PDF. The blue italicized content represents the changes made by Marie and approved during the Planning Commission's public hearing. The redlines are my suggested revisions for your consideration based on the PC's resolution that will be in the published agenda materials for your public hearing.

Best,

--Jacob

Special Condition 1: The applicant shall resubmit the landscaping and parking plans for Community Development Director approval. The revised parking and landscaping plan shall:

a) Delete the two parking spaces on the southwest corner of the parking lot and replace this area with native plant landscaping.
 b) Eliminate the excess RV parking space, and to the degree feasible replace a portion of it with native plant landscaping.

1 Ĩ

 c) Contain drought tolerant native species;
 d) Preserve and protect the existing Monterey Cypress Trees and the Shore Pine trees on site, as to the maximum extent feasible and employing BMPs, and rincluding installing protective fencing around a tree protection zone for each existing tree established at five (5) feet out from the tree canopy drip line prior to and during any demolition or construction activities, prohibit any material storage or heavy equipment storage or operation within the tree protection zones, inside of which all work will be performed by hand tools or air spades to avoid damage to the

root structures of the trees, and prohibiting cutting or severing any root of the existing trees with a diameter of one (1) inch or more; <u>R</u>eplace the proposed Monterey Cypress Trees in the Land-Sscaping Plan d)e)

with a locally native tree species-Comply with the California Model Water Efficient Landscape Ordinance

(MWELO): and e)g) Require the ongoing maintenance and replacement of any existing

retained or newly-planted trees in the Landscaping Plan that may die during project construction or thereafter, such replacement planting is required within one (1) year of the tree's death with replacement tree(s) of the same or substantially similar species as the dead tree at a ratio that will replace the prior canopy coverage of the dead removed tree(s) within five (5) years based on the size of the

canopy prior to the tree's death, the standard predicted canopy growth rate of that species of tree, and the initial planting size of the replacement tree(s).

Optional Special Condition 23: To the extent otherwise permitted by the CLUDC, the windows on the south side of the building may be

obscured with murals or other films or coverings so long as they don't limit passive solar gain.

Optional Special Condition 24: The applicant shall replace/cover all smooth surface CMU block on the east and north elevation of the building, as well as the northern-most portion of the west elevation of the building that is visible from Main Street through the Chevron property with one of the other light-grade materials which are already proposed for the <u>South</u> south and <u>West west</u> facade of the building.

Optional Special Condition 25: The applicant shall replace/cover all CMU block on the west face of the building with hardiboard composite wood paneling.

Special Condition 34: The applicant shall install either an all-way stop or a walker-triggered flashing lights, as recommended by a traffic engineer, at the intersection of

South Franklin St. and South St., including signage, striping, and pedestrian facilities (sidewalk, curb, and gutter) to provide <u>protected</u> crossing at all legs of the intersection. The proposed intersection improvement would require the installation of sidewalk curb and gutter to City Standard Specifications for a total length of 57 linear feet along the east side of South Franklin St. as well as a curb refurn to provide sufficient pedestrian landing facilities on the south-east corner of the intersection. Off-site improvements shall be completed prior to issuance of final certificate of occupancy.

Dear City Council Members;

Over 2 years ago I wrote a letter in support of Grocery Outlet. My feelings have not changed but I will provide a shorter version of that same letter:

We need more affordable shopping options for seniors and younger families with children along with many others.

Promote affordable living needs, as they go hand in hand with affordable housing.

Having another store will help our area when the next rolling blackout, pandemic or natural disaster happens. Essentially we are an island and will need more resources for our community in any challenging time.

2 years ago my letter said prices will continue to grow higher and higher, and that sure happened. Having options helps promote healthy competition, which in turn helps those most in need.

It's time to think of what's best for the many, whose voices may not be heard, and not for just the few.

Thank you for your consideration.

Greg Burke

RECEIVED 5/27/23 JUN 0 1 2023 Very happy to hear Growing Outlet is opening in Fort Bragg, I think its a much needed affordable Shopping option for this town. Thanks, Kathie Jackson Simpson Lone Govery Oedlet is a gliailty borgin sleptermarket that will be a great addition to our community. Clark Mallamace 752 Stewart Street Herman 293

MLULIV--5/27/2) JUN 0 1 2023 AS City CHETK BRAGGELL BUSINESS UNVER IN THE City of Fort Bragg we support The AZZITION of Grocery onletto our Zown, my FAmily has been on COAST Before The 1850'S And feel like They would be A great Addition for All of US.

Kevind Zrina Silva 262 NJ. MAIN 57

5/27/23 RECEIVED City Council, JUN 0 1 2023 Me and my 3 Kinds would benefit from Grocery Outlet so much because I run out foodstamps every month since The cost of food and everything is high. 1 often take my kids walking to Safeway just to save gas. And the lines in Safeway are & long a lot of the time. My 8 year old with autism has trouble waiting.

Thanks, Sophle (walnut Apartments)

RECEIVED

May 27.23 JUN 0 1 2023 City of Fort Bragg City Clerk cl am on a limited income and dirabled. My wife and I are seriors. We are trad of driving to Willits to go to Gurrey Onflet. We ga 40 The Food Back weekly. Please approve the avocry Out at tone. Ten the high price attorney stop. Fort Brapp 76 needs this stopp

Sincely.

Chris Tangher P. 0 Box 1546 Fort Braff. Ut

### JUN 0 1 2023

5-28-23

I/we have been working at the Flea Market for years. We felt that it was important for all of us to chime in and write a letter to the fort Bragg council members.

Most of the people that sell, depend on the bit of cash we earn on weekends. I know for a fact, many of us drive out of town to do our basic shopping.

Sometimes stories you hear from some of the sellers is usually one telling a story of hard or challenging times. Yet, we show up, work, and people are always glad we are there.

It would save us, time, money and gas, that could be spent in town, if you were to approve the grocery outlet to be built.

And as we work many weekends, in all kinds of weather on the corner of Main Street, let's just say, traffic is never excessive - it's Fort Bragg.

A vote of approval of the grocery outlet would mean more to people than you may realize.

Phoenix Event Lipho (little later in music) 707-357-5844

<u>281</u> nai Dear Fort Bragg City Council, I am writing he proposed mm 10 K old tho m. TINI SO blin St. I our a house on South mit the am no imane a gel 0 ino د مرا nin ppan ma. Tmim. locate a ett tha unse. rom k you South FRanklen RECEIVED JUN 0 1 2023 City of Fort Bragg City Clerk

JUN 0 1 2023

City of Fort Bragg City Clerk

May 28, 2020

Dear Fort Bragg Council,

Re: June 5, 2023 – Please approve the Grocery Outlet project

I am writing today in hopes that you will read my letter in time before your vote on the Grocery Outlet. I am the manger of the Harbor RV Park. I have 26 residents who live here. Many are Hispanic speaking, on limited income. I also manage 30 RV slots. People come from around the country to enjoy Fort Bragg and the surrounding area. Some are seniors, low income or in general have decided to live the RV life. We are grateful for the opportunity to offer an affordable place to live and visit. Having a Grocery Outlet here will help.

Most sincerely,

Cawly moresa

**Carolyn Morgan** 

Manager, Harbor RV Park

1021 S. Main Street Fort Bragg, CA 95437

## JUN 0 1 2023

5/28/2023

City of Fort Bragg City Clerk

Dear Fort Bragg City Council members,

I thought it was important to write the City Council.

I am just wondering why it is taking so long to get a good store, with a nice plan, with just around 50 parking spaces, with nice vegetation in the plan, along with offering jobs with benefits is taking so long, after it already passed once before. I know the lawsuit was a factor. I just hope the deep pockets that sponsored that effort stops and looks at the needs of the whole community. Because this is really getting ridiculous.

We need people to afford to live here in Fort Bragg to have a working community with an equal blend of locals and visitors.

Thank you for whatever you can do to move the grocery outlet application forward. Another store would be wonderful.

Thank you,

Walenburg Rosputko WALENTINA ROZPUTKO Sm. Business Oroner for almost 39 years Supplies Etc.

#### 5.29.2023

### Dear City Council officials,

City of Fort dialog City Clerk

JUN 0 1 2023

I have a small art business on Main Street. I meet locals, tourists and those just traveling through town. I literally and figuratively have a window into Fort Bragg.

I understand you are voting again on the Grocery Outlet store off Main Street on June 5.

A grocery outlet will be great for residents and visitors. Options are good for a town to thrive.

And wow, can you think of the miles saved of those who are no longer have to shop out of town?

Thank you, the

Ben Lukas Main Street, Fort Bragg, CA

May 29, 2023

RECEIVED

JUN 0 1 2023

City of Fort Bragg City Clerk

### RE: I support a Grocery Outlet in Fort Bragg

To Whom It May Concern:

Fort Bragg City Council 416 North Franklin Street

Fort Bragg, CA 95437

I am writing to express my support for having a Grocery Outlet Bargain Market here in Fort Bragg.

The level of food insecurity that exists in Fort Bragg and other coastal Mendocino communities is well known to all who live here. Having a Grocery Outlet in our community would go a long way to addressing this tragic situation.

But more than providing necessary nutrition, a Grocery Outlet in Fort Bragg would also greatly contribute to the *dignity* of our most vulnerable residents. Being able to shop for and purchase one's own food is critical to personal self-esteem. Our local Food Bank is an important and necessary resource, but the goal of any community should be to minimize the reliance on food banks and food pantries, and do everything possible to make affordable nutrition available to as many people as possible.

I have heard a concern that the proposed location for the Grocery Outlet would somehow interfere with our ambulance crews. I don't know if this is a real concern our just a rumor, but as a former hospital employee and the spouse of a current employee, I can't imagine how this could be the case. If anything, I would imagine that having a food store in closer proximity to the ambulance crew guarters would be an advantage to the crews.

I recommend the expeditious approval and implementation of this important addition to our community.

Regards,

Loré McLaren

427 ½ N. Harold Street PO Box 1134 Fort Bragg, CA 9437 707-409-5102

### 29 May - 2023

# JUN 0 1 2023

I live near where the grocery outlet market store will be built.

City of Fort Bragg City Clerk

dayee

I am not concerned about the traffic. I am worried about affordable food. We need more stores.

Verls lives in

Remember when the shelve were empty? Let's not have a repeat of that.

Please listen to the people. Vote yes for a new grocery outlet.

Thank you kindly.

5/30/23

I am the Outreach Program Manager at Redwood Coast Senior Center. I year the Seniors would benefit from a grocery outlet, many are very low income and could to use any help. With keeping groceries lower in price.

Rose maton

Thank you,

### RECEIVED

### JUN 0 1 2023

City of Fort Bragg City Clerk

### JUN 0 1 2023

May 30, 2023

City of Fort Bragg City Clerk

Dear Council Members for the City of Fort Bragg,

I am the General Manager of the Surf Motel and Gardens on Main Street. We work hard to keep our property looking stellar for visitors. There are seasons when business is very good. This helps when it is slow.

It would benefit our guests and employees to have more shopping options in Fort Bragg. Most patron all the various stores throughout town. This will continue even when the Grocery Outlet is built. It will also undoubtedly save a trip to Ukiah.

I do hope this is the last of the hearings, meetings, and legal challenges. Opening up the city to some growth is a positive.

Regards,

Kash Mir General Manager

Surf Motel and Gardens 1220 Main Street, Fort Bragg, CA 95437 -phone: 800-339-5961

JUN 0 1 2023

May 31 -2023

City of Fort Bragg City Clerk

Dear Planning Commission, For the City Council meeting on the new store – June 5 363, north Main St, FB

I live-in low-income housing. I, however, live among residents who are not all mobile, this could be for physical reasons, some can't afford a car, many are living off of Social Security and other programs.

I know you have heard this from so many and you have compassion for the lowincome residents. That is why I ask you to give the Grocery Outlet's new store here your seal of approval.

Please help the growing senior and low-income senior community here. Just because we are not able to work like we used to, we are valuable and want to be treated with respect.

Sincerely.

*Victoria Biddle* 301 Cypress Street, Fort Bragg, Telephone number (707)-357-5075

Dear Fort Bragg Planning Commission,

# JUN 0 1 2023

RE: Grocery Outlet - I say Yah!

City of Fort Bragg Date: May 31, 2023 Clerk

I have been watching moderately and tracking the progress of Grocery Outlet's progress in coming to Fort Bragg. It has been a roller coaster.

Our family has owned property in Mendocino County for over 30 years. It will be a place where we grow old and newer generations will come to visit, and it will remain in the family for generations to come. To be honest, I usually do most of my shopping out of town for one reason - to save money.

However, I would rather spend my money in Fort Bragg and Mendocino. I will shop at the Grocery Outlet as I have two now adult sons, and one soon to be teen daughter. I will also shop at the other stores. Each store has different items I need. I find there is not one store in the area that is a one stop fits all.

Fort Bragg is losing its luster. You say you do not want familiar businesses in town; however, I do think a Grocery Outlet off the main street in the slightly commercial area will bring some life to that area, especially after it goes through design review and their building will have a

What entity would wanted to spend thousands of dollars and 2 plus years of staff time to come to the City after a move like this?

We are better than this.

Think about the low-income residents, seniors and those that depend on the food bank. Harvest Market will do fine. Quit listening to those that have jobs, businesses and how about thinking about those in need and who could use quality goods at affordable prices.

Folks in Casper, will shop in Fort Bragg, Mendocino or go out of town. I would like to spend my money locally.

Please support the measure.

The Eldridges

10279 Gibney Lane

5.31.23 Dear council members – I hope that you vote yes for grocery outlet so they can start to build and the council can move on to other business. The people in town are getting weary and discourage. They have spoken again and again. Locals do not want lawsuits, prolonging what is needed. Come together, vote yes ... thank you

Blackcat 2Ntique Colleziu Geber Colleziu Geber

RECEIVED

JUN 0 1 2023

City of Fort Bragg City Clerk

JUN 0 1 2023

May 31 23

City of Fort Bragg Dear City Council members of Fort Bragg

Regarding Agenda item – Grocery Outlet Application – Support

I manage a small business on Main Street. I hire locals and pay my taxes. Many of my customers are young, or on limited income. I hear so many stories of hardships. So many that have moved away. This town doesn't meet their needs. Nothing changes. Nothing new. No jobs. Too expensive. I could go on.

A city cannot survive if the young do not stay, can't afford to live here. The same goes for families. I love this city. I believe in this City. I invested so much to be here. I like so many others want more food stores.

Please vote to approve this application. It would be good for so many in town.

Mohannad 12. Object

Mohammad Obeid Best: 409-5277

# JUN 0 1 2023

Dear Fort Bragg City Council,

City of Fort Bragg City Clerk

Re: Grocery Outlet - please vote yes at the June 5, 2023 meeting

I am writing the council today to advocate for approving the Grocery Outlet project.

This would be great for the residents, visitors, employees and employers.

This would mean a great deal to me and my family, and for the many people I work with throughout the county.

Your support would be appreciated.

Clio Bennett 707 964 3098

### JUN 0 1 2023

City of Fort Bragg To whom it may concern: City Clerk As a resident of Fort Bragg for the Past Tycars (Bay Free transplant), I have been wanting the Grocery Dutlet pere since hearing about this. I used to take MTA over to Willits for the first 4 years I lived here specifically to go to J. O. and now can't because the Fit buses have been 30 decreased. I am absolutely for this project and would like to propose That we explore getting a "Ross" here as well. Sincerly Trace Coohsey (415) 488-7355

PO 130× 593 FB, CA 95437

email: +coole5@aol.com

Hello City Council,

We support the

Georg Outlet!

I live near by.

I am not

concerned about

-traffic.

Get it done!

David Curry

Davis Curry 6985. Franklin

JUN 0 1 2023

City of Fort Bragg City Clerk

I'm 27 years old and am for the out let store. I feel the folk in your income marger will be beniff to this city. Pominick leing t9200 Summers Ln CA 95437. RECEIVED JUN 0 1 2023 City of Fort Bragg City Clerk 4 313

### Mountain Mikes

RECEIVED

Date: June 1, 2023 Re: Vote Yes for the Grocery Outlet

JUN 0 1 2023

City of Fort Bragg City Clerk

Dear FB City Council members,

I am the owner of Mountain Mikes Pizza on Main Street. My restaurant is on a corner, and in close in proximity to the New Grocery Outlet site. This area is a commercial district with close proximity to Main Street, a major route. Business activity is to be expected. Also, even though this is a commercial district, with that, there are many times when traffic is really light, which is actually a detriment to local businesses. I do not think even with the new store, traffic will not be impacted like many have stated at the various hearings.

I can easily say, a new store will help the residents, city, and my employees. So many have moved due to the lack of opportunity and affordability. A new Grocery Outlet will save many from trips to Willits. I and so many that I have talked to, will continue to shop at all the stores in town.

Please vote yes for a Grocery Outlet.

Thank you.

Rohit Kumar

898 S Main Street, Fort bragg, CA 95437

To the City Council, I grew up and lived in Fort Bragg for basically my entire life. I recently had to make my family to willits due to cost of living and being so far from afformable stores. Safeway is always so packed and out of alot of things, and Harvest and Purity just arent in my budget I think a grocery outlet would benefit Fort Bragg and the families here alot. If you have any questions here is all of my information. Thank you,

Branna Mayer

707-932-0003 1298 LOCUST ST APT 43 WILLITS, CA, 95490

RECEIVED

JUN 0 1 2023

City of Fort Braco City Clerk

## TO THE ATTENTION OF THE FORT BRAGG CITY COUNCIL WE ASK THAT A GROCERY OUTLET BE BUILT HERE

- As food costs keep going up
- As transportation is not always available and is costly

RECEIVED

• As traffic will not change much with one new store

As adding more stores in town is beneficial

JUN 0 1 2023

Please consider a YES vote on Monday June 5, 23.

City City City City City

Print: Name/Street name/email/phone

•

Michael Reynolds Brandon Way BUTTITA - Mill CREEK WELD FIDWER Bun roent au Mends unian Frank in TRANSMISSION OR BA AGG 707.937.2443 CHRIS SURFWOOD PR SHOOK

Email this form by 6/1/23 at 10 am to: cityclerk@fortbragg.com

From:	Meli Treichler
То:	City Clerk
Subject:	6/5 City Counsel Grocery Outlet Vote
Date:	Saturday, June 03, 2023 4:48:33 PM

Melanie Treichler 41701 Eureka Hill Rd, Point Arena, CA 95468 916-666-9990

Please vote yes to open a Grocery Outlet. Groceries on the coast are so insanely expensive. This is a wonderful opportunity for thousands of continuity members. Please vote YES.

-Melanie Treichler

# CITY OF FORT BRAGG

### REC'D JUN 0 2 2023

#### 5-29-23

I/we have been living at the low income Walnut Apartments on Walnut Street.

We are not able to attend the City Council meeting.

Most all the residents go the food bank every week. This is how we get our staples.

We will be able to walk to the new grocery outlet.

They will also likely contribute to the Food Bank.

We just hope our voices are heard.

Please no more lawsuits.

Thank you for voting **yes** and please get this done.

Residents of Walnut Apartments, 311 Walnut Street, Fort Bragg, CA

Name Apt susiesleight@qinail.com 1) Susie Skight @gnail.com ZLASUPHILEION #17 Welnutt 3) 1) 00000 Auguno con 4) Mike Korbe #17 Hizyovall 87 @ gmail -47 libbycatigoane emance 5) 6) 1 KIN /- MRXINEII #31 #25 Francisco Guzmain #7,7 7) 48 8) 9) her 10) 11)

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### **CITY OF FORT BRAGG**

### REC'D JUN 0 2 2023

#### 5-29-23

I/we have been living at the low income Walnut Apartments on Walnut Street.

We are not able to attend the City Council meeting.

Most all the residents go the food bank every week. This is how we get our staples.

We will be able to walk to the new grocery outlet.

They will also likely contribute to the Food Bank.

We just hope our voices are heard.

Please no more lawsuits.

Thank you for voting **yes** and please get this done.

Residents of Walnut Apartments, 311 Walnut Street, Fort Bragg, CA

Name Apt 1) 2) #45 @wainst 3) Walnut 4) 5) 6) 7) 8) 9) 10) 11)

\* Kesidents of Fort Bragg Brianna Martinez - briannamartinez 2359@gmail.com angelina ornelas angelina. Ornelas @hotmail. LUZ Delgado 142 bonita gmail.com COM Katherine Lovo lovoponce Katherine@gmail.com Jacq mason Jessica Gonzalez - mendojess3@gmail.com Teresa Rodriguez Valdovinos - NIA-Ricardo May \_ Nemag70 gmail. Com 1201 Willow St F.B Cristina Flores - Cristy 32 Belaglobal net Balting bliveyin ogmon.con

CITY OF FORT BRAGG REC'D JUN 0 2 2023

From:	Fort Bragg Local Business Matters
То:	<u>City Clerk</u>
Cc:	Peters, Sarah; cdd
Subject:	Public Comment in Opposition to the Proposed Grocery Outlet Matter for Consideration at the City Council Hearing on June 5, 2023
Date:	Saturday, June 03, 2023 4:05:31 PM
Attachments:	FBLBM GO Opposition Petition 06.02.23 - Copy.pdf

June 3, 2023

To the Honorable Fort Bragg City Council:

Attached, please find a copy of the online Petition from Fort Bragg Local Business Matters (FBLBM), in opposition to the proposed Grocery Outlet development at 851 S. Franklin Street, for the City Council's consideration of this matter, at their June 5, 2023 hearing.

As noted in the attached document, we have received over 756 digital signatures (and growing) to date from Fort Bragg residents, activists, families and workers, who have strong concerns about the proposed project impacts and the flawed EIR, that we had hoped would be comprehensive and conducted impartially by independent experts, but that was not the case.

We will share separate comments relating to our concerns about the EIR, and a respectful request that the Council strongly consider not certifying the proposed Final EIR for this development, in separate correspondence through our group's legal representative.

In the interim, please accept this Petition in Opposition to the proposed Grocery Outlet development on behalf of FBLBM, for the public record and for the Council's consideration of this important issue at their hearing on June 5th.

Please also confirm receipt of this email, and attached Petition, and certify that it will be included in the public record and shared with the City Council in a timely manner, prior to the hearing on this matter.

Sincerely,

Fort Bragg Local Business Matters



# Protect our Downtown & Local Businesses in Fort Bragg

The **backbone of our community are our local businesses** who've stuck it out through thick and thin over the years. And these last two years have been particularly trying for all of us and our local businesses.

We want to see our town thrive which is why we have **strong concerns about the growing proliferation of national chain and discount stores** popping up in our community. These stores add little value to the unique character of our town and in fact threaten to upend it by making it difficult for our existing small businesses to survive in what has been a very difficult time.

The latest example is a **Sacramento based developer's plan to build a new discount grocery store at 851 S. Franklin Street**, at the busy entrance to Noyo Harbor. The proposed Grocery Outlet **will hurt our existing businesses**, like Harvest Market, and would add yet another national chain discount store to our community.

Furthermore, **the site of the proposed grocery store**, which includes the County Social Services Building that will be demolished instead of repurposed, **is also a problem**. The Grocery Outlet will generate **hundreds of new car trips per day** along S. Main Street and N. Harbor Drive, which is also the entryway to the busy Noyo restaurants and shops. It's hard enough already to try to get down to Noyo Harbor or back on to South Main Street, and we can only imagine how much **worse traffic** will be if we add hundreds of cars going in and out of this grocery store at this busy intersection, each and every day. The proposed grocery store also raises **concerns** about impacts to **emergency response times, water use** and **quality, air/light/noise pollution,** and **public safety.** 

Which is why we successfully fought hard to get the City and developer to conduct a full and comprehensive Environmental Impact Report (EIR) so that we would know the true negative impacts this project will have on traffic, the environment and our community. We learned in April 2022, that the City approved the selection of the "suspicious" De Novo Planning Group to manage the EIR for the controversial Grocery Outlet project in Fort Bragg. The De Novo Group had already started work with the developer on the EIR before being selected and plans to use old impact studies to make the EIR cheaper and quicker.

So what we seem to have is a **sham of an EIR being conducted that the City Council knowingly signed off on,** and we have to wonder why that is.

Despite the City Council's questionable behavior and apparent greed to get this project approved, *again*, there is still time to act and to **urge the City to use their discretion to say** *NO* **to the proposed Grocery Outlet at this site!** *NO* to another discount store in Fort Bragg! *NO* to more traffic on Main Street and Harbor Drive! *NO* to something that will hurt our downtown and existing local businesses!

### Thank you for SIGNING this petition and for supporting our downtown and local businesses!

Link to the online Petition: https://chng.it/NZbhVQt8



# **Digital Signatures to the FBLBM GO Opposition Petition**

# 756 Signatures, as of 1:30 P.M. Friday, June 2, 2023

	8		Postal	
Name	City	State	Code	Signed On
Sam Parker	Fort Bragg	CA		3/23/2021
Ken Armstrong	Fort Bragg	CA	95437	3/23/2021
Diana Theobald	chico		95973	4/6/2021
Kassandra Taylor	Fort Bragg	CA	95437	4/6/2021
Constance Huebert	Fort Bragg	CA	95437	4/6/2021
Derek Hooper	Mendocino	CA	95460	4/6/2021
Allison Crawford	Fort Bragg	CA	95437	4/6/2021
Roslyn Satten	Fort Bragg	CA	95437	4/6/2021
Mikael Blaisdell	Fort Bragg	CA	95437	4/7/2021
Jamie Peters	Fort Bragg	CA	95437	4/7/2021
Connie Schartz	Fort Bragg	CA	95437	4/7/2021
Jenn Davis	Fort Bragg	CA	95437	4/7/2021
Carin Berolzheimer	Fort Bragg	CA	95437	4/7/2021
Jacquelyn Cisper	Fort Bragg	CA	95437	4/7/2021
Christopher Cisper	Fort Bragg	CA	95437	4/7/2021
Jo Bradley	Little River		95456	4/7/2021
Margaret Guhde	Mendocino	CA	95460	4/7/2021
Frank Bender	Alameda	CA	94502	4/7/2021
David King				4/7/2021
Matthew Griffen	Fort Bragg	CA	94537	4/7/2021
Patty Madigan	Comptche	CA	95427	4/7/2021
Zoleta Lee	Fort Bragg	CA	95437	4/7/2021
Teresa Meche	Fort Bragg	CA	95437	4/7/2021
Daton Dean	Memphis		38114	4/7/2021
Katie Shellman	Fort Bragg	CA	95437	4/7/2021
Scott Roat	Mendocino	CA	95460	4/8/2021
Ann Lee	Fort Bragg	CA	95437	4/8/2021
Katie Turner	Fort Bragg	CA	95437	4/8/2021
Jasmin Ortiz	Santa Barbara		93105	4/8/2021
Richard Council	Lodi		95242	4/8/2021
Karen Reynolds	Fort Bragg	CA	95437	4/8/2021
Ann Brezina	Fort Bragg	CA	95437	4/8/2021
Agim Demirovski	Staten island		10310	4/8/2021
Elaine Charkowski	Fort Bragg	CA	95437	4/8/2021
Jenna Hoyt	Fort Bragg	CA	95437	4/8/2021

Steven Taylor	Fort Bragg	CA	95437	4/8/2021
Nicolas Binfield	lakewood		44107	4/8/2021
Kristene Markert	Fort Bragg	CA	95437	4/8/2021
Yaz Pickaxe	Germantown		20874	4/8/2021
Bernadette Coyle	Leland		28451	4/8/2021
Eve Ball	Tucson		85730	4/8/2021
Macey Nelepovitz	Fort Bragg	CA	95437	4/8/2021
taryn Oakes	Westport	CA	95437	4/8/2021
Diane Buxton	Mendcino	CA	95460	4/8/2021
Ron Hock	FORT BRAGG	CA	95437	4/8/2021
Margaret Roberts	Fort Bragg	CA	95437	4/8/2021
Jima Abbott	Fort Bragg	CA	95437	4/8/2021
Eric Stromberger	Fort Bragg	CA	95437	4/8/2021
Daney Dawson	Fort Bragg	CA	95437	4/8/2021
Elizabeth Swenson	Fort Bragg	CA	95437	4/8/2021
Thomas Grattan	Mendocino	CA	95460	4/8/2021
Catherine Hart	Mendocino	CA	95460	4/8/2021
Liz Helenchild	Mendocino	CA	95460	4/8/2021
David Gurney	Fort Bragg	CA	95437	4/8/2021
Anne Beck	Fort Bragg	CA	95437	4/8/2021
Annette Jarvie	Mendocino	CA	95460	4/8/2021
Eleanor Adams	Fort Bragg	CA	95437	4/8/2021
Barbara Metcalfe	Los Angeles	CA	90028	4/8/2021
Frank Letton	Whitethorn	CA	95589	4/8/2021
Anna Marie Stenberg	Fort Bragg	CA	95437	4/8/2021
Royce Loewen	Albion	CA	95410	4/8/2021
Sallie Richards	Fort Bragg	CA	95437	4/8/2021
Erif Thunen	Albion	CA	95410	4/8/2021
arnav chaturvedi	Hillsborough		8844	4/8/2021
Cynthia Gair	Mendocino	CA	95460	4/8/2021
jennifer kreger	Fort Bragg	CA	95437	4/8/2021
Eric Kelly	Tucson		85710	4/8/2021
janie rezner	ft bragg	CA	95437	4/8/2021
Lynn Derrick	Albion	CA	95410	4/8/2021
•			95437-	
robert lorentzen	fort bragg	CA	8727	4/8/2021
Meredith Smith	Mendocino	CA	95460	4/8/2021
Laura Lind	Fort Bragg	CA	95437	4/8/2021
Janet Schlihs	Fort Bragg	CA	95437	4/8/2021
Donna LaForge	West Monroe	LA	71291	4/8/2021



Ashley Vandever	Kansas city		64106	4/8/2021
MARC YASSKIN	Roy	WA	98580	4/8/2021
Marta MacKenzie	Fort Bragg	CA	95437	4/8/2021
Kandeda Trefil	Albion	CA	95410	4/8/2021
Catherine McMillan	Mendocino	CA	95460	4/8/2021
Paula Hale	Fort Bragg	CA	95437	4/8/2021
Judith Edwards	Fort Bragg	CA	95437	4/8/2021
Cecile Cutler	Fort Bragg	CA	95437	4/8/2021
Danleigh Spievak	Fort Bragg	CA	95437	4/9/2021
Don Taylor	Fort Bragg	CA	95437	4/9/2021
Dyana Sangraal	Fort Bragg	CA	95437	4/9/2021
Majd Ablahad	Chicago		60634	4/9/2021
Sylvia Gilmour	Fort Bragg	CA	95437	4/9/2021
Paloma Carmona	Fort Bragg	CA	95437	4/9/2021
Jesus Renteria	Fort Bragg	CA	95437	4/9/2021
Sue Coulter	Little River	CA	95456	4/9/2021
merry winslow	Fort Bragg	CA	95437	4/9/2021
Susan McNeil	Fort Bragg	CA	95437	4/9/2021
Frank Martinez	Arlington		76013	4/9/2021
Richard Rasmussen	Fort Bragg	CA	95437	4/9/2021
Joan Burleigh	Fort Bragg	CA	95437	4/9/2021
Cynthia Scott	Mendocino	CA	98626	4/9/2021
R Pearson				4/9/2021
Jacob Reynolds	Quincy	CA	95971	4/9/2021
sandy oppenheimer	fort Bragg	CA	9	4/9/2021
Wendy Slevin	Fort Bragg	CA	95437	4/9/2021
Allie Sanchez	Salem		1970	4/9/2021
Adrian Mendoza	Maddison		1612	4/9/2021
N. Milano	Fort Bragg	CA	95437	4/9/2021
dennis jecmen	Fort Bragg	CA	95437	4/9/2021
Margaret Drake	Albion	CA	95410	4/9/2021
Brice Scanlon	Stamford		6902	4/9/2021
Linda Perry	Mendocino	CA	95460	4/9/2021
Alanna Ayres	Point Arena	CA	95468	4/9/2021
Sandi Mosden	Fort Bragg	CA	95437	4/9/2021
Alfred Holston, Jr.	Fort Bragg	CA	95437	4/9/2021
Cornelia Gerken	Fort Bragg	CA	95437	4/9/2021
Natalia Smith	Cheraw		29520	4/9/2021
lee alley	Pacifica	CA	94044	4/9/2021
Charlotte Agbeka	Syosset		11791	4/9/2021
-	-			

Shantel Burdette	Rome		30165	4/9/2021
Freddy Reyes	Bronx		10456	4/9/2021
Adriana Narro	Fort Bragg	CA	95437	4/9/2021
Elisha Moleski	Sanford		32771	4/9/2021
Robert McMillin	Abilene		79606	4/9/2021
Danielle Walsh	Kennesaw		30152	4/9/2021
Dorothy Qurnell	Grass Valley		95949	4/9/2021
Beth Goodwin	Fort Bragg	CA	95437	4/9/2021
Anthony Miksak	Fort Bragg	CA	95437	4/9/2021
Carole Freeman	Comptche	CA	95427	4/9/2021
Lonnie Mathieson	Fort Bragg	CA	95437	4/10/2021
Allisondra Coito	San Lorenzo		94580	4/10/2021
Jerrilee Holtzapple	Philadelphia	PA	19144	4/10/2021
Hanna Levie	-		9963	4/10/2021
jaqavion jr demarcus	Pomona		91766	4/10/2021
Chanira Andia	Whittier		90604	4/10/2021
Zida Borcich	Fort Bragg	CA	9537	4/10/2021
Brooke Selapack	Dana Point	CA	92629	4/10/2021
katherine webster	Fort Bragg	CA	95437	4/10/2021
Kristine Reiber	Caspar	CA	94112	4/10/2021
Pamela Olson	Chicago		60661	4/10/2021
John Fisher	Fort Bragg	CA	95437	4/10/2021
Gerald Zari	Fort Bragg	CA	95437	4/10/2021
Susana hennessey Lavery	San Francisco	CA	94123	4/10/2021
Katherine Haley	Lower lake	CA	95457	4/10/2021
Richard Lopez	Indio		92203	4/10/2021
Suzi Lina	Fort Bragg	CA	95437	4/10/2021
Michele Wald	San Anselmo	CA	94960	4/10/2021
Steven Gravenites	Fort Bragg	CA	95437	4/10/2021
Aiden Hansen Troidl	Nampa		83686	4/10/2021
Brian Edwards	Monroe		28111	4/10/2021
Judy Tarbell	Caspar	CA	95420	4/10/2021
Jasmine Wylie	Citrus Heights		95610	4/10/2021
,	U		94571-	
James Barrett	Rio Vista	CA	2280	4/10/2021
Christian Sholtis	Wilkes Barre		18702	4/10/2021
Deb Alan	San Anselmo	CA	94960	4/10/2021
Melanie Chavez	Spring Valley		91977	4/10/2021
Scott Menzies	Fort Bragg	CA	95437	4/10/2021
Veda Connor	Morgan Hill	CA	95037	4/10/2021

Mist Den	De desse d'Oltre		04062	4/10/2021
Mich Par Ron Weimer	Redwood City		94063	4/10/2021
				4/10/2021
Patti Ripple	Longuiou		75605	4/10/2021 4/11/2021
Megumin Sato	Longview	CA	75605	4/11/2021 4/11/2021
Marilyn Lemos	Mendocino	CA	95460 05468	
Steve Ritchie	Point Arena	CA	95468	4/11/2021
Andrea Moran	Miami East Drass	<b>C A</b>	33138	4/11/2021
Monica edman	FortBragg	CA	95437	4/11/2021
Lydia Rand	Mendocino	CA	95460	4/11/2021
Oscar Jaquez	North Las Vegas		89030	4/11/2021
Moises Hernandez	Carlsbad		92008	4/11/2021
Jay McMartin-	Fout Duo oo	CA	05427	4/11/2021
Rosenquist	Fort Bragg Falls Church	CA	95437 22041	4/11/2021
Kristen Kemp			22041	4/11/2021
cynthia sanborn-dubey	Willits	CA	95490	4/11/2021
Jacob Swang	Raleigh		27604	4/11/2021
Tyler T	Arcadia		91006	4/11/2021
Dillion Phillips	San Jose	<b>C</b> 1	94589	4/12/2021
Jesus Renteria	Fort Bragg	CA	95437	4/12/2021
Gina Holdren	Fort Bragg	CA	95437	4/12/2021
Susan Sisk	Fort Bragg	CA	95437	4/12/2021
Susie Burks	Corpus Christi		78412	4/12/2021
Austin Ballard	Byron		82412	4/12/2021
Lanee Blankenship	Sacramento		95842	4/12/2021
Morgan Hall	Fort bragg	CA	95437	4/12/2021
Sarah Thurber	Fort Bragg	CA	95437	4/12/2021
Jeff Laxier	Fort Bragg	CA	95437	4/12/2021
Jeanne Paula Trani	Concord		94521	4/12/2021
Claudelle Zack	Fort Bragg	CA	95437	4/12/2021
Jose Lopez	Santa Ana		92701	4/12/2021
Frida Rivera	Houston		77035	4/12/2021
Nicole Sandoval	Fort Bragg	CA	95437	4/12/2021
lu ross	MENDOCINO	CA	95460	4/12/2021
Mary Chamberlin	Fort Bragg	CA	95437	4/12/2021
Kirk Melton	Fort Bragg	CA	95437	4/12/2021
Kayla Morgan	Fort Bragg	CA	95437	4/13/2021
Charisse Ballard	Fort Bragg	CA	95437	4/13/2021
Anthony Koller	Fort Bragg	CA	95437	4/13/2021
Dennak Murphy	Fort Bragg	CA	95437	4/13/2021
Kaya Kachigian	Mendocino	CA	95460	4/13/2021



K V Bunker	Fort Bragg	CA	95437	4/13/2021
Austin Ward	Corvallis	OR	97330	4/13/2021
B York	Fort Bragg	CA	95437	4/13/2021
Heather Brogan Gealey	Fort Bragg	CA	95437	4/13/2021
Morgan Peterson	Fort Bragg	CA	95437	4/13/2021
Olivia Clark	Santa Rosa	CA	95403	4/13/2021
Colby Jones	Berkeley	CA	94705	4/13/2021
Felicia Gealey	Albion	CA	95410	4/13/2021
Brittney Tuomala	Fort Bragg	CA	95437	4/13/2021
Sage Andersen	Mendocino	CA	95460	4/14/2021
Kerry Mertle	Santa Rosa	CA	95409	4/14/2021
Madeline Richards	Fort Bragg	CA	95437	4/14/2021
Sharon Peterson	Fort Bragg	CA	95437	4/14/2021
rebecca Gilgert	Chico	CA	95928	4/14/2021
Terrii Esiline	Gladwin		48624	4/14/2021
Melissa Gonzalez	Lakeside		92040	4/14/2021
Julie Burns	Fort Bragg	CA	95437	4/14/2021
Amethyst Douglas	Fort bragg	CA	95437	4/14/2021
River Wilder	Fort Bragg	CA	95437	4/14/2021
Ariana van Buuren	Fort Bragg	CA	95437	4/14/2021
Emma Gilchrist	Fort Bragg	CA	95437	4/14/2021
Mirna Hernandez	Fort Bragg	CA	95437	4/14/2021
Keri Ann Bourne	Grants Pass	OR	95437	4/14/2021
Chris Afton	Lake Elsinore		92530	4/15/2021
Lorena Edmundson	Portland	OR	97214	4/15/2021
Rev. Robert Roseman	Fort Bragg	CA	95437	4/15/2021
Grace Hansen	Fort bragg	CA	95437	4/15/2021
Cathy Dostal	Fort Bragg	CA	95437	4/15/2021
joshua olanrewaju	Springfield		45502	4/15/2021
Bria Darville	Valdosta		31601	4/15/2021
Connor Lamont	Ridley Park		19078	4/15/2021
Jared Peterson	Anaheim		92805	4/15/2021
Kabir Arora	Castro Valley		94546	4/15/2021
S French	Fort Bragg	CA	95437	4/15/2021
Marco Garcia	Fort Worth		76137	4/16/2021
Brian Tovey	Brookings		97415	4/16/2021
Patty Yanez	-	CA		4/16/2021
Sarah Bradley	Sacramento	CA	95826	4/16/2021
Christie Dodgson	Fort Bragg	CA	95437	4/17/2021
Sharon Mullenaux	Santa Cruz	CA	95062	4/17/2021



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Scott Miller	Fort Bragg	CA	95437	4/17/2021
Laura Kirby	Portland	OR	97217	4/18/2021
Luis Campps	North Hollywood		91601	4/18/2021
Gunner John	Meadville		16335	4/18/2021
Frank C	Philadelphia		19124	4/18/2021
Mindy Bruchler	Fort Bragg	CA	95437	4/18/2021
Carol Steele	Fort Bragg	CA	95437	4/18/2021
Jose López	Orlando		32828	4/19/2021
kathryn Rossum	Fort Bragg	CA	95437	4/19/2021
Randi Unroe	Willits	CA	95490	4/19/2021
Colleen Hooper	Fort Bragg	CA	95437	4/19/2021
Sandra Emery	Fort Bragg	CA	95437	4/20/2021
Eric Drechsel	Santa Rosa	CA	95401	4/20/2021
Rio Russell	Elk	CA	95432	4/20/2021
Kay Hayward	Mendocino	CA	95460	4/20/2021
Suzan Garcia-Wells	Fort Bragg	CA	95437	4/21/2021
Terri Beer	Fort Bragg	CA	95437	4/21/2021
Ron Rossiter	Ukiah	CA	95482	4/21/2021
Sue Klingler	Fort Bragg	CA	95437	4/22/2021
Nancy Crider	Ft. Bragg	CA	95437	4/22/2021
Ene Bender	Fort Bragg	CA	95437	4/24/2021
Rick Davis	Fort Bragg	CA	95437	5/4/2021
Jo Bradley	Fort Bragg	CA	95437	5/5/2021
Keith Stiver	Fort Bragg	CA	95437	5/5/2021
Tom Jelen	Fort Bragg	CA	95437	5/5/2021
Deborah Kvaka	Laytonville	CA	95454	5/6/2021
Juan J Venegas	Fort Bragg	CA	95437	5/6/2021
Laurie York	Albion	CA	95410	5/6/2021
Pearl Connell	Fort Bragg	CA	95437	5/6/2021
Jenafer Owen	Fort Bragg	CA	94707	5/7/2021
Laural Pope	Fort Bragg	CA	95437	5/7/2021
Laurel LeMohn	Fort Bragg	CA	95437	5/8/2021
Susan Lundgren	Mendocino	CA	96460	5/8/2021
Genesis Diaz-Meza	Fort Bragg	CA	95437	5/9/2021
John Richelson	Fort Bragg	CA	95437	5/9/2021
autumn faber	mendocino	CA	95460	5/10/2021
Derek Lockyer	Mendocino	CA	95460	5/10/2021
Devon Patel	Fort Beagg	CA	95437	5/10/2021
Terry Leedy	Grapeview	WA	98546	5/11/2021
Val Marshall	Fort Bragg	CA	95437	5/18/2021
	88			



Crystal Clements	Fort Bragg	CA	95437	5/19/2021
Anne Young	Fort Bragg	CA	95437	5/19/2021
Ron Hock	Fort Bragg	CA	95437	5/19/2021
Tracy DeLeeuw	Lake Tahoe	CA	97526	5/19/2021
Janet Aguilar	Mendocino	CA	95460	5/19/2021
Melissa Birch	Eureka	CA	95501	5/20/2021
Jeri Erickson	Fort Bragg	CA	95437	5/21/2021
Isabel Alcocer	Fort Bragg	CA	95437	5/21/2021
Rowan Gill	Fort Bragg	CA	95437	5/21/2021
John Adams	Willits	CA	95490	5/21/2021
Adriane Nicolaisen	Fort Bragg	CA	95437	5/21/2021
Tonilynn Montecino	Upland		91786	5/21/2021
Rodney Garrison	Fort Bragg	CA	95437	5/21/2021
Robin Hamlin	McKinleyville	CA	95519	5/21/2021
Otimar Levitschnig	Staten Island		10304	5/21/2021
Sarah Kennon	Vacaville	CA	95687	5/22/2021
Edward Rodriguez	Houston		78237	5/22/2021
Lari Shea	Fort Bragg	CA	95482	5/22/2021
Jeffrey Wachtel	Fort Bragg	CA	95437	5/22/2021
Miranda Cottrill	Lancaster		43130	5/22/2021
Eve Yeomans	Fort Bragg	CA	95437	5/22/2021
Mercedes Kennedy	Fort Bragg	CA	95437	5/22/2021
Kristy Tanguay	Fort Bragg	CA	95437	5/22/2021
Christopher Quezada	Yucaipa		92399	5/22/2021
Doria Lewis	Seattle	WA	98117	5/23/2021
Chema Venegas	Anaheim		92806	5/23/2021
Miomir Vujadinovic	Chicago		60016	5/23/2021
Julie Castillo	Fort Bragg	CA	95437	5/23/2021
Shiela Cox-Dowdell	Allen Park		48101	5/23/2021
	Rancho			
Pahnia Yang	Cucamonga		91730	5/23/2021
Allison McGoldrick	Massapequa Park		11762	5/23/2021
Jacqueline Berg	San Francisco		94110	5/23/2021
Riot Segura	Encino		91316	5/23/2021
B Reyes	Brooklyn		11208	5/23/2021
Michelle P	Salida		95368	5/24/2021
Summer Fowler	Tahoe City		96145	5/24/2021
Kevin Kern	Santee		92071	5/24/2021
Julia Stahl	Sacramento		95842	5/24/2021
Angela Ingram	Flossmoor		60422	5/24/2021

Adam Kaluba	Burleson		76028	5/24/2021
Rose Dones	Orlando		32837	5/24/2021
Danielle Fontaine	Grants Pass	OR	97527	5/25/2021
Robert Ross	Fort Bragg	CA	95437	5/25/2021
Patricia Davis	Little Rock		72209	5/25/2021
Kevin Rosser	Portland		97212	5/25/2021
Mary Rose				
KACZOROWSKI	Fort Bragg	CA	95437	5/25/2021
Julia Carson				5/25/2021
susan nutter	Fort Bragg	CA	95437	5/25/2021
Annemarie Weibel	Albion	CA	95410	5/25/2021
Kyle Norton	Mendocino	CA	95460	5/25/2021
sandy glickfeld	Fort Bragg	CA	95437	5/25/2021
Helen Van Gelder	Annapolis	MD	21409	5/25/2021
amanda dickinson	Chapel Hill		27516	5/25/2021
Jude Thilman	Fort Bragg	CA	95437	5/25/2021
JANET HARRIS	Charlotte		28215	5/25/2021
Ted Seymour	Fort Bragg	CA	95437	5/25/2021
Minucha Colburn	Edmonton	AB	T5P	5/25/2021
Meg Courtney	Fort Bragg	CA	95437	5/25/2021
Meredith Woods	Fredericktown		43015	5/25/2021
sonya popow	Fort Bragg	CA	95437	5/25/2021
Seth Abad	Indiana		46902	5/25/2021
L.A. Hyder	Fort Bragg	CA	95437	5/25/2021
Nancy Chao	Fort Bragg	CA	95437	5/25/2021
KRISTEN FROST	Mendocino	CA	95460	5/25/2021
Ashlee Duncan	Kalamazoo		49001	5/25/2021
Joanne Frazer	Fort Bragg	CA	95437	5/25/2021
Elizabeth Tallent	Fort Bragg	CA	95437	5/25/2021
Linda Perkins	Albion	CA	95410	5/25/2021
Nancy Hensley	Mendocino	CA	95460	5/25/2021
Laurie Moore	Fort Bragg	CA	95437	5/26/2021
Larry Felson	Fort Bragg	CA		5/26/2021
windflower Townley	Mendocino	CA	95460	5/26/2021
LINDA DUTCHER	Fort Bragg	CA	95437	5/26/2021
Karin Uphoff	Santa Barbara	CA	93105	5/26/2021
Anss Sahlly	Modesto		95355	5/26/2021
Eric McCabe	Reseda		91335	5/26/2021
K Rudin	Westport	CA	95488	5/26/2021
Kerry Lawrence	Fort Bragg	CA	95437	5/26/2021

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Cynthia Gair	Mendocino	CA	95460	5/26/2021
Kim Peters	Sacramento	CA	95838	5/26/2021
Anne McKeating	Gibsons		V0N 1V1	5/26/2021
Marilyn Boese	Fort Bragg	CA	95437	5/26/2021
Julie Rogers	Fort Bragg	CA	95437	5/26/2021
Ruth Sparks	Fort Bragg	CA	95437	5/26/2021
Linda Jupiter	San Francisco	CA	94109	5/26/2021
Burney Stephens	Mariposa		95338	5/26/2021
Jaen Treesinger	Albion	CA	95410	5/26/2021
Marlene Placido	Caspar	CA	95420	5/26/2021
Julie Frazer	Fort Bragg	CA	95437	5/26/2021
Donna Medley	Fort Bragg	CA	95437	5/26/2021
loran olson	South Portland		4106	5/26/2021
Jody McDermott	Visalia		93292	5/26/2021
Brian Sturdivant	Chicago		60602	5/26/2021
Nancy DENISON	Fort Bragg	CA	95437	5/26/2021
Karen Chambers	Ekj	CA	95432	5/26/2021
Alesia Boguskie	Madison		37115	5/26/2021
Jane Futcher	Willits	CA	95490	5/26/2021
Daniel Robinson	Mckinleyville		95519	5/26/2021
Liz Helenchild	Mendocino	CA	95460	5/27/2021
Mario Ceballos	Sunland		91040	5/27/2021
A Manhart				5/27/2021
Tina Simpson	West Bloomfield		48322	5/27/2021
Jennifer delacruz	Providence		2903	5/27/2021
Rosalie Tennessee	Marrero		70072	5/27/2021
Marcy Snyder	Fort Bragg	CA	95437	5/27/2021
Demetrius Lewis	Detroit		48227	5/27/2021
audrey wells	Oakland	CA	94605	5/27/2021
Heather Brown-Douglas	San Francisco	CA	94124	5/27/2021
Can Head	Los Angeles		90009	5/27/2021
			Zip	
Morgan Meyers	Roseville		95661	5/27/2021
Jolanda Davila	Milford		1757	5/27/2021
Nathan Morales	Las Vegas	NV	89101	5/27/2021
Kim McLaughlin	Tacoma		98404	5/27/2021
Antonio Vizcarra	Englewood		7631	5/27/2021
Ron Davis	Rockford		61108	5/27/2021
SARAH YOST	Taylorsville	CA	95983	5/28/2021
micahel rhodes	Poteet		78065	5/28/2021



Tamara Windmill	Shelby township		48315	5/28/2021
emily nadeau	Fort Bragg	CA	95437	5/28/2021
Kristen Liggett	Inglewood		90305	5/28/2021
Bonnie Amunrud	Fresno		93720	5/28/2021
Barbara Johnson	Fort Bragg	CA	95437	5/28/2021
Nazafarin Monfared	Santa Monica		90026	5/29/2021
Susan Ferrier	San Clemente		92673	5/30/2021
Shea Zeni	San Clemente		92672	5/30/2021
Lisa Arreguin	Los Angeles	CA	90026	5/31/2021
Leigh Babbitt	Fort Lauderdale		33351	6/3/2021
Bridget Moran	Richmond	CA	94805	6/10/2021
rushia martin	San Francisco		94114	6/10/2021
GENE DOTTS	Greenwood		46227	6/10/2021
Dan De Yo	Yorba Linda		92886	6/10/2021
Roberta Heist	Ukiah	CA	95482	6/10/2021
Randy Wilkinson	Fort Bragg	CA	95437	6/10/2021
Nancy Nelson	Amery		54001	6/11/2021
Marybeth Arago	Fort Bragg	CA	95437	6/11/2021
Josh VanSandt	Cicero		46034	6/14/2021
Scott Zeramby	Fort Bragg	CA	95437	6/23/2021
matthew polinsky	Pittsburgh		15221	6/23/2021
David Jimenez	Bronx		10473	6/23/2021
Jazmin Jones	Buffalo		14221	6/23/2021
Ollie <3	Scottsdale		85255	6/23/2021
Chrystian Gawlowski	Itasca		60143	6/23/2021
Chastin Crum	Dewitt		72042	6/24/2021
Tamisha Bates	Wilmington		28405	6/27/2021
Audrey Burran	Beaverton		97006	6/29/2021
Kaylee Abels	Indianapolis		46234	7/1/2021
Ginny Elizondo	Somersworth		3878	7/9/2021
alannah vargas	fort bragg	CA	J7Y	7/18/2021
Genene Fukudome	Fort Bragg	CA	95437	7/19/2021
Bella Marello	Saint Charles		94582	7/19/2021
Rodney Crowder	Decatur		30032	7/19/2021
Debbie Beard	Fort Bragg	CA	95437	7/19/2021
jim bazil	Fort Bragg	CA	95437	7/19/2021
Candy Fox	Fort Bragg	CA	95437	7/19/2021
Elaine Charkowski	Fort Bragg	CA	95437	7/20/2021
Nicole Armstrong	Fort Bragg	CA	95437	7/20/2021
Curtis Bruchler	Fort Bragg	CA	95437	7/21/2021

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Robyn McCallister	Mendocino	CA	95460	7/21/2021
Danielle Gerhold	FORT BRAGG	CA	95437	7/21/2021
Laurie Maloy	Fort Bragg	CA	95437	7/22/2021
Cara Hartman	Fort Bragg	CA	95437	7/22/2021
Mireya Garcia	Fort Bragg	CA	95437	7/23/2021
Sarah Marr	Fort Bragg	CA	95437	7/23/2021
Nancy Hasenpusch	Mendocino	CA	95460	7/23/2021
Jayden Rezanow	Albany		97322	7/23/2021
Catherine Nguyen	Los Angeles		90031	7/23/2021
Linda Distefano	Montgomery		36109	7/23/2021
Breanna Conn	Seymour		50060	7/23/2021
Laura Diaz	Baldwin Park		91706	7/23/2021
John Park	Arlington	ΤX	76010	7/23/2021
Abraham Garalde	Costa Mesa		92626	7/23/2021
catina Figueroa	Waterbury		6708	7/23/2021
C Lowry	Williamsburg		23185	7/23/2021
Isabella de la Torre	Alameda		94501	7/23/2021
Sandra Adkins	Burlington		27217	7/23/2021
Skylar Baker	Camdenton		65020	7/23/2021
jane bowlus	Alpharetta		30004	7/23/2021
Russell Cauthen	Attalla		35954	7/23/2021
Thawng Kap	Battle Creek		49015	7/23/2021
Monserrat Resendiz	Poway		92064	7/23/2021
Shanta Henderson	Milwaukee		53223	7/23/2021
Jaliyah Wiggins	Toledo		43611	7/23/2021
Kendrick Collins	Harrisburg		17112	7/23/2021
Anthony Davidson	Adrian		49221	7/23/2021
Jaeger Winckler	Kennewick		99336	7/23/2021
Lorenzo Townsend	Lumberton		28358	7/23/2021
Gwendolyn Laizer	Hattiesburg		39402	7/23/2021
Michelle Eich	Gillette		82716	7/23/2021
Deont'a Osborn	Tyler		75701	7/23/2021
Joyce Law	Akron		44305	7/23/2021
Zoe Coronado	San Antonio		78259	7/23/2021
Brittany Tanner				7/23/2021
Ava Snyder	Parker		16049	7/23/2021
Barbara Knott	Jacksonvile		62650	7/23/2021
Barbara Weigle	Blackfoot		83221	7/23/2021
Deonna Frasier	Walterboro		29488	7/23/2021
Gabrielle Crenshaw	Woodway		76712	7/23/2021
Subtrene Cronbliuw	,, oounuy		10/12	1,23,2021

Kaylee Martinez	Elizabethport		7206	7/23/2021
Katherine Hume	Fort Bragg	CA	95437	7/24/2021
Peggy Wing	Fort Bragg	CA	95437	7/24/2021
Pedro Portillo	Fort Bragg	CA	95437	7/24/2021
chris Skyhawk	Albion	CA	95410	7/24/2021
Irene Malone	Fort Bragg	CA	95437	7/24/2021
Lorna Dennis	Fort Bragg	CA	95437	7/24/2021
Araceli Rivas	Fort Bragg	CA	95437	7/24/2021
Adam Thomas	Palm Harbor		34683	7/24/2021
olivia hurley	Warren		48088	7/24/2021
Yomaris Real Lopez	Fort Bragg	CA	95437	7/24/2021
Mykie Aubin	Danielson		6239	7/24/2021
Stephanie Johnson	Phoenix		85014	7/24/2021
Carmen Velderrain	Perris		92571	7/24/2021
Peyton Eberle	Dallas		76010	7/24/2021
Wilbert Andrews	Bronx		10461	7/24/2021
Scott E Cole	Jefferson City		65101	7/24/2021
Gordon Poston	Kingstree		29556	7/24/2021
Ser Lin	Utica		13501	7/24/2021
Ellie Green	Fort Bragg	CA	95437	7/24/2021
Ann Rennacker	Ft Bragg	CA	95437	7/24/2021
Elba Lopez	Fort Bragg	CA	95437	7/24/2021
Katla Stegmann	Shawnee		74801	7/24/2021
Quinn Caswell	Ann Arbor		48105	7/24/2021
Orlasko Barnes	Gulfport		39501	7/24/2021
Rayon Mccall	Gulfport		39601	7/24/2021
Mario Linan	Austin		78727	7/24/2021
Jerry Sanchez	Saint Paul		55106	7/24/2021
Mary Kirk	San Jose		95112	7/24/2021
Melissa Katterson	Crescent		15046	7/25/2021
Armani Hopkins	Saint Petersburg		33714	7/25/2021
Kaniya Aycock	Atlanta		30312	7/25/2021
Issac Clark	Lake Park		31636	7/25/2021
Emily Xiao	McCordsville		46055	7/25/2021
Callie Rogers				7/25/2021
Susan Villarreal	Dundee		33838	7/25/2021
Lisa Rexrode	Fort Bragg	CA	95437	7/25/2021
Laura Welter	Fort Bragg	CA	95437	7/25/2021
Carrie Durkee	Port Angeles	WA	98362	7/25/2021
Miranda Ramos	Fort Bragg	CA	95437	7/25/2021
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Jeffrey Parker	Elk	CA	95432	7/25/2021
Jillianlee Luna	Locust Grove		30248	
Amelia Brubaker	New York		10025	
Kaylie Nantz	Marion		46953	7/25/2021
Esmeralda Martinez	Dallas		75216	7/25/2021
Jess Braun	tyngsboro		1879	7/25/2021
Rebecca Heine	Orlando		32826	
Tailor Kennedy	Ardmore		73401	7/25/2021
Whitlee Tate	Seminole		79360	7/25/2021
Katelyn Yeakey	Burlington		52601	7/25/2021
Madison Viveiros	Cranston		2920	7/25/2021
Mariah Kennedy	Spokane		99223	7/25/2021
Jeanine Osther	Elkridge		21075	7/25/2021
Victoria Tolley	Marysville		98270	7/25/2021
k w	Akron		44304	7/25/2021
Scott Pillath	Gloucester		23061	7/25/2021
Dan Cosgray	Woodstock		60098	7/25/2021
Alicia Cherry	Montgomery		36116	7/25/2021
Jaida Forrest	Bronx		10456	7/25/2021
Natalie Hernandez	Naples		34109	7/25/2021
Remi Faye	Mechanicsburg		17055	7/25/2021
Barbara Quiroz	Fort Lauderdale		33324	7/25/2021
kellie cool	Sarasota		34240	7/25/2021
Hannah Blair	Brewton		36426	7/25/2021
Lidia Wise	Virginia Beach		23456	7/25/2021
Gabrielle Crosby	Ocklawaha		32179	7/25/2021
Bill Selleck	Plainsboro		8536	7/25/2021
Jaz Smith	Baltimore		21201	7/25/2021
Yovana Rojas	Miami		33168	7/25/2021
Roseanne Rossner	Cape May		8204	7/25/2021
Skylar Turpin	Hendersonville		28792	7/25/2021
Concetta Conrad	Asheville		28803	7/25/2021
Amber Tate	Mount Airy		27030	7/25/2021
Ryan Rae	Corona		92882	7/25/2021
Save Asians	New Orleans		70128	7/25/2021
Tasha Storie	Kissimmee		34746	7/25/2021
Dnaijah Williams	San Antonio		78207	7/25/2021
Natalia Jones	Christine		78012	7/25/2021
Emma Washok	Dover		3820	7/25/2021
Nancy Thelot	Maplewood		7040	7/25/2021



Amanda Casey	Cincinnati	45221	7/25/2021
Malikye Naser	Kill Devil Hills	27948	7/25/2021
Ema Graves	Toledo	43560	7/25/2021
Nora Mange	Southington	6489	7/25/2021
Karin Herrera	Vacaville	95687	7/25/2021
tisha quinones	Paterson	7522	7/25/2021
Lauren Sheldon	Monaca	15061	7/25/2021
Juliah Roe	Jacksonville	32256	7/25/2021
Paige Bridgman	Manasquan	8736	7/25/2021
Mackenzie Boyer	Jacksonville	28546	7/25/2021
Lucas Gillette	Orlando	32803	7/25/2021
Courtency Smith	Niceville	32578	7/25/2021
Chris garrett	pine city	55063	7/25/2021
Carleigh Magee	Goldsboro	27530	7/25/2021
Karina Ventura	Los Angeles	90001	7/25/2021
Katha Ventura Katelynn Farley	Huntington	46750	7/25/2021
Craig Heath	Kiawah Island	29455	7/25/2021
alexis vasquez	Corpus Christi	78414	7/25/2021
Zoe Pletl	McKinney	75079	7/25/2021
Gabriela Yanez	Reedley	93662	7/25/2021
Lilly Bonham	Byesville	43723	7/25/2021
Ella Frances	Tallahassee	32312	7/25/2021
Morgan Cefalu	Hudson	1749	7/25/2021
Araceli Gamez	Palmdale	93550	7/25/2021
Julyan Perez	Orlando	32837	7/25/2021
Samantha Becerra	Charlotte	28210	7/25/2021
Danielle Farmer	Atlanta	30324	7/25/2021
Stephanie Guerrero	Hebron	6248	7/25/2021
Lydia Gonzalez	Richmond	47374	7/25/2021
Katelin Walker	Jamestown	38556	7/25/2021
Pejman Haghighatnia	Queens	11385	7/25/2021
Brixa Patino	Milford	84751	7/25/2021
Leslie Diaz	Chicago	60609	7/25/2021
Breeya Myrick	East Syracuse	13057	7/25/2021
Staci Cox	East Sylacuse	13037	7/25/2021
Maddi Andrews	Simpsonville	29681	7/25/2021
Anise Lika	Stone Mountain	30083	7/25/2021
Asa DePriest	Augusta	30909	7/25/2021
Kezia Asare	Hyattsville	20783	7/25/2021
Emma Wood	Mobile	36695	7/25/2021
	MOULE	50095	112312021

Mirna Medrano	Providence	2907	7/25/2021
Flammable Flare	Roopville	30170	
Makenna Rancourt	New Milford	6776	
Kittie Kunkel	Fort Worth	76112	
Elisabeth Howe		82604	
Clint Clore	Casper Sheridan	82004	7/25/2021
Addison Schifano	Smithfield	15478	
	Moline		7/25/2021
Hailey Blevins		61265	
Mandy Oakmoon	Hillsborough	L 27075	7/25/2021
Grace Kays	Hendersonville	37075	
Lisa J Hooper	Mayetta	66509	
Sarrah Hollar	Flemingsburg	41041	7/25/2021
Madison Samsel	Houston	77084	7/25/2021
I AM QUEER I LOVE		05126	7/05/0001
WOMEN	Montgomery	25136	
Ana Jess Abubo	San Jose	95117	
Fiona Li	Lawrenceville	30024	
destiny thomas	Bartlesville	74003	
George-Joshua Sabbagh	Fontana	92335	
Onessia Hagar	Knoxville	37919	7/25/2021
Megan Mitchell	Houston	77008	
Lenny Signoretti	Moline	61265	
Jess Morell	Gainesville	30501	7/25/2021
Zoe Sergeant	Kalamazoo	49009	
Peyton Kropfl	Aurora	80016	
lauren derego	Hollis	3049	
Hannah Mick	Grafton	44044	7/25/2021
Khufu Holly, Jr.	Florence	29501	7/25/2021
sofia antelo	Waltham	2453	7/25/2021
Kayleigh Toler	Collingswood	8108	7/25/2021
Talia Southwick	Waterville	4901	7/25/2021
Leah Faith Ashman	Nashville	37222	7/25/2021
Maddy Sims	Katy	77450	7/25/2021
Sophie Rabalais	New Orleans	70119	7/25/2021
Raven Robertson	Fort Payne	35967	7/25/2021
Jeremiah Hall	Manvel	77578	7/25/2021
Melissa Peterson	Pittsburgh	15221	7/25/2021
Josette Chavez	Queens	11368	7/25/2021
Beth Westin	Russellville	72802	7/25/2021
Ally Stanley	Emmaus	18049	7/25/2021



Amber Smith	Norfolk		23518	7/25/2021
Meena Grijalva	Blackfoot		83221	7/25/2021
Shaniya Warren	Roanoke		24018	7/25/2021
Anisa W	Somerset		8873	7/25/2021
Jocelyn Gutierrez	Chicago		60629	7/25/2021
Amanda Beck	Clarkesville		30523	7/25/2021
Michaila Trochanowski	Woodbridge		22193	7/25/2021
shannon hughes	point arena	CA	95468	7/25/2021
Erica Fielder	Fort Bragg	CA	95437	7/25/2021
Anne Thomas	Fort Bragg	CA	95437	7/25/2021
terese hynes	Fort Bragg	CA	95437	7/25/2021
Beverly Heroux	Fort Bragg	CA	95437	7/25/2021
Marie Head	Fort Bragg	CA	95437	7/25/2021
Fredda Mayberry	Nocona	ΤX	76255	7/25/2021
Elise Boyle	Mukwonago	WI	53149	7/26/2021
Larry Knowles	Fort Bragg	CA	95437	7/26/2021
Eve Oliphant	Fort Bragg	CA	95437	7/26/2021
Shelley Coben	Fort Bragg	CA	95437	7/27/2021
Teresa Larsen	Fort Bragg	CA	95437	10/22/2021
charles ulmer	Flowery Branch		30542	10/27/2021
Monique von	Westminster		92683	11/16/2021
Quiana Grace Frost	Fort Bragg	CA	95437	12/7/2021
Tania Jones	Petros		37845	12/15/2021
joy boggs	Fort Valley		31030	1/7/2022
David Voss	Jacksonvilke		32202	1/10/2022
Linda Duncan	queen city		63561	1/16/2022
Angie Ford	Knoxville		50138	1/18/2022
Ashley Barkman	Livingston		59047	2/7/2022
Brooklyn Jessup	Great Falls		59401	2/13/2022
Ian Johns	Mount Holly		8060	2/14/2022
Chris Davidsen	Sidney		59270	2/15/2022
Dora Warden	Lucedale		39452	2/24/2022
Milagros Burch	Richland		99301	2/24/2022
Immanuel Davis	Sierra Vista		85635	2/27/2022
Danielle Allen	Seattle		98168	3/22/2022
Rose Fanuzzi	Emigrant		59027	3/22/2022
Dan Hemann	Fort Bragg	CA	95437	5/2/2022
Heather Meyer	San Francisco	CA	94103	5/8/2022
Sherry Glaser	Oakland	CA	94610	8/2/2022
Holly Newton	Petaluma		94952	8/2/2022
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matt sarconi	Fort Bragg	CA	95437	8/3/2022
Mark Arroyo	Norcross		30093	8/3/2022
Janice Sullivan	Fort Bragg	CA	95437	8/3/2022
S N	Fort Bragg	CA	95437	8/3/2022
Lisa Fox	Fort Bragg	CA	95437	8/3/2022
Carla Sarvis	Silverton	OR	97381	8/3/2022
Alan Meyer	Fort Bragg	CA	95437	8/3/2022
Gary Norris	Placerville		95667	8/3/2022
Sean Hathorn	Fort Bragg	CA	95437	8/3/2022
Mari Haddox	Fort Bragg	CA	95437	8/3/2022
Samara Minitee	Philadelphia		19124	8/3/2022
Yolanda Fletcher	Fort Bragg	CA	95437	8/3/2022
Diana Corbin	Fort Bragg	CA	95437	8/3/2022
Tenaya Middleton	Fort Bragg	CA	95437	8/3/2022
Sally Carter	Fort Bragg	CA	95437	8/3/2022
John Lembo	Corpus Christi	ΤX	78418	8/3/2022
GORDON KELLER	Ukiah	CA	95482	8/3/2022
			33116-	
doria wosk	miami	FL	3356	8/3/2022
Michael Christian	Chico	CA	95973	8/4/2022
Steve Goleman	Fort Bragg	CA	95437	8/4/2022
Jaclyn Bisantz	Fort Bragg	CA	95437	8/4/2022
Noah Gold	Fort Bragg	CA	95437	8/4/2022
Sharon Bowers	Fort Bragg	CA	95437	8/4/2022
Clara Vandemark	Madison		30650	8/4/2022
Martina Schmidt	Long Beach		11561	8/4/2022
joe mama	Snellville		30078	8/5/2022
Raymond Houghton	Fort Bragg	CA	95437	8/5/2022
Aidan Rocha	El Paso		79924	8/5/2022
Colby Huston	Fort Bragg	CA	95437	8/5/2022
Karin Kelly-Burns	Fort Bragg	CA	95437	8/5/2022
John Brown	Franklinton		70438	8/5/2022
Madeleine Adams	Ruston		71270	8/5/2022
Mike Smoth				8/5/2022
Mike Sellers	Fort Bragg	CA	95437	8/5/2022
Laurence Harris	Los Angeles	CA	90060	8/5/2022
Toni Hamilton	Detroit		48	8/5/2022
Kimberly Fletcher	Etowah		37331	8/5/2022
Mike Will	Boston		2118	8/5/2022
Stephanie Talley	Antioch		37013	8/5/2022
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Hola Hi	Grants		87020	8/6/2022
Jose Sandoval	Claremont		91711	8/6/2022
Teila Mimms	Indianapolis		46222	8/6/2022
Joselyn Bartlett	Seattle	WA	98122	8/6/2022
Vanessa L	Atlanta		30303	8/6/2022
Gage Jekel	Fairmont		26554	8/6/2022
Emma Bozek	Utica		48317	8/6/2022
Rick Lanahan	Paint Bank		24426	8/6/2022
Keshav Lincoln	Annapolis		21401	8/6/2022
Gavin Yankanin	Miami		33135	8/6/2022
Kent George	Denver		80237	8/6/2022
Deanna Hopper	Fort Bragg	CA	95437	8/6/2022
Solomon Duffin	Sandy		84092	8/6/2022
Katy Dougher	Richardson		75080	8/6/2022
Todd McIntosh	Land O Lakes		34639	8/6/2022
Shiloh Dooner	Doylestown		19802	8/6/2022
Lynda Gilbert	Marathon		33050	8/7/2022
Emma Bengtson	New Kent		23141	8/7/2022
Yareli Maldonado	Dallas		75243	8/7/2022
	Rancho			
Victoria O'Connor	Cucamonga		91729	8/7/2022
Areli Flores	Dallas		75212	8/7/2022
Nala Blysty	Boise		83702	8/8/2022
Karen Carmichael	Bonita Springs		34135	8/8/2022
Justin Collins	Geneva		60134	8/8/2022
Lascelle Moses	Roxbury		2118	8/8/2022
Lynne Paschal	Fort Bragg	CA	95437	8/8/2022
Mariia Lytka	Vancouver		98663	8/8/2022
Isabella Odisho	Skokie		60077	8/8/2022
Bob Fields	Fort Bragg	CA	95437	8/8/2022
timothy o'flAherty	Fort Bragg	CA	95437	8/8/2022
Brooklyn Mckay	Oklahoma City		73130	8/8/2022
June Picard	Bay City		48706	8/8/2022
Crystal Leatherwood	Gualala	CA	95445	8/24/2022
Anne Marie Cesario	Fort Bragg	CA	95437	10/19/2022
Mark Iacuaniello	Fort Bragg	CA	95437	10/19/2022
Willie Iacuaneillo	Fort Bragg	CA	95437	10/19/2022
Kathryn Rabalais	Dickinson	TX	77539	4/14/2023
Bonnie Brayton	Fort Bragg	CA	95437	6/1/2023
Robyn McCallister	Fort Bragg	CA	95437	6/1/2023



Andrea Lippincott	Fort Bragg	CA	95437	6/1/2023
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Maria Hansen	Santa Monica	CA	90405	6/1/2023
Rose Patke	Fort Bragg	CA	95437	6/1/2023
Larraine Chapin	Fort Bragg	CA	95437	6/1/2023
greg noonkester	Fort Bragg	CA	95437	6/1/2023
ivan leventhal	Point Arena	CA	95468	6/2/2023
Shelley A Tregoning	Fort Bragg	CA	95437	6/2/2023
Aneta Veljanovska	Fort Bragg	CA	95437	6/2/2023
Carol Furey	Fort Bragg	CA	95437	6/2/2023
CHRIS Battis	Tacoma	WA	98408	6/2/2023

Carolyn Morgan Office Manager Harbor RV Park (707) 961-1512

### TO THE ATTENTION OF THE FORT BRAGG CITY COUNCIL WE ASK THAT A GROCERY OUTLET BE BUILT HERE

- As food costs keep going up
- As transportation is not always available and is costly
- As adding more stores in town is beneficial
- As traffic will not change much with one new store

Please consider a YES vote on Monday June 5, 23.

Print: Name/Street name/email/phone

707-813-7039 Somain arslynmorgan 707 972 6076 1021 Smain St ora 530-524-1021 SAbgin oria ulie lonas 1021 manst. 1524 530 08 ar 386 908 530 550 SIMDSON HN 10 A 2614 Pudrin 77-8723 101-2 30614 Podding Creek Ed 707-813-4657 50 main norgan 1021 707-272-3751 1021 50 main Shaw Sharon . .

From:	Mark Haydon
To:	City Clerk
Subject:	June 5 2023 Grocery Outlet Vote - Yes
Date:	Monday, June 05, 2023 9:56:48 AM
Attachments:	Grocery Outlet Letter to City Council.pdf

Please find attached concerning Geo Aggregates request for a "Yes" vote on the newly proposed Grocery Outlet in Fort Bragg.

Respectfully,

Mark Haydon Facility and Quality Manager Geo Aggregates mark@geoagg.net (707) 964-3077

Get Outlook for iOS



03 June 2023

Geo Aggregates 1221 North Main Street Fort Bragg, CA 95437 707-964-4033 Fax: 707-964-7011

Subject: 05 June 2023 Fort Bragg City Council Vote - Fort Bragg Grocery Outlet

Honorable Council Members,

Geo Aggregates of Fort Bragg would like to voice its support for the proposed Grocery Outlet project here in Fort Bragg.

Please vote "Yes" on this project.

Respectfully,

Mark Haydon Facility and Quality Manager Geo Aggregates 1221 No. Main Street Fort Bragg, CA 95437 <u>mark@geoagg.net</u> (707) 964-3077

From:	Susan A.Anthony
То:	City Clerk
Cc:	Lemos, June; cdd
Subject:	Comments on Grocery Outlet - June 5 hearing
Date:	Monday, June 05, 2023 11:22:49 AM
Attachments:	FBLBM Ltr to City Counci re GO 6-5-21.pdf

Dear City Clerk:

Attached please find correspondence addressed to the City Council concerning the proposed Best Development Grocery Outlet Project, currently scheduled for a public hearing this evening. Please distribute to Councilmembers at your earliest convenience.

I would be grateful if you could confirm receipt of this email and its attachment.

Thank you very much.

Susan Anthony, Administrator M. R. Wolfe & Associates, P.C. | Attorneys Land Use | Environmental Law | Government

580 California Street | Suite 1200 | San Francisco, CA 94104

415.369.9400 | Fax: 415.369.9405 | www.mrwolfeassociates.com

The information in this e-mail may contain information that is confidential and/or subject to the attorney-

client privilege. If you have received it in error, please delete and contact the sender immediately. Thank you.



June 5, 2023

#### By E-Mail

City Council City of Ft. Bragg c/o City Clerk 416 N. Franklin Street Ft. Bragg, CA 95437 cityclerk@fortbragg.com Jlemos@fortbragg.com

#### Re: Best Development Grocery Outlet at 825 S. Franklin St.

Dear Members of the City Council:

On behalf of FB Local Business Matters, an unincorporated association of Fort Bragg residents and businesses, we respectfully ask that you decline to certify the Final Environmental Impact Report (EIR) or approve development entitlements for the above-referenced Grocery Outlet project (Project) at this time. As previously explained in our May 10, 2023 letter to the Planning Commission, and as elaborated upon further below, the EIR does not meet CEQA's requirements for good-faith, reasoned responses to public comments timely submitted on the Draft EIR, and also includes significant new information that requires recirculation for public review and comment before it can be certified as fully compliant with CEQA. Furthermore, just a few days ago even more new information has been added to the Final EIR at the last minute, none of which has been subjected to public scrutiny. As a result, the Final EIR does not adequately disclose, evaluate, or mitigate all of the Project's potentially significant impacts.

#### Air Quality/Health Risk Assessment

In comments on the Draft EIR, we requested further information and analysis concerning the potential health impacts of diesel particulate matter (DPM) emissions on residents living immediately adjacent to the Project site from heavy-truck deliveries occurring over the lifetime of the Project. We noted that the Draft EIR reported 8 heavy-duty diesel truck deliveries per week, and 4 to 5 medium-duty diesel

truck deliveries per day, with many of these trucks with top-mounted refrigeration units that also generate DPM emissions. We also noted that the Draft EIR had acknowledged existing DPM emissions from trucks traveling on Highway 1 near the site, but had not provided any detail on this topic. Given that DPM has been listed by the California Air Resources Board (CARB) as a known carcinogenic toxic air contaminant (TAC), is important that the health risks to residential receptors living very close to the Project site from even a comparatively small number of diesel truck trips per week be quantified and evaluated.

In response, the Final EIR declined to provide further detail relating to existing and potential future risks from cumulative exposure to DPM emissions from the Project. Instead of preparing a health risk assessment that uses readily available, industry standard models , it doubles down on the Draft EIR's unsupported assertion that the number of truck trips is too small to represent a significant health risk form TAC exposure. This response does not meet the standards of adequacy under CEQA for good faith, reasoned analysis in response to substantive public comments. (*Berkeley Keep Jets Over the Bay Committee v. Board of Port Commissioners* (2001) 91 Cal.App.4th 1344, 1371.) Under CEQA, lead agencies have to "receive and evaluate public reactions to environmental issues related to the agency's activities." (Guidelines, § 15201, emphasis added.) This means that a lead agency has to provide "a good faith reasoned analysis in response[]" to every public comment received and cannot simply dismiss concerns raised by the public. (*Santa Clarita Org. for Planning v. County of L.A.* (2003) 106 Cal.App.4th 715, 723.)

There is no defensible reason why the EIR could not include a standard risk assessment that evaluates the Project's diesel trucks' incremental contribution to the existing health effects impacting residents near the Project and Highway 1. Caltrans publishes daily truck traffic data for all State highways, including Highway 1 near Fort Bragg. These data are available at <a href="https://dot.ca.gov/programs/traffic-operations/census">https://dot.ca.gov/programs/traffic-operations/census</a>. The most recent data show between 4,850 and 11,000 trucks traveling each day on Highway 1 at the junction with State Route 20 south of the Project site. *See* Attachment 1.

Using this data, it is a routine exercise to model DPM emissions and resulting health risks using the CARB's publicly available EMFAC model,<sup>1</sup> the AERMOD

<sup>&</sup>lt;sup>1</sup> Available at: <u>https://arb.ca.gov/emfac/2017/</u>

dispersion model, and the Office of Environmental Health Hazard Assessment (OEHHA)'s HARP risk model.<sup>2</sup> Indeed, OEHHA's CalEnviroScreen mapping tool<sup>3</sup>) shows that DPM concentrations in Fort Bragg near the Project site are already above average, situated between the 50th and 60th percentile Statewide. *See* **Attachment 2**, which also includes CARB information documenting the health hazards associated with exposure to DPM emissions. This suggests there is an existing significant cumulative impact with respect to DPM emissions affecting the health of residents living near the Project and within 1,000 feet of Highway 1, even without the Project.

Section 15355 of the CEQA Guidelines defines "cumulative impacts" as the combined change in the environment resulting from a proposed project in combination with other "past," "present" (*i.e.*, existing) and foreseeable "future" impact sources. The Guidelines in turn set forth a lead agency's obligations for evaluating a project's cumulative impacts in an EIR. Cumulative analysis must be included in the <u>draft</u> EIR. Guidelines, §§ 15120(c), 15130.

Cumulative impact analysis is a two-step process that requires an agency to make the following determinations: (1) whether the impacts of the project in combination with those from other projects are cumulatively significant, and (2) if so, whether the project's own effect is a considerable contribution. Guidelines, § 15130(a). Thus, the agency must first determine whether the combined effect of the project and other past, present and/or future projects "when considered together" is significant, because those impacts may be "individually minor but collectively significant." Communities for a Better Environment v. California Resources Agency ("CBE") (2002) 103 Cal.App.4th 98, 119-120. In step two, if there is a significant combined effect, the agency must then separately consider whether the project's contribution to that effect is itself considerable, *i.e.*, "whether 'any additional amount' of effect should be considered significant in the context of the existing cumulative effect." CBE at 119. Thus, "the lead agency shall consider whether the cumulative impact is significant and whether the proposed project's incremental effects are cumulatively considerable." CBE at 120, emphasis added. Importantly, the analysis must consider all sources of "related impacts," which in this case include traffic on Highway 1. Guidelines, § 15130(a)(1), (b).

<sup>&</sup>lt;sup>2</sup> Available at: <u>https://oehha.ca.gov/air/crnr/notice-adoption-air-toxics-hot-spots-program-guidance-manual-preparation-health-risk-0</u>

<sup>&</sup>lt;sup>3</sup> Available at: <u>https://oehha.ca.gov/calenviroscreen/report/calenviroscreen-40</u>

The cases are clear that an EIR may not conclude a cumulative impact is insignificant merely because the project's own individual contribution to an unacceptable existing condition is, by itself, relatively small. Los Angeles Unified School Dist. v. City of Los Angeles ("LAUSD")(1997) 58 Cal.App.4th 1019, 1025-1026 (rejecting EIR's reasoning that because noise levels around schools already exceeded governing standards, new noise source would have insignificant impact); CBE, supra, 103 Cal.App.4th 98, 117-118, 121 (invalidating CEQA Guidelines provision that de minimis impacts are necessarily less than considerable); see also Kings County Farm Bureau v. City of Hanford (1990) 221 Cal.App.3d 692, 718. On the contrary: "the greater the existing environmental problems are, the lower the threshold should be for treating a project's contribution to cumulative impacts as significant." CBE, supra, 103 Cal.App.4th at 120. Thus, even if a given project has only an "individually minor" impact, its contribution to an existing environmental problem may nevertheless be "cumulatively considerable," hence significant, and hence requiring mitigation measures under CEQA. *CBE* at 120; *see also* Guidelines, §§ 15355(b), 15065(a)(3); LAUSD, supra, 58 Cal.App.4th at 1024-25 ("individually insignificant" noise increase may be cumulatively considerable).

Here, the EIR simply failed undertake <u>any</u> assessment of potential cumulative health risks result from exposure to the Project's DPM emissions in combination with existing emissions from truck traffic on Highway 1. It is therefore inadequate under CEQA.

#### **Noise Impacts**

In earlier comments we observed that the Draft EIR's noise analysis had omitted consideration of receptors at the Super 8 Motel immediately adjacent to the Project site to the west, and that the noise contours in Figures 3.5-1 through 7 of the Draft EIR suggest that Project-related noise levels exceeding applicable significance thresholds at this location. In response, the Final EIR asserts that the City's General Plan's indoor and outdoor residential noise standards of 45 Ldn and 60 Ldn respectively apply to hotels and motels, and that "these thresholds and standards were used to analyze Project impacts to the Super 8 Motel."

The Final EIR's response failed to show how these standards were applied to the Motel. We pointed this out to the Planning Commission, noting that the comment response again fails to meet CEQA's standards of good faith, reasoned analysis in response to substantive public comments. This comment apparently prompted the EIR preparers to undertake a last-minute analysis of impacts on the Super 8 Motel, releasing it on May 31, 2023 – two business days before the final hearing. That analysis concluded that noise standards would not be exceeded inside the Motel as a result of Project operations.

This information should have been circulated for public comment. An agency must recirculate a revised Draft EIR for public comment whenever "significant new information" is added after public notice is given of the availability of the Draft EIR for public review but before certification. (CEQA Guidelines, § 15088.5(a).) "Significant new information" requiring recirculation includes information showing that the Draft EIR was "so fundamentally and basically inadequate and conclusory in nature that meaningful public review and comment were precluded." (Guidelines, § 15088.5(a)(4).) The purpose of recirculation is to subject the new information "to the same critical evaluation that occurs in the draft stage," so that "the public is not denied an opportunity to test, assess, and evaluate the data and make an informed judgment as to the validity of the conclusions to be drawn therefrom." (Laurel Heights Improvement Association v. U.C. Regents (1993) 6 Cal.4th 1112, 1132.). This purpose has not been fulfilled with respect to the new noise study only recently prepared for this Project. The fact that the Draft EIR wholly omitted this analysis indicates that it was "fundamentally and basically inadequate" with respect to its consideration of noise impacts on receptors in the Super 8 motel.

Regardless, the new analysis omits consideration of noise impacts at the Super 8 motel from <u>construction</u> of the project, focusing on operational impacts. As shown in the attached letter from noise expert Derek Watery, construction noise impacts to occupants of the adjacent motel will be significant and unmitigated.

#### Traffic

As we pointed out to the Planning Commission, several commenters raised significant, material concerns regarding the Draft EIR's analysis of traffic impacts, emergency vehicle response impacts, and pedestrian safety. The Final EIR's

responses to many of these comments consist of references to the same discussions in the Draft EIR that the commenters had questioned, with no new analysis provided. Such responses also do not meet CEQA's standards for good faith, reasoned analysis in response to public comment.

#### Urban Decay

In response to our comments on the Draft EIR requesting an urban decay analysis, the City to its credit undertook to prepare one. The result, which concludes the Project will have no urban decay impacts resulting from closures of competing retailers in the market area, is appended to the Final EIR as a new appendix. As with the new noise study, this new urban decay study has not been circulated for review and comment, and accordingly has not been subjected to public scrutiny as required by CEQA. The omission of any analysis of urban decay from the Draft EIR triggered a duty to recirculate the late-prepared analysis for further public comment.

For the above reasons, the City Council should decline to certify the Final EIR as adequate under CEQA at this time, and should deny the requested land use entitlements for the Project until such time as the EIR can be brought into full compliance with CEQA.

Thank you for your consideration of these concerns.

Most sincerely,

M. R. WOLFE & ASSOCIATES, P.C

Mark R. Wolfe On behalf of FB Local Business Matters

MRW:sa attachments

### **ATTACHMENT 1**

Truck traffic: Annual Average Daily Truck Traffic on California State Highways

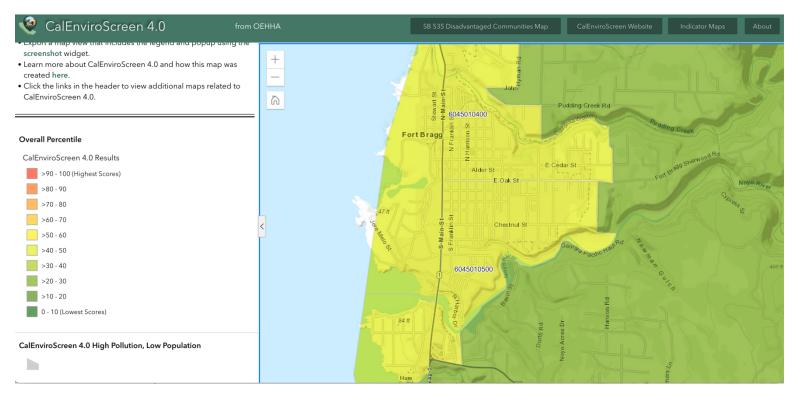
https://dot.ca.gov/programs/traffic-operations/census

State Route 1 at Junction with Rte 20:

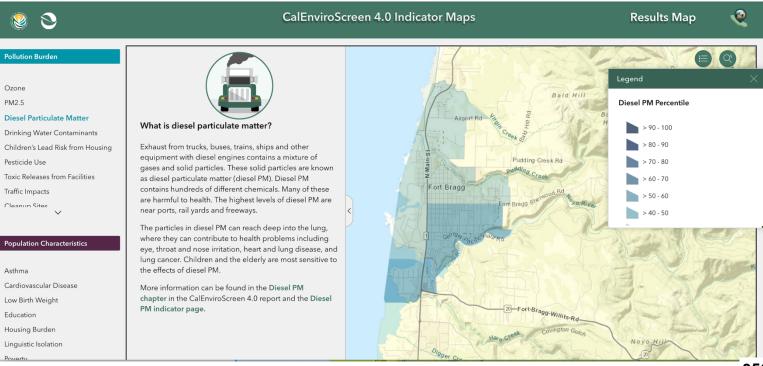
	RTE RTE SFX	ST	CNTY	PM_PFX	POSTMILE	PM_SFX LEG	DESCRIPTION	VEHICLE_AADT_TOTAL	TOT_TRK_AADT	TRK_PERCENT_TOT	TRK_2_AXLE	TRK_2_AXLE_PCT	TRK_3_AXLE	TRK_3_AXLE_PCT	TRK_4_AXLE	TRK_4_AXLE_PCT	TRK_5_AXLE	TRK_5_AXLE_PCT	EAL	EST_YEAR	EST_CODE
1		4	SON		48.112	В	STEWARTS POINT/SKAGGS SPRINGS ROAD	1700	174	10.25	106	60.98	37	21.14	0	0.00	31	17.89	18	1	V
1		4	SON		48.112	A	STEWARTS POINT/SKAGGS SPRINGS ROAD	1700	169	9.93	107	63.19	35	20.83	0	0.00	27	15.97	16	1	V
1		1	MEN		2.500	0	SONOMA/MENDOCINO COUNTY LINE	1840	285	15.49	182	63.86	24	8.42	20	7.02	59	20.70	32	21	V
1		1	MEN		5.090	A	FISH ROCK ROAD	3100	172	5.55	140	81.40	16	9.30	8	4.65	8	4.65	10	19	V
1		1	MEN		5.090	В	FISH ROCK ROAD	3100	170	5.48	139	81.76	17	10.00	8	4.71	6	3.53	10	18	V
1		1	MEN		40.273	A	JCT. RTE. 128 EAST	3100	306	9.86	173	56.64	53	17.48	21	6.99	58	18.88	34	19	V
1		1	MEN		40.273	В	JCT. RTE. 128 EAST	3000	205	6.83	133	64.88	33	16.10	17	8.29	22	10.73	18	19	V
1		1	MEN	R	55.780	В	NORTH LIMITS CASPAR	8900	891	10.01	666	74.75	113	12.68	73	8.19	39	4.38	58	21	E
1		1	MEN		59.803	В	JCT. RTE. 20 EAST	11000	679	6.170	370	54.49	195	29	52	7.66	62	9.13	60	19.00	V
1		1	MEN		59.803	А	JCT. RTE. 20 EAST	4850	174	3.590	95	54.6	38	22	22	12.64	19	10.92	17	19.00	V
1		1	MEN		90.874	В	JCT. RTE. 211 NORTH	600	91	15.170	27	29.63	13	15	10	11.11	40	44.44	17	16.00	E
1		1	MEN		105.578	В	LEGGETT, JCT. RTE. 101	650	57	8.750	24	41.43	15	27	4	7.14	14	24.29	8	19.00	V

### **ATTACHMENT 2**

#### https://experience.arcgis.com/experience/11d2f52282a54ceebcac7428e6184203/page/CalEnvi roScreen-4 0/



#### https://experience.arcgis.com/experience/ed5953d89038431dbf4f22ab9abfe40d/page/Indicato rs/?views=Diesel-Particulate-Matter



# Overview: Diesel Exhaust & Health

#### CATEGORIES

**Topics** Health, Air Pollution, Cars & Trucks, Construction & Earthmoving Equipment, Environmental Justice, Oceangoing Vessels & Harbor Craft, Freight & Goods Movement, Trains & Railyards, Transit, VW Diesel Vehicles

**Programs** Exposure, Community Air Protection Program, Community Health, Zero-Emission Powertrain Certification, Alternative Diesel Fuels, In-Use Off-Road Diesel-Fueled Fleets Regulation, Study of Neighborhood Air near Petroleum Sources, School Buses

Type Information

#### CONTACT

Research Division Email research@arb.ca.gov Phone (916) 445-0753

## Background

Diesel engines emit a complex mixture of air pollutants, including both gaseous and solid material. The solid material in diesel exhaust is known as diesel particulate matter (DPM). More than 90% of DPM is less than 1 µm in diameter (about 1/70<sup>th</sup> the diameter of a human hair), and thus is a subset of particulate matter less than 2.5 microns in diameter (PM2.5). Most PM2.5 derives from combustion, such as use of gasoline and diesel fuels by motor vehicles, burning of natural gas to generate electricity, and wood burning. PM2.5 is the size of ambient particulate matter air pollution most associated with adverse health effects of the air pollutants that have ambient air quality standards. These health effects include cardiovascular and respiratory hospitalizations, and premature death. As a California statewide average, DPM comprises about 8% of PM2.5 in outdoor air, although DPM levels vary regionally due to the non-uniform distribution of sources throughout the state.

DPM is typically composed of carbon particles ("soot", also called black carbon, or BC) and numerous organic compounds, including over 40 known cancer-causing organic substances. Examples of these chemicals include polycyclic aromatic hydrocarbons, benzene, formaldehyde, acetaldehyde, acrolein, and 1,3-butadiene. Diesel exhaust al contains gaseous pollutants, including volatile organic compounds and oxides of nitro (NO<sub>x</sub>). NO<sub>x</sub> emissions from diesel engines are important because they can undergo chemical reactions in the atmosphere leading to formation of PM2.5 and ozone.

Most major sources of diesel emissions, such as ships, trains, and trucks operate in and



around ports, rail yards, and heavily traveled roadways. These areas are often located near highly populated areas. Because of this, elevated DPM levels are mainly an urban problem, with large numbers of people exposed to higher DPM concentrations, resulting in greater health consequences compared to rural areas. A large fraction of personal exposure to DPM occurs during travel on roadways. Although Californians spend a relatively small proportion of their time in enclosed vehicles (about 7% for adults and teenagers, and 4% for children under 12), 30 to 55% of total daily DPM exposure typically occurs during the time people spend in motor vehicles.

# Diesel Particulate Matter and Health

The majority of DPM is small enough to be inhaled into the lungs. Most inhaled particles are subsequently exhaled, but some deposit on the lung surface. Although particles the size of DPM can deposit throughout the lung, the largest fraction deposits in the deepest regions of the lungs where the lung is most susceptible to injury.

In 1998, CARB identified DPM as a toxic air contaminant based on published evidence of a relationship between diesel exhaust exposure and lung cancer and other adverse health effects. In 2012, additional studies on the cancer-causing potential of diesel exhaust published since CARB's determination led the International Agency for Research on Cancer (IARC, a division of the World Health Organization) to list diesel engine exhaust as "carcinogenic to humans". This determination is based primarily on evidence from occupational studies that show a link between exposure to DPM and lung cancer induction, as well as death from lung cancer. Download the IARC report (external site).

Because it is part of PM2.5, DPM also contributes to the same non-cancer health effects as PM2.5 exposure. These effects include premature death, hospitalizations and emergency department visits for exacerbated chronic heart and lung disease, including asthma, increased respiratory symptoms, and decreased lung function in children. Several studies suggest that exposure to DPM may also facilitate development of new allergies. Those most vulnerable to non-cancer health effects are children whose lungs are still developing and the elderly who often have chronic health problems.



## Estimated Health Effects of DPM in California

DPM has a significant impact on California's population. It is estimated that about 70% of total known cancer risk related to air toxics in California is attributable to DPM. Based on 2012 estimates of statewide exposure, DPM is estimated to increase statewide cancer risk by 520 cancers per million residents exposed over a lifetime. Non-cancer health effects associated with exposure to DPM (based on 2014 - 2016 air quality data) are shown in the table below.

Health Effect	Estimated Annual Number of Cases*
Cardiopulmonary Death	730 (570 – 890)
Hospitalizations (Cardiovascular and Respiratory)	160 (20 – 290)
Emergency Room Visits for Asthma	370 (240 – 510)

\*Values in parenthesis indicate 95% confidence interval.

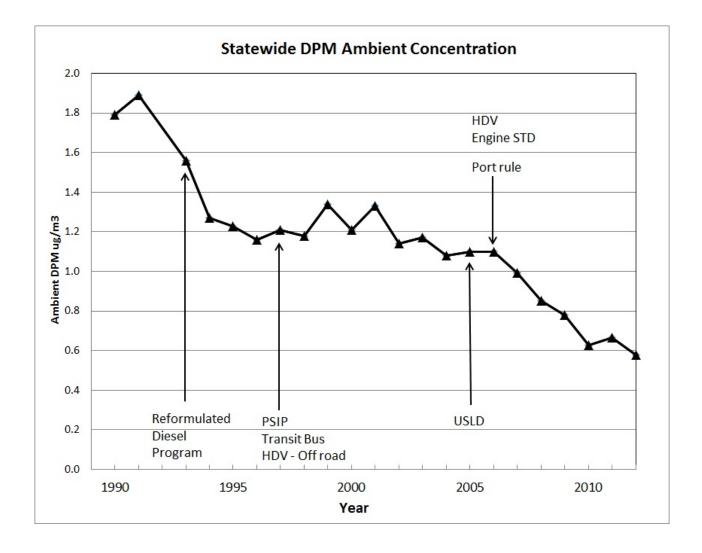
More Information

## Trends in Outdoor Levels of DPM

The figure below shows the trend in ambient DPM. CARB regulations<sup>\*\*</sup> of diesel engines and fuels have had a dramatic effect on DPM concentrations. Since 1990, DPM levels have decreased by 68%. The figure also shows which regulations have had the greatest impact on DPM.

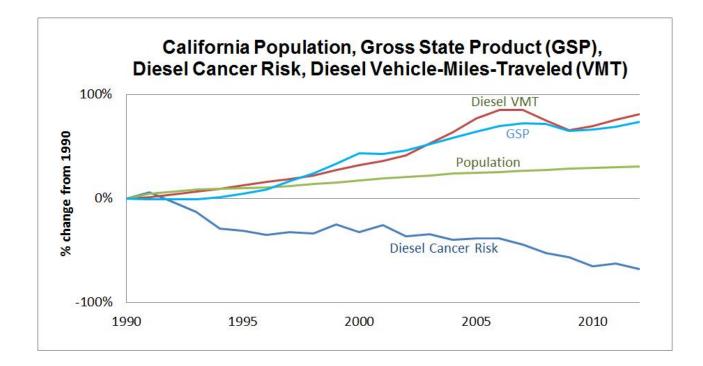
DPM levels are expected to continue declining as additional controls are adopted, and the number of new technology diesel vehicles increases.





\*\*Abbreviations of CARB regulations used in table: HDV Engine STD = Heavy-duty diesel truck engine standard; HDV - Off road = Heavy-duty off-road diesel engines; Port rule = Port (drayage) trucks; PSIP = Periodic self-inspection program; Transit bus = Urban transit buses; ULSD = Clean diesel fuel

The figure below shows that despite the increased number of vehicle miles traveled by diesel vehicles (VMT, red line), and despite increases in statewide population (green line) and gross state product (GSP, a measure of growth in the state's economy, light blue line), CARB's regulatory programs still led to a decline in statewide cancer risk (dark blue line)



## Additional Information

- CARB's diesel programs
- CARB's diesel mobile vehicles and equipment activities
- CARB's freight transport, ports and rail programs
- California's diesel fuel program
- Other diesel-related programs
- Selected references on diesel-related health effects

# Environmental Effects of Diesel Exhaust

In addition to its health effects, diesel exhaust significantly contributes to haze that reduces visibility by obscuring outdoor views and decreasing the distance over which one can distinguish features across the landscape. Researchers have reported that in the San Joaquin Valley and in southern California, diesel engines contribute to a reduction in visibility. This decrease in visibility is caused by scattering and absorption of sunlight by particles and gases present in diesel emissions.

DPM also plays an important role in climate change. A large proportion of DPM is composed of BC. Recent studies cited in the Intergovernmental Panel on Climate Change

report estimate that emissions of BC are the second largest contributor to global warming, after carbon dioxide emissions. Warming occurs when BC particles absorb sunlight, convert it into infrared (heat) radiation, and emit that radiation to the surrounding air. A recent California-specific study showed that the darkening of snow and ice by BC deposition is a major factor in the rapid disappearance of the Sierra Nevada snow packs. Melting of the snow pack of the Sierra Nevada earlier in the spring is one of the contributing factors to the serious decline in California's water supply. As additional DPM controls are adopted, and the number of new technology diesel vehicles increases, BC emissions will continue to decline.

## Conclusions

Although progress has been made over the past decade in reducing exposure to diesel exhaust, diesel exhaust still poses substantial risks to public health and the environment. Efforts to reduce DPM exposure through use of cleaner-burning diesel fuel, retrofitting engines with particle-trapping filters, introduction of new, advanced technologies that reduce particle emissions, and use of alternative fuels are approaches that are being explored and implemented. CARB anticipates that newly adopted diesel exhaust control measures will reduce population exposure even further, and that as the sustainable freight program expands, population exposure to diesel exhaust pollution will decrease even further. It is estimated that emissions of DPM in 2035 will be less than half those in 2010, further reducing statewide cancer risk and non-cancer health effects.

# RELATED RESOURCES

Public Workshop Notice on March 16, 2021 - Espanol Public Workshop Notice on March 16, 2021 SNAPS Lost Hills Newsletter - Februa

### **ATTACHMENT 3**



CALIFORNIA WASHINGTON NEW YORK

2 June 2023

Mark R. Wolfe, Esq. M. R. Wolfe & Associates, P.C. 580 California Street, Suite 1200 San Francisco, CA 94104

#### SUBJECT: Best Development Grocery Outlet, City of Fort Bragg Revised Final Environmental Impact Report Review of Noise Analysis

Dear Mr. Wolfe,

As requested, we have reviewed the information and noise impact analyses in the following documents:

Best Development Grocery Outlet Draft Environmental Impact Report ("DEIR"), SCH No. 2022050308 City of Fort Bragg, California September 2022

Best Development Grocery Outlet Revised Final Environmental Impact Report ("RFEIR"), SCH No. 2022050308 City of Fort Bragg, California May 2023

Wilson, Ihrig & Associates, Acoustical Consultants, has practiced exclusively in the field of acoustics since 1966. During our 55 years of operation, we have prepared hundreds of noise studies for Environmental Impact Reports and Statements. We have one of the largest technical laboratories in the acoustical consulting industry. We also utilize industry-standard acoustical programs such as Environmental Noise Model (ENM), Traffic Noise Model (TNM), SoundPLAN, and CADNA. In short, we are well qualified to prepare environmental noise studies and review studies prepared by others.

#### **Comments on RFEIR Noise Analysis**

#### Issue #1: Construction Noise Analysis Unsubstantiated

The full description of the construction noise analysis is presented in the DEIR:

The Federal Highway Administration's (FHWA) Roadway Construction Noise Model (RCNM) was used to predict noise levels for standard construction equipment used for roadway improvement projects. The assessment of potential significant noise effects due to construction is based on the standards and procedures described in the Federal Transit Authority (FTA) guidance manual and FHWA's RCNM.

The RCNM is a Windows-based noise prediction model that enables the prediction of construction noise levels for a variety of construction equipment based on a compilation of empirical data and the application of acoustical propagation formulas. It enables the calculation of construction noise levels in more detail than the manual methods, which eliminates the need to collect extensive amounts of project-specific input data. RCNM allows for the modeling of multiple pieces of construction equipment working either independently or simultaneously, the character of noise emission, and the usage factors for each piece of equipment. [DEIR at p. 3.6-12]

The RCNM has become a *de facto* standard for construction noise analyses, and Table 3.6-8 of the DEIR presents calculations to determine the hourly average (Leq) noise level at a standardized distance of 50 feet for each phase of construction. I have corroborated these calculations to be correct.

The next step in the RCNM methodology would be to project these noise levels to various distances representing noise-sensitive receivers. In a situation like the one here where the distances are relatively close, the ground is flat, the roadway is paved, and there are not natural barriers, the RCNM uses the attenuation rate for a point source, 6 dB per doubling of distance. The distance for each construction phase is measured from the center of the construction activity.

The analysis in the DEIR deviates from the RCNM methodology and, instead, uses a commerciallyavailable acoustical analysis program called SoundPLAN to estimate noise levels at nearby receptors. Presumably, the calculated levels provided in DEIR Table 3.6-8 were somehow utilized, but this is not explicitly stated. More importantly from a technical perspective, there is no description of how the sound <u>pressure</u> levels produced by the RCNM methodology are converted to sound <u>power</u> levels which are the requisite input for SoundPLAN calculations.

If we take the construction noise analysis at Table 3.6-8 and carry on with the standard RCNM analysis, we see levels that are several decibels higher than those reported in RFEIR Table 3.6-9 (these are the output of the SoundPLAN model). Table 1 below compares the standard RCNM calculated level with those from the RFEIR for Receptor R3. Figure 1 below shows the proximity of the various construction stages to Receptor R3.

Construction Phase	Hourly Average Leq at 50 ft (RFEIR Table 3.6-8)	Distance from Activity Center to R3	Attenuation at 6 dB per doubling of distance	RCNM-Calculated Hourly Leq at R3	RFEIR-Reported Hourly Leq at R3 (RFEIR Table 3.6-9)	Difference
	dBA	feet	dB	dBA	dBA	dBA
<b>Demolition - Building Demolition</b>	79.8	123	- 7.8	72.0	68.1	3.9
Demolition - Foundation	84.4	123	- 7.8	76.6	72.9	3.7
Site Preparation	84.6	158	- 10.0	74.6	70.0	4.6
Grading	85.9	158	- 10.0	75.9	70.9	5.0
Building Construction	84.7	160	- 10.1	74.6	70.0	4.6

 Table 1
 Comparison of RCNM and RFEIR Calculations

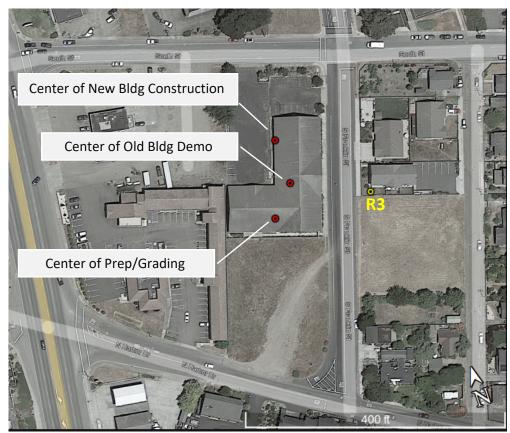


Figure 1 Geometry for Construction Noise Analysis

As can be seen in Table 1, the SoundPLAN results reported in the RFEIR are 3.7 to 5.0 dBA lower than those calculated using the standard RCNM methodology.

The next step in the construction noise analysis is to compare the construction noise levels with the existing ambient. The DEIR establishes through measurements that the existing ambient is 56.0 dBA [see, e.g., RFEIR Table 3.6-9]. The adopted threshold of significance for construction noise is an "increase in temporary construction noise levels of more than 12 dBA at existing residential receptors located around the project site". [RFEIR at p. 3.0-16] Finally, the RFEIR proposes an 8-foot temporary noise barrier between the project site and Receptor R3. By comparing the estimated construction noise levels in RFEIR Table 3.6-9 (no sound wall) and RFEIR Table 3.6-10 (includes a sound wall), one can ascertain that the wall will provide up to 5.2 dB of noise reduction, a reasonable expectation. Table 2 below shows the construction noise levels at R3 with and without the temporary wall and computes the increase over the ambient. Levels that exceed the adopted threshold of significance are shown in **boldface type**.

Construction Phase	RCNM-Calculated Hourly Leq at R3 without wall	Increase over 56 dBA No wall	RCNM-Calculated Hourly Leq at R3 with wall	Increase over 56 dBA With wall
	dBA	dBA	dBA	dBA
Demolition - Building Demolition	72.0	16.0	66.8	10.8
Demolition - Foundation	76.6	20.6	71.4	15.4
Site Preparation	74.6	18.6	69.4	13.4
Grading	75.9	19.9	70.7	14.7
Building Construction	74.6	18.6	69.4	13.4

 Table 2
 Assessment of Construction Noise at R3 Using RCNM Noise Levels

As can be seen in Table 2, using the construction noise level values produced by the RCNM results in the conclusion that noise levels will exceed the threshold of significance – exceeding the existing ambient by more than 12 dBA – even with the temporary noise barrier for four of the five construction phases.

Construction noise level calculations in this situation are so straightforward, it's unclear why SoundPLAN was incorporated into the RFEIR analysis. Additionally, because there is a lack of transparency in the SoundPLAN analysis, it is impossible to ascertain why the levels produced by SoundPLAN are so much lower than those produced by the RCNM methodology. What is clear is that the SoundPLAN results lead to the conclusion that the construction noise levels for the Foundation Demolition and Grading phases are only 0.1 and 0.3 dBA, respectively, below the threshold of significance. I believe it is not just a matter of expert disagreement to assert that the levels produced by the RCNM methodology support the conclusion that, in fact, construction noise levels from the subject project will cause a significant noise impact.

#### Issue #2: Construction Noise Analysis Neglects Super 8 Motel

Until the latest Revised FEIR was released a matter of days ago, the noise assessment had never included the Super 8 Motel in any manner. The latest RFEIR does address operational noise inside the motel, but does not address construction noise. As the construction workday tends to start early and as least some lodgers at the Super 8 may reasonably be presumed to be on vacation, it incumbent upon the RFEIR to consider the impact of construction noise on the motel. Noise can disturb sleep by making it more difficult to fall asleep, by waking someone after they are asleep, or by altering their sleep stage, e.g., reducing the amount of rapid eye movement (REM) sleep. Noise exposure for people who are sleeping has also been linked to increased blood pressure, increased heart rate, increase in body movements, and other physiological effects. Not surprisingly, people whose sleep is disturbed by noise often experience secondary effects such as increased fatigue, depressed mood, and decreased work performance.

Using the same methodology as used above for the residence across Franklin Street but the closer distances to the Super 8 results in the assessment shown in Table 3. As before, levels that are more than 12 dBA above the existing ambient are shown in **boldface type**.

Construction Phase	Hourly Average Leq at 50 ft (RFEIR Table 3.6-8)	Distance from Activity Center to Super 8	Attenuation at 6 dB per doubling of distance	RCNM-Calculated Hourly Leq	Increase over 56 dBA No wall
	dBA	feet	dB	dBA	dBA
Demolition - Building Demolition	79.8	95	- 5.6	74.2	18.2
Demolition - Foundation	84.4	95	- 5.6	78.8	22.8
Site Preparation	84.6	78	- 3.9	80.7	24.7
Grading	85.9	78	- 3.9	82.0	26.0
Building Construction	84.7	78	- 6.2	78.5	22.5

 Table 3
 Assessment of Construction Noise at Super 8 Motel Using RCNM Noise Levels

Not surprisingly because it is closer to the project site, construction noise levels at the exterior of the motel will exceed the adopted threshold of significance.

#### Conclusion

The construction noise analysis set out using the FHWA Roadway Construction Noise Model (RCNM) but diverted to a commercially-available outdoor sound propagation program. This introduced technical complications into the analysis that are not explained and – inexplicably – produced noise level results that are substantially lower than those produced by the RCNM (as completed by me for this analysis). Using the standard RCNM methodology produces noise levels that exceed the adopted threshold of significance at both residential receptors across Franklin Street and at the Super 8 Motel which shares a property line with the project site.

> \* \* \* \* \*

Very truly yours,

WILSON IHRIG

WILSON IHRIG Derek L. Watry Principal

2023-06-02\_grocoutlet\_ftbragg\_feir\_noise\_comments\_wilson-ihrig.docx





## **DEREK L. WATRY**

Principal

Since joining Wilson Ihrig in 1992, Derek has gained experienced in many areas of practice including environmental, construction, forensic, architectural, and industrial. For all of these, he has conducted extensive field measurements, established acceptability criteria, and calculated future noise and vibration levels. In the many of these areas, he has prepared CEQA and NEPA noise technical studies and EIR/EIS sections. Derek has a thorough understanding of

the technical, public relations, and political aspects of environmental noise and vibration compliance work. He has helped resolve complex community noise issues, and he has also served as an expert witness in numerous legal matters.

#### **Education**

- M.S. Mechanical Engineering, University of California, Berkeley
- B.S. Mechanical Engineering, University of California, San Diego
- M.B.A. Saint Mary's College of California

#### **Project Experience**

#### 12<sup>th</sup> Street Reconstruction, Oakland, CA

Responsible for construction noise control plan from pile driving after City received complaints from nearby neighbors. Attendance required at community meetings.

#### 525 Golden Gate Avenue Demolition, San Francisco, CA

Noise and vibration monitoring and consultation during demolition of a multi-story office building next to Federal, State, and Municipal Court buildings for the SFDPW.

#### 911 Emergency Communications Center, San Francisco, CA

Technical assistance on issues relating to the demolition and construction work including vibration monitoring, developing specification and reviewing/recommending appropriate methods and equipment for demolition of Old Emergency Center for the SFDPW.

#### Central Contra Costa Sanitary District, Grayson Creek Sewer, Pleasant Hill, CA

Evaluation of vibration levels due to construction of new sewer line in hard soil.

#### City of Atascadero, Review of Walmart EIR Noise Analysis, Atascadero, CA

Review and Critique of EIR Noise Analysis for the Del Rio Road Commercial Area Specific Plan.

#### City of Fremont, Ongoing Environmental Services On-Call Contract, Fremont, CA

Work tasks primarily focus on noise insulation and vibration control design compliance for new residential projects and peer review other consultant's projects.

#### City of Fremont, Patterson Ranch EIR, Fremont, CA

Conducted noise and vibration portion of the EIR.



#### City of King City, Silva Ranch Annexation EIR, King City, CA

Conducted the noise portion of the EIR and assessed the suitability of the project areas for the intended development. Work included a reconnaissance of existing noise sources and receptors in and around the project areas, and long-term noise measurements at key locations.

#### Conoco Phillips Community Study and Expert Witness, Rodeo, CA

Investigated low frequency noise from exhaust stacks and provided expert witness services representing Conoco Phillips. Evaluated effectiveness of noise controls implemented by the refinery.

#### Golden Gate Park Concourse Underground Garage, San Francisco, CA

Noise and vibration testing during underground garage construction to monitor for residences and an old sandstone statue during pile driving for the City of San Francisco.

#### Laguna Honda Hospital, Clarendon Hall Demolition, San Francisco, CA

Project manager for performed vibration monitoring during demolition of an older wing of the Laguna Honda Hospital.

#### Loch Lomond Marina EIR, San Rafael, CA

Examined traffic noise impacts on existing residences for the City of San Rafael. Provided the project with acoustical analyses and reports to satisfy the requirements of Title 24.

#### Mare Island Dredge and Material Disposal, Vallejo, CA

EIR/EIS analysis of noise from planned dredged material off-loading operations for the City of Vallejo.

#### Napa Creek Vibration Monitoring Review, CA

Initially brought in to peer review construction vibration services provided by another firm, but eventually was tapped for its expertise to develop a vibration monitoring plan for construction activities near historic buildings and long-term construction vibration monitoring.

#### San Francisco DPW, Environmental Services On-Call, CA

Noise and vibration monitoring for such tasks as: Northshore Main Improvement project, and design noise mitigation for SOMA West Skate Park.

#### San Francisco PUC, Islais Creek Clean Water Program, San Francisco, CA

Community noise and vibration monitoring during construction, including several stages of pile driving. Coordination of noise and ground vibration measurements during pile driving and other construction activity to determine compliance with noise ordinance. Coordination with Department of Public Works to provide a vibration seminar for inspectors and interaction with Construction Management team and nearby businesses to resolve noise and vibration issues.

#### San Francisco PUC, Richmond Transport Tunnel Clean Water Program, San Francisco, CA

Environmental compliance monitoring of vibration during soft tunnel mining and boring, cut-andcover trenching for sewer lines, hard rock tunnel blasting and site remediation. Work involved long-term monitoring of general construction activity, special investigations of groundborne vibration from pumps and bus generated ground vibration, and interaction with the public (homeowners).



*Santa Clara VTA, Capitol Expressway Light Rail (CELR) Bus Rapid Transit (BRT) Update EIS, CA* Reviewed previous BRT analysis and provide memo to support EIS.

#### Shell Oil Refinery, Martinez, CA

Identified source of community noise complaints from tonal noise due to refinery equipment and operations. Developed noise control recommendations. Conducted round-the-clock noise measurements at nearby residence and near to the property line of the refinery and correlated results. Conducted an exhaustive noise survey of the noisier pieces of equipment throughout the refinery to identify and characterize the dominant noise sources that were located anywhere from a quarter to three-quarters of a mile away. Provided a list of actions to mitigate noise from the noisiest pieces of refinery equipment. Assisted the refinery in the selection of long-term noise monitoring equipment to be situated on the refinery grounds so that a record of the current noise environment will be documented, and future noise complaints can be addressed more efficiently.

#### Tyco Electronics Corporation, Annual Noise Compliance Study, Menlo Park, CA

Conducted annual noise compliance monitoring. Provided letter critiquing the regulatory requirements and recommending improvements.

#### University of California, San Francisco Mission Bay Campus Vibration Study, CA

Conducted measurements and analysis of ground vibration across site due to heavy traffic on Third Street. Analysis included assessment of pavement surface condition and propensity of local soil structure.

To City Council,

Please accept my public comments and City staff please post them online today.

Thanks, Annemarie Weibel

Public comment EIR GO 6-5-2023

To City Council,

Under the California Environmental Quality Act (CEQA) if mitigation measures are included to reduce impacts to a less-than significant level, the resulting document is called a Mitigated Negative Declaration (MND). You approved the MND for the Grocery Outlet (GO) project. Challenged by a law suit you are tasked again to evaluate a slightly changed environmental document, the Environmental Impact Report (EIR).

This below quote from the book "Understanding Environmental Impact Assessment, A Layperson's Guide to Environmental Impact Documents & Processes written by Grosetti Environmental Consulting" points out that "Impact assessment requires projection, which by its very nature can be subjective. Even quantative models that profess to provide definitive analytical data often have large margins of error and can be manipulated by "tweaking" the inputs to result in the desired output. Further subjectivity enters into the process in determining the significance of an impact". In other words, opinion.

James G. Moose of the law firm Remy Moose Manley on behalf of Best Properties, the Applicant for the proposed Best Development GO project, responded to comments submitted by Mark Wolf (attorney for Fort Bragg Business Matters), Jacob Patterson, Leslie Kashiwada, North Bay Labor Council and I. These comments are encouraging you to believe that much expertise went into preparing this Final EIR for a project that, in their legal opinion, could have been eligible for a CEQA Class 32 categorical exemption for infill development. The Class 32 exemption applies to qualifying infill projects that are on sites within cities that are not greater that five acres in size.

There must have been a reason that the City of Fort Bragg was in favor of an EIR!

GO, a discount (bargain) store buys goods from consumer packaged goods (CPG) manufacturers that have excess inventory or the packaging is damaged, for pennies on the dollar. Pepsi, Coca-Cola, and Nestle are such companies. Nestle is the world's biggest CPG with a market cap value of \$349.20 Billion (2023). This makes Nestle the world's 23th most valuable company. Their revenue approaches \$2.13 billion. The goal of the 77 year old GO business is to sell as many products to as many consumers as possible. They have 449 stores now compared to 300 in 2017 across the nation and more than 1.5 million shoppers. What about future prognosis as many franchise stores including fast food/franchise restaurants are going under? Will we end up with another empty building? Does GO uses Electronic Benefits Transfer (Cards) used by CalFresh. I believe the farmer's markets do and Harvest Market does (a B Corporation). Safeway has a union, but GO does not. GO's headquarters take 50% of the income from the independent operators. Representatives from GO did not explain if employees would be paid California's minimum wage \$15.50 or less. How much less? Does it depend where the headquarter is and what the going rate is there (Emeryville is higher, Pennsylvania is lower)? Do employees get medical/dental/vision benefits? What about maternity leave/sick leave? We are not told if the store will use 15 or 25 employees. Will they be replaced by self check out stands?

Do we need more products by huge corporations? Are these mostly prepackaged items including salty and sweet items and products containing cancer causing red, yellow, and green dyes healthy for us? This might not be relevant as far as the EIR is concerned, but # 7 of the Standard Conditions addresses that "this permit shall be subject to revocation or modification upon a finding of any one or more of the following: (c) That the use for which the permit was granted is so conducted as to be detrimental to the

public health, welfare, or safety or as to be a nuisance. In my mind this GO, especially at this location is detrimental to the public health, welfare, safety and is a nuisance.

I understand that many of our citizens are barely able to survive and that they are begging you to approve this EIR. They want cheap food and are not aware of the legalities with environmental documents. It is unfortunate that the EIR is a piecemeal project, describes the setting incompletely, has unsupported analysis, fails to adequately address long term aspects (sustainability issues), fails to adequately address long term aspects (sustainability issues), fails to adequately address cumulative impacts, is listing an inadequate range of alternatives (straw man alternatives), was providing an inadequate public review period with all the changes, and did not allow a new opportunity for the public to review substantial new information like the supplemental Urban Decay Study. This study should be circulated for public review and comment. Both shopping centers (Boatyard & the DMV mini mall) have vacancies. Also downtown has had close to 20 vacancies for almost 10 years causing blight/urban decay. Now we want to squeeze more and more development on the South Side, the gateway to Fort Bragg causing many new problems not addressed in the EIR. Policy LU-3.5 of the Coastal General Plan was not considered in the EIR.

GO, the national discount grocery chain would provide full time work for 15 to 25 full time staff. The CA minimum wage is \$15.50 per hour with no benefits (no health care, no sick leave, no maternity leave). GO does not support nonprofits like our other stores do. In the meanwhile the profits the company makes go sailing out of the county to their headquarter in Emeryville. These employees can not find a rental or afford to pay for a rental with their paycheck. The socioeconomic effects have not been analyzed in this EIR. Maybe the two managers can find and afford housing. Why does GO not build housing here for their employees or buy housing for them? Why is the city not asking developers to do that as we all know how serious the situation is here. These land use and planning issues have not been addressed in the EIR. Most businesses are looking for employees and they have to reduce their services as they can not find them. The proposed project will hurt our downtown and existing businesses and their employees. Not only will GO make it harder for other businesses that provide good wages and benefits in our community to compete with this cheap labor, it will also likely result in the loss of several better paying positions for our members in our community. It is possible that a smaller store like Purity Supermarket will not survive.

The power point presentation at the October 24, 2019 Special City Council meeting listed all top 25 sales tax producers (marked in yellow were the 16 formula businesses). In addition to these top 25 sales producers we have formula businesses like Mountain Mike's Pizza, Starbucks, Sears, Rite Aide, Subway Sandwiches & Salads, SHN Consulting Engineers & Geologists, Edward Jones Investments and Sinclair Gas. Certain Starbucks, Rite Aide's, and CVS are closing nationally. Don't we have enough formula businesses already? Why was the regulations about formula businesses in the Coastal Zone never submitted to the Coastal Commission? We would have it approved by now if we would have applied in 2019. The aesthetic and visual resources of GO with their signs has not been properly addressed in the EIR. Policy LU-4-1 & CD-1.1 & CD-1.4 & CD-1-10 of the Coastal General Plan were not considered in the EIR.

While GO is increasing their wealth we might find ourselves in the position that we will have empty shelves if oil/gasoline/diesel prices change dramatically, and/or food prices increase. We might not be able to rely on trucks coming here, but should rather see how we can become self sufficient, grow our own food, barter and trade and run our own businesses. It can happen that we would be cut off form the outside world if rivers are flooded, bridges collapse in an earthquake, and storms make it impossible to

go anywhere, etc. These issues in regards to transportation have not been properly addressed in the EIR.

There is a pending diesel fuel shortage. We could have no diesel fuel. Last October it was said the United States had only a 25-day supply of diesel left. If there's no change, around Election Day we'll see trucks parked throughout much of the country. <u>https://finance.yahoo.com/news/us-now-just-25-days-160000619.html</u>

Bloomberg says the east coast is already running out. Shipments on the way to Europe have been turned back. <u>https://www.bloomberg.com/news/articles/2022-10-25/the-us-diesel-shortage-is-rapidly-devolving-one-supplier-says</u>

https://www.realclearpolitics.com/video/2022/10/26/

nsc spokesman there was no meltdown over saudi oil production cuts.html

https://www.realclearinvestigations.com/articles/2022/10/27/

<u>zero emissions from electric vehicles heres why that claim has zero basis 860938.html</u> Idaho Grocery Store Shelves Could be Bare in a Matter of Weeks

https://newsradio1310.com/idaho-grocery-store-shelves-could-be-bare-in-a-matter-of-weeks/? utm\_source=tsmclip&utm\_medium=referral

Not only could we have a problem getting diesel, but the risk is high for residents living close by to be severely affected by the diesel emissions. The air quality/greenhouse gas emissions have not been analyzed in the EIR. Policy LU-10.5 of the Coastal General Plan was not considered in the EIR.

The outdated traffic study from 2019 and two updates do not take into consideration the traffic associated with summer months and holidays, areas south and north that were not evaluated, and a change in traffic control at "SR 1/N. Harbor Drive intersection. It is interesting that there was hardly any information from Caltrans in regards to this intersection. Apparently there were telephone conversations between the City and Caltrans. Doesn't the public has a right to be informed as well? Is a left turn authorized at this intersection or did we just loose a traffic sign? In Albion, Caltrans wants to reconfigure how the two roads (Albion-Little River Rd. and Albion River N. Side Rd.) can be aligned differently to prevent accidents on SR 1 next to the Albion River Bridge. Why not in Fort Bragg? The left turn from westbound N. Harbor Dr. onto Main St. is apparently a Caltrans issue. Why was this not addressed? James G. Moose indicates that "time will tell." Do we need to wait until people get seriously hurt or die before we come up with a better traffic situation? That is only one of the issues that cause this project to be problematic at this site.

The Mendocino County Coastal Element adopted by the BOS and certified by the Coastal Commission in 1985 indicated in "4.4-3 The County shall develop an evacuation route for the Noyo Harbor area, in addition to North Harbor drive, by re-opening the road west of Agostino's (AP# 18-120-19) for emergency use only. The County shall coordinate evacuation procedures with the U.S. Coast Guard and all concerned law enforcement agencies." As others mentioned including a City Council member this would be necessary in order for this project to be built at this site.

The parking situation is less than appropriate. No other big store in town includes the delivery area in their parking lot for the public. A RV park is not sufficient. What about 5<sup>th</sup> wheels, etc. The parking is not safe for pedestrians or cars. Nowhere is discussed where parking would be for the employees. Policy CD-5.1 of the Coastal General Plan was not considered in the EIR. Neither were Policy LU-5.6 & 5.7 & OS-16.7 of the Coastal General Plan.

The mostly elderly pedestrians that would want to shop at GO do not have sufficient safe sidewalks. Policy C-6.2 & C-9.3 & C-9.7 of the Coastal General Plan were not considered in the EIR.

In addition we have noise (from trucks backing up, from sirens by emergency vehicles, demolition, construction, increased traffic) in a residential neighborhood that is also affecting visitors attracted by the harbor. These visitors do not come here to find yet another City that looks like what they left behind. Aren't we shooting ourselves in the foot? Is the City really going to benefit financially from the tax dollars? The 20% that GO will gain from alcohol will cause more issues with the population indulging in it. Other businesses would also bring in less tax dollars to the City.

The Assessment of Alternatives did not address that maybe this store should not be at this site (maybe north of town); or a vacant building could be used to prevent increased blight in the neighborhood; or the Planning Commission could ask for a modern, less cookie cutter corporate building as we have seen in a picture from the Chico GO. What we need to do is invest in small businesses, fill the gaps, tap local anchors to get involved and help, plant community gardens, follow the Blue Zone guidelines, and build community pride.

Policy CD-2.5 of the Coastal General Plan was not considered in the EIR. There is more than a "distant keyhole view of the ocean that is interrupted by two large trees now" (at least the horizon) and should have been addressed and evaluated more in the Assessment of Alternatives. The view is being described as being "very small, distant and fragmented." This description makes me reflect what we heard from the City with the Hare Creek mall that the ocean could only be seen from SR 1 if one would jerk the head around while driving and even then could only see a sliver. By placing the building next to South street that view is gone. To argue that down the road there might be another building there is ridiculous at best. I wonder how badly the city wants the tax money from this development and is willing to help push a project such as this forward.

Policy CD 2.1 of the Coastal General Plan was not considered in the EIR. It addresses the Design Review.

If you should approve the Special Conditions please consider accepting the Special Condition that Jacob Patterson suggested in his comments in regards to Special Condition 1A. Policy OS-5.2 of the Coastal General Plan also indicates the need to preserve existing healthy trees.

Also see his comments in regards to Special Condition #23, Optional condition #24, and Special Condition #34. As suggested by Jacob Patterson please add a new Special Condition prohibiting adding another extra sign on the visually prominent west facade. Add that any future signs need to be approved by the Planning Commission.

Unfortunately the Initial Study (the terribly deficient Mitigated Negative Declaration) by LACO Associates was not included for the public. The new Initial Study 2022 by the DeNovo Planning Group informed the DEIR and FEIR in addition to several new technical studies and reports.

Why was the school district not notified of the DEIR?

Why was Davey Beak, emergency manager at the AH hospital not consulted as a responsible agency instead of GO's lawyer blaming Leslie Kashiwada for not officially submitting his comments?

I urge you not to recommend this project as currently proposed for approval by you for all the above listed reasons. It will not help Fort Bragg in the long run. It is not your job, or the City Council's job to determine if the GO is favored by people or not. Your job is to examine the potential impacts of the project according to the California Environmental Quality Act (CEQA) and whether or not they can be mitigated enough to reduce it down to an acceptable (or less-than-significant) level. The approximately 36 Special Conditions are an indication that no matter how much lipstick you put on this pig, it is still a pig!

As you can see the General Plan Policies are not consistent with the EIR and the code provisions, and the EIR is not adequate as far as the Analysis of the Alternatives are concerned.

Sincerely, Annemarie Weibel 6-5-2023

From:	<u>dcalvert</u>
То:	<u>City Clerk</u>
Subject:	CDP 2-22, DR 7-22, MGR 1-22 GROCERY OUTLET
Date:	Monday, June 05, 2023 11:28:00 AM

I support the Grocery Outlet application and urge the City Council to certify the EIR and approve CDP 2-22, DR 7-22 and MGR 1-22.

This is an excellent location for the store in close proximity to the highest housing density in Fort Bragg.

It removes a long vacant decaying building and adds assessed valuation on the parcel to the city's tax rolls.

It provides another option for coastal grocery shoppers with a different price point.

It will reduce trips "over the hill" by people who travel to Willits just to go to Grocery Outlet.

While groceries are not taxed, Grocery Outlet also sells a number of items such as brooms that are taxed. Those tax dollars should be kept in Fort Bragg.

Thank you for your consideration of these comments.

Karen Calvert PO Box 70 Albion CA 95410

Sent from my Verizon, Samsung Galaxy smartphone

From:	Mary Kilgos
То:	<u>City Clerk</u>
Subject:	For June 5th city council meeting-Grocery Outlet-vote yes
Date:	Friday, June 02, 2023 6:36:17 PM

Affordable grocery prices will help many. Mary Jane Kilgos 32200 Highway 20 Fort Bragg, CA 95437 Sent from my iPad 6-3-2023

Hi...I would like to see the store approved.

I have visited the stores in Ukiah and Willits. They have a variety of products that other stores do not have.

Kind of like the Dollar Store. I wouldn't do my main shopping there, but they do have some interesting products.

Also this would help people on fixed incomes. If you haven't noticed.....This inflation is very real and damaging the buying power of the Dollar.

I'm 75 and am still working part time, so it doesn't affect me as much as some people who are retired and on a fixed income with costs for

all things that they use going up.

I vote for approving the store now.

Thanks, John Ruczak.

From:	Linda Jupiter
То:	Lemos, June
Subject:	Grocery Outlet agenda item June 5
Date:	Sunday, June 04, 2023 2:15:38 PM

Dear City Council members,

I'd like to add my voice to those who are *against* the proposed Grocery Outlet (GO) in Fort Bragg.

We do need to encourage businesses to open up here in Fort Bragg but GO is not one of them. They will not enhance quality of life for most of our citizens on the coast.

Yes, we need more jobs here in town, however, GO pays full-time people less than the state minimum (is that even legal?) and gives no medical benefits. Meanwhile, GO will take business away from other local businesses so folks with decent paying jobs will be out of work. If they're desperate enough to look for work at GO, they'll be making less money with no benefits.

In addition, traffic, noise pollution, and difficulty to access the health clinics and hospitals will increase.

If it's true that Grocery Outlet had a pre-existing business relationship with the EIR consultant, and that they failed to provide adequate study and analysis on a number of project impact issues, this should be grounds for the EIR being rejected by you tonight.

Thank you for your great work,

Linda (she/her) Uninvited dweller on Northern Pomo land

Linda Jupiter P.O. Box 2822 Fort Bragg, CA 95437 phone 707-964-8985 Dear Council Members,

Thank you for taking the time to read all letters regarding the Grocery Outlet and having an open mind.

I continually express my views on Facebook when given the opportunity supporting Grocery Outlet coming to Fort Bragg. A store on the outskirts of town, will bring value to residents, particularly those on a budget. Young families and the elderly need more shopping choices. Young families are already going out of town to shop at Grocery Outlet so they can make ends meet, most living pay check to pay check. That gas money should stay in their wallets and their grocery money should stay on the Coast! In addition, the jobs this store will create will help so many in our community.

I hear great things about Grocery Outlet stores in other areas....always supporting and donating to the Community. A brand new building will be a welcome sight on the corner of South and Franklin streets.

Your sincere and thoughtful objectivity is most appreciated when considering Grocery Outlet's application. I ask you to approve their application. I guarantee our lovely Harvest Market will continue to do fine. I will continue to shop at all the stores, as each meet different needs.

Sincerely,

Kathy Orsi Lifelong Fort Bragg Resident Dear Fort Bragg City Council,

I applaud that the you and the City of Ft. Bragg has pledged to work to keep our streets safe, and to a well-planned framework for sustainable development and prosperity. I would like to remind the Council of their commitment to the *City of Ft. Bragg Draft 2012 Climate Action Plan which states:* 

"Our commitment to sustainability should be integrated into our everyday decisionmaking processes at City Council, within City departments, and throughout the community. We should all identify specific measures to work on each year. The implementation of sustainability measures, such as energy efficiency, water conservation, waste reduction, localization of goods, and alternative transportation methods, should become part of the normal evaluative criteria in work plans, budgets, construction contracts, and proposals."- City of Ft. Bragg Draft 2012 Climate Action Plan

https://www.city.fortbragg.com/home/showpublisheddocument/380/6377099899957 53660

The Fort Bragg City Council rejected a formula business/ big box store Auto Zone. One of the key reasons and facts was that this Auto Zone commercial establishment would detract from the overall economic and cultural vitality of the City per recommendation by the Planning Commission as it would compete with the other Auto Parts Supply shops already established in the City.

See screenshot from City of Fort Bragg Planning Commission Resolution PC08-2019

Policy LU-4.1 Formula Businesses and Big Box Retail: Regulate the establishment of formula businesses and big box retail to ensure that their location, scale, and appearance do not detract from the economic vitality of established commercial businesses and are consistent with the small town, rural character of Fort Bragg.

The location, scale and appearance of the proposed project would detract from the economic vitality of existing commercial businesses and is not consistent with the small town, rural character of Fort Bragg because: 1) the proposed building is relatively square and 26 feet in height, which is tall for the proposed single-story retail use and creates an inappropriate massing and scale to the structure; 2) the proposed design does not reflect the small town character of Fort Bragg because it is missing important architectural form and detail; there is a lack of consistent design features on all elevations, and windows do not relate to scale and proportions of structure; 3) there is substantial evidence that the local economy cannot support a third auto parts retail store because when a third auto parts retail store opened, O'Reilly's Auto Parts, an existing auto parts retail store, Acme Automotive Parts, closed.

Has the City and Planning Commission gone backwards? I hope not.

The Grocery Outlet Corporate formula Store is a commercial establishment and will result in an over-concentration of grocery business establishments in its immediate vicinity or in the City.

**Do we REALLY need another grocery store competing with our local stores and adding more traffic?** Grocery Outlet is a formula business and a publicly traded company. From an economic perspective, there is much data that exists that indicates that corporate owned big box chain stores --even if a franchise or with independent owners owning the business (the operators do not own the building/infrastructure) may not be the best value for a community in terms of how they undercut all the community-based and independently owned markets already in place such as:

Harvest Market, (B Corporation) Purity Market, Safeway (Union shop) Down Home Foods, B&G Grocery, Roundman's Smoke House, Columbi's Market, El Yucca,

Nello's Market and Deli, La Mexicana Market, Fort Bragg Farmer's Market, Corners of the Mouth, Harvest at Mendosa's. The Dollar Store CVS Cucina Verona's Mercado Rite Aide and gas station convenience stores that now carry food items

Several local grocery stores every week take their overstock, imperfections, or looming expiration date items to our local food bank. Local farms also supply our food bank. Food waste is not an issue here. Now we want a Formula Store to charge people for what they can get for free at the Food Bank distribution Centers?

I would like to cite 18.46.070 Burden of Proof from the City of Ft. Bragg's Ordinances:

"If the City determines that a permit application or permit is subject to this Chapter for a formula business, the permit applicant or holder bears the burden of proving to the City that the proposed or existing use does not constitute a formula business."

If the City approves the GO application it is another great way to knock out your local businesses and support another Formula Corporate Business entity.

#### Traffic, Safety and Pollution

The EIR is flawed and biased.

This project will add to the already high traffic in the area and generate hundreds of new vehicle and delivery truck trips per day along S. Main Street, S. Franklin St., N. Harbor Drive, River Drive, Cypress Street and South Street. These streets are also the entryways to the busy: medical offices, Round Table Pizza, TACO Bell, several gas stations, auto repair

shops, Parents and Friends buildings, Mendocino Coast Pharmacy, Adventist Health Mendocino Coast Hospital's Emergency Room & several hospital facilities, Mendocino Coast Clinics, Mendocino County Social Services, Mendocino Superior Court Ten Mile Branch, Fort Bragg Police Station, Mendocino Sports Club, various dental and physical therapy offices, other medical offices along the 510 Cypress St. Medical complex and the now opened Crisis Respite Center (517 Cypress Street).

This is not about just local resident trips-- These are also ongoing coastal residents and tourist

trips along with assorted vendors servicing the high profile and already dense neighborhood businesses

including: U.S. Postal Service, private express delivery vendors, pharma and lab vendors to the hospital and medical offices, Fed Ex, UPS, PG&E, AT&T, Comcast. Verizon, Public Works,

electricians, plumbers, carpenters, yard and landscape services, Emergency Ambulance, CHP, Sheriff and Police vehicles, Waste transfer vehicles, and vehicles that go through Lyme Timber Logging gates off Cypress St.

Let's not forget the past COVID Vaccine testing and vaccine delivery vehicle line ups and some still occur.

We will have more bottle necks to these areas and to the entry down to the Noyo Harbor businesses, restaurants and shops.

It's hard enough already, to try to get down to Noyo Harbor or navigate the traffic around South Main Street, South Street, S. Franklin St. and Cypress Street. Vehicle accidents and near misses with pedestrians and other vehicles are common.

This neighborhood is already one of the highest traffic areas compared to the rest of the City of

Ft. Bragg neighborhoods. Walking and biking is already and will become more hazardous.

The traffic going down to the Harbor on South Harbor Drive is already an unmitigated and ignored problem.

Big rigs already transporting goods to other stores stay overnight at motels in that area and park their rigs on

the property or along the Grocery Outlet proposed site.

There are now eight existing apartment complexes and townhouses along Cypress St. and Kempe Way, including the 69-unit DANCO subdivision that utilize N. Harbor Drive and South Street.

Emissions of pollutants from motor vehicles, are injurious to people's health.

Again the associated big rig delivery trucks (that park and even stay overnight at

the adjacent motels in this neighborhood) are already impacting this area. Burning gasoline and diesel fuel creates harmful byproducts like nitrogen dioxide, carbon monoxide, hydrocarbons, benzene, and formaldehyde. In addition,

vehicles emit carbon dioxide, the most common greenhouse gas.

Consider how much more traffic will be added to the mix and the road wear is considerable on our already deteriorating roads if we add hundreds of cars going in and out of this Grocery Outlet at

these busy intersections every day. The local taxpayers bears that burden of repair!

People already complain about all the delivery trucks, big rigs, giant motor home vacation campers, etc. on HWY 20 -

Please reject this project - it will not create more lucrative jobs in a town that is already trying to hire and house more workers.

The traffic nightmare is not needed that will impact on getting private vehicles or ambulances to the various medical and emergency services nearby.

This is so obvious.

My Best Regards,

Mary Rose Kaczorowski

https://muckrack.com/mary-rose-kaczorowski Chronicles from the Redwood Coast: https://redwoodmary.substack.com/ Connect with me on LinkedIn linkedin.com/in/mrk2008

and

https://www.artsmendocino.org/artist/mary-rose-redwood-mary-kaczorowski/ How to pronounce my name? https://www.youtube.com/watch?v=5SIk7LKiJTY

Remember Unity in Community.

T.E.A.M.: "Together Everyone Achieves More"

Rev. Dr. Martin Luther King said our lives begin to end the day we become silent on things that matter.

From:	jaclyn moura
То:	City Clerk
Subject:	Grocery Outlet vote in favor of
Date:	Thursday, June 01, 2023 9:07:50 PM

For the June 5th meeting considerations. Greeting counsel and thank you for your time to review these matters from all perspectives. Vote yes for grocery outlet Vote yes for affordable & accesable food for all. Vote yes for jobs. Vote yes for local growth.

I am here to represent my personal support in favor of Grocery Outlet being here on our coastal town by the sea. local grocery business competition will do some good for the food costs of local families. Especially those whom are paycheck to paycheck.

I would appreciate an open mind to the BIG picture of what it means for one more business such as a grocery store named, Grocery Outlet to come to the coast for all locals. Not just the perspective of some but the perspective of community development, job opportunity and growth on all levels of expansion! our community is growing! We need more food to support growth. Our markets service Rock Port to Point Arena and anyone visiting/camping/ all tourism needs. We need more affordable Food options.

My understanding is Grocery Outlet is a publicly owned entity with the option to be employee owned. Sounds like a community benefit already! I have not heard of grocery outlet employees disliking their jobs because I do inquire when I have shopped at other grocery outlet branches. Everyone seems happy and very content and appreciated at their place of work. What is the difference between Grocery Outlet and Rite Aid or CVS or Safeway?! What are people against exactly?!

We have 5 grocery stores currently servicing our area. Down Home Foods, Purity, The Mexican Market, Safeway (nicknamed/referred to by locals as 'slaveway'), and Harvest/ Markup Market, I shop are all 5 as a local. Why do we not believe that there will be other locals who choose to do the same, if given the choice?

choice and voting with your dollars has a lot of power in a local community. I believe more options and FOOD COST competition will help reduce food costs here on the coast and prevent people from doing large mark ups to food for locals. (I hear tourists AND locals complain about the HIGH cost of food here locally)

I know ALOT of locals who currently GO OUT OF TOWN for big shops because they can't afford food here on the coast. Especially families\*\*\*\* They shop local to supplement what they ran out of till they go out of town to shop again.

Alot of folks/just about everyone has a Costco card.

Those are dollars leaving the coast. people VOTE with their dollars here and I can SEE where is goes. The dollars used to go to Costco in Santa Rosa and NOW it goes to Costco in Ukiah!!! And sometimes to Willits Groceey Outlet.

AND guess what?!?! I shop out of town too!!! Because FOOD IS EXPENSIVE HERE!!!!!! And guess what?! I love going to grocery outlets all over Cali. You never know what your going to find for a deal! The Cloverdale one is lovely and very new still! Willits is also an amazing option to shop for deals.

Confessions of a local: I SHOP EVERYWHERE! Who doesn't? I literally don't know of any family who does not utilize Costco bulk savings.

I am asking the counsel to consider how often THEY themselves do these kinds of shopping patterns for the benefit or their families and their wallets.

Currently we have a large amount of baby boomers whom are in retirement at this time and or forced out of the work world and are retiring on one leg of income called social security. Currently that single source of income is not enough to retire on. We have a huge population of people in this community on the brink of homelessness or already there as a direct result of high cost of living, and lack of LOW INCOME housing opportunity. Add the cost of medications/medical bills, food, bills, and toiletries etc. and just off social security income your making choices like do I get my meds or do I eat this month?!?!?!? THANK GOD FOR OUR LOCAL FOOD BANK!!!!!

The food banks brings us to our 6th option for food sources on the coast.

Please consider supporting the 7th grocery store- grocery outlet so we can make sure we are not a food dessert in the event of and emergency where all roads closed off for several days creating a panic for emergency food storage & basic food supply needs for families.

Please think about this financial burden gap within the population. I am seeing the baby boomers retire on social security alone as a financial crisis we do not have enough housing or benefit programs to accommodate for everyone's current needs. These are the demographic of people getting Dollar Store food to survive. Are those people being equally represented in this demographic of individuals saying no to Grocery Outlet?

I say YES! DO it! Let it happen!

POINT IS: Food should be accessible

Food should be affordable

Food should be healthy for all and not just who can afford to shop at Harvest Market. I know people in this community who can't afford to shop at Harvest Market. I don't think that is very acceptable for our community to deny Grocery Outlet when so many people in this community need and deserve access to quality healthy AFFORDABLE food.

Thank you for your time and considerations. Sincerely, Jaclyn Moura

P.S.

I asked Angelina Moura what she thinks of Grocery Outlet on the coast and she said, "Oh, I would love to have that store here! So nice and good prices!"

Please counts us as 2 votes for YESSSSS PLEASE!!!!!!!! I SEE MORE PRO'S than CONS!!!!! Thank you for your service.

I am in support of the proposed Grocery Outlet. Not only is the county plan already zoned for that development, I think it would ultimately be a boon for the Coast, offering alternative and possibly more economical shopping solutions in a Community that is made up by a fair amount of low income and elderly residents. Please vote to approve it - thank you.

Sott Roat

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BRE License #01493269

From:	<u>sam G</u>
To:	<u>City Clerk</u>
Cc:	<u>cdd</u>
Subject:	Grocery outlet
Date:	Friday, June 02, 2023 1:33:11 PM

I fully support the approval of the Grocery outlet project. Sam Gitchel 40 year resident voter on the Mendocino coast Thank You

From:	Jannis Fetters
То:	City Clerk
Subject:	Grocery outlet
Date:	Saturday, June 03, 2023 4:27:46 PM

June 5th city council meeting, grocery outlet, I wish to vote yes. Having shopped at three Grocery Outlets, I am very impressed by their cleanliness and products available. Fort Bragg can use a grocery store that is available and convenient for the locals. Thank you for your support. Donald and Jannis Fetters, 32250 Highway 20, Fort Bragg, telephone 707.964.5751.

From:	Larry Robinson
То:	City Clerk
Subject:	Grocery outlet
Date:	Saturday, June 03, 2023 9:01:54 PM

We approve of the Grocery Outlet in Fort Bragg for the following reasons:

1. New revenue for the city.

2. Competition should lower prices.

3. Job opportunities.

4. Save gas and time driving over the hill to shop.

5. Although Grocery Outlet is a corporation each is individually owned.

6. Provide selection of products not currently on the coast.

7. LAST people who oppose Grocery Outlet do not have to shop there.

Larry and Marsha Robinson, 32051 Airport Rd., Fort Bragg, CA

Larry and Marsha Robinson

From:	Kate Hee
То:	City Clerk
Subject:	Grocery outlet
Date:	Sunday, June 04, 2023 8:54:36 PM

I'm writing to encourage you to approve the Grocery Outlet for Fort Bragg. My husband and I are over 65 and on a fixed income. We were both born in Fort Bragg, and we have seen the cost of living go sky high in our community. We drive to Willits to buy affordable groceries, but we would much rather spend our money in our town. Please approve this much needed discount Grocery store.

Thank you Kathryn and Wesley Hee

From:	Josh Margerison
То:	<u>City Clerk</u>
Subject:	June 5 City Council Meeting Vote YES for Grocery Outlet
Date:	Monday, June 05, 2023 8:36:05 AM

Fort Bragg, and especially its most vulnerable residents, needs more competition to apply downward pressure to the costs of living.

Grocery Outlet will provide this needed competition and will result in downward pressure on costs.

Best Regards, Joshua C Margerison, Estimator/PM Fort Bragg Electric Inc. Mail & Shipping: 489 S. Harrison Street Fort Bragg, Ca 95437 Main Tel: (707)964-9118 Desk Tel: (707)964-9118 Desk Tel: (707)964-1012 Fax No: (707)964-1012



Dear Fort Bragg City Council,

I urge you to deny the application for the proposed Grocery Outlet (GO) on Franklin Street.

Fort Bragg has two large grocery stores that will be undermined economically by one that sells low-cost items. Don't dilute their contribution to our town.

The proposed GO will provide poor-paying jobs with no benefits. Instead, encourage industry and commerce that genuinely benefits and lifts our citizens.

The proposed GO will cause undue traffic stress to the neighborhood, especially hospital access. I urge you to deny the application for the proposed GO.

Sincerely,

Erica Fielder

\*\*\*\*\*\*

Erica Fielder efielder@mcn.org 707-671-4072

See unique interpretive displays on our new website: <u>https://www.ericafielderstudio.com</u>

From:	Marta MacKenzie
То:	<u>City Clerk; cdd</u>
Subject:	Opposed to Grocery Outlet
Date:	Saturday, June 03, 2023 6:23:38 PM

I am not opposed to having lower grocery prices in Fort Bragg. However, I am opposed to the location and to an organization in financial difficulties. The traffic at the proposed site would be extremely detrimental for access to the hospital and for the nearby residents. Any financial involvement by the city to mitigate disturbance in the area would be extremely foolhardy if Grocery Outlet is to go under in the near future. Additionally, the purported wages and benefits given to employees are disgraceful.

Marta MacKenzie, Mendocino County resident in 95437 zip code area.

Sent from Mail for Windows

6.4.23

Fort Bragg City Council:

I would like to express my strong opposition to the proposed Grocery Outlet.

We don't need any more big-box stores in our community.

We have a lot of struggling small businesses, which only increased during the pandemic. A store like Grocery Outlet would create unwanted competition with our local businesses.

In addition, the EIR for this proposed store has not been done properly and the local impacts of increased noise and increased traffic needs to be studied and addressed. It seems that the increased traffic would pose a problem for the ambulance service from the nearby hospital, which should be investigated.

In addition, former employees of Grocery Outlet in Ukiah say that, though the positions are full-time, the pay (\$13 an hour) is less than the state minimum (\$15 an hour) and they do not provide medical benefits. Grocery Outlet Corporate takes 50% of the profits out of the business. Local owners, who make all decisions related to personnel, are disincentivized to pay well and provide benefits. If Grocery Outlet takes business away from other local businesses, it will result in the loss of better-paying full time jobs with benefits.

We should be protecting the interests of the businesses that are already here. We have several grocery stores and drugstores that serve the needs of our residents and tourists.

In small rural towns, local grocery supermarkets have reported a 30% decline in sales after the introduction of a bigbox store to an area. Another large store would just take profit away from the businesses that have already established themselves as part of our community. Our community should be focusing on finding a way to fill all the empty store fronts downtown and polishing up that area to increase its appeal to residents and tourists.

If Fort Bragg wishes to attract tourists, the sight of another large store does nothing to enhance our desirability as a tourist destination. It makes us look poor and destitute. It would be a blight on our community.

Thank you for your time,

Sincerely,

Julie Rogers Fort Bragg, CA City Council,

Although I didn't bother to respond to RMM's prior letter about my DEIR comments, I noticed they submitted a public comment for the special meeting responding to some comments submitted as part of the Planning Commission public hearing on 5/10/23. This includes a response to my comments for that hearing and I want to point out an important inaccuracy in RMM's new letter. Their letter asserts that my prior comment incorporating linked documents included documents incorporated by reference "as URLs, many of which are broken" but all of the hyperlinks in my original public comment email are functional. Unfortunately, whatever the City did to generate a PDF of my email comment to include in the published public comments agenda item attachment for your special meeting on 6/5/23 apparently resulted in non-functional hyperlinks within that combined PDF file. It is important to note that each URL links to a specific downloadable document available in the City's Granicus legistar meeting software. I will not address whether or not the hyperlinked documents contain content that is relevant to this technically distinct entitlement review other than to state I disagree with RMM's stated position. In particular, I want to emphasize that the successor project details are basically identical to those in the prior application concerning the site layout, building design, etc., so prior comments concerning the project's consistency with applicable Coastal General Plan policies remain relevant to the current application under review.

Regardless, I have included relevant excerpts from that prior consistency analysis again to highlight those issues even though they are already available for anyone to read in the published public comments from the successor project's entitlement review. Importantly, the proposed project's consistency with applicable Coastal General Plan policies is not primarily a CEQA issue; instead, it is a planning issue relevant to both the CDP and Design review analysis for this project and the City's ability to make the required findings of approval. Of course, some applicable policies present CEQA issues in addition to permit planning issues, primarily because many relevant policies provide the qualitative or quantitative significance criteria that when paired with the relevant Initial Study Appendix G checklist questions, constitute the thresholds of significance for those areas of inquiry--hint: that is what I meant when I shared my opinion/position that the Initial Study Checklist questions ALONE are not adequate and complete thresholds of significance even though the checklist questions themselves are a necessary component of developing reasonable thresholds of significance.

Regards,

--Jacob

\_\_\_\_\_

**Policy LU-3.5**: Re-Use of Existing Buildings: Encourage the adaptive re-use and more complete utilization of buildings in the Central Business District and other commercial districts.

<u>Consistency</u>: Rather than adaptively reusing the vacant existing building on the site with almost the same floor area as the new building, this project, which is in a commercial district,

proposes to demolish the existing building. The IS/MND includes no explanation or analysis of the viability of the existing building to serve the project objectives rather than a new structure.

[Note: The applicant presented a supplemental feasibility "analysis" about why the building (arguably) isn't feasible to be reused as a grocery store that did not exist for the first application review; that said, the Applicant's potentially biased analysis provided by an interested insider does not need to be accepted by the City Council, who are free to determine the project is inconsistent with the CGP policy.]

**Policy LU-5.6**: The use of private lands suitable for visitor-serving and commercial recreational facilities designed to enhance public opportunities for coastal recreation shall have priority over private residential, general industrial, or general commercial development, but not over agriculture or coastal-dependent industry.

<u>Consistency</u>: This project involves the development of the southern parcel into a parking lot for general commercial development, the proposed Grocery Outlet store. That currently vacant parcel is frequently used for parking of large vehicles (e.g., big rig trucks and recreational vehicles) of transient visitors staying at the adjacent lodging facilities (i.e., the Harbor Light Lodge and Super 8) as well as visitors and locals seeking coastal access to the Noyo Harbor and Noyo Beach via the existing public access trail and stairs across North Harbor Drive and adjacent to the Harbor Light Lodge. In short, this project seeks to convert a visitorserving use (i.e., an informal parking area) that provides public opportunities for coastal recreation through the adjacent access trail and stairs. Because general commercial development (the proposed use) is disfavored compared to visitor-serving uses that provide and enhance public opportunities for coastal recreation (the existing use of the southern parcel) this project is not consistent with LU-4.1

**Policy LU-5.7**: Adequate parking should be provided to serve coastal access and recreation uses to the extent feasible. Existing parking areas serving recreational uses shall not be displaced unless a comparable replacement area is provided.

<u>Consistency</u>: Same as LU-4.1, see consistency analysis []. Moreover, the proposed parking lot will displace an existing, albeit informal, parking area serving recreational uses and public access to the coastal resources of Noyo Harbor and Noyo Beach without providing a "comparable replacement area" thus it is not consistent with LU-5.7.

**Policy OS-5.2**: To the maximum extent feasible and balanced with permitted use, require that site planning, construction, and maintenance of development preserve existing healthy trees and native vegetation on the site.

<u>Consistency</u>: OS-5.2 requires that the site planning and construction of this project preserve existing healthy trees "to the maximum extent feasible." However, the proposed site layout shifts the new building closer to the existing healthy trees in the northwest portion of the site and includes a bioretention basin within the area where the root system of the cypress tree will have the maximum impacts and damage due to the construction of the bioretention basin. The locations of the proposed building or the northwestern bioretention basin do not have any demonstrated connection to the permitted use or the project's economic viability so they could easily be relocated to locations that reduce the conflicts with the existing healthy cypress tree "to the maximum extent feasible" nor does it retain the existing healthy pine tree to the north of the cypress tree, instead proposing its removal and replacement with new landscaping.

**Policy OS-11.6**: Use Permeable Pavement Materials. To enhance stormwater infiltration capacity, development shall use permeable pavement materials and techniques (e.g., paving

blocks, porous asphalt, permeable concrete, and reinforced grass or gravel), where appropriate and feasible. Permeable pavements shall be designed so that stormwater infiltrates into the underlying soil, to enhance groundwater recharge and provide filtration of pollutants. All permeable pavement that is not effective in infiltrating as designed will be replaced with effective stormwater detention and infiltration methods.

<u>Consistency</u>: This project involves a significant amount of hardscaping and paved areas but no indication that the hardscaping and pavement proposed for this project "shall use permeable pavement materials and techniques" anywhere on the project site. Although there are non-paved landscaping areas that will be permeable, there is no analysis indicating that permeable pavement materials were considered at all for the paved areas, let alone rejected as infeasible. Thus, this project is inconsistent with OS-11.6 because it neither incorporates permeable paving materials nor analyzes and rejects such materials and infeasible in accordance with OS-11.6

**Policy OS-16.7**: Mitigation measures required for impacts to public access and recreational opportunities shall be implemented prior to or concurrent with construction of the approved development. Mitigation shall not substitute for implementation of a feasible project alternative that would avoid impacts to public access.

<u>Consistency</u>: As discussed in the consistency analysis for LU-5.6 and LU-5.7 above, this project includes the replacement of an existing unimproved parking area providing public access to recreational opportunities with a parking lot to serve a general commercial use but it does not include any mitigation measures (e.g., an off-site replacement of the existing parking area that provides relatively equivalent access to the coastal resources) to address or reduce these impacts. Thus, the lack of mitigation required by OS-16.7 prevents this project from being consistent with OS-16.7 so such mitigation should be included and analyzed in the IS/MND.

**Policy C-1.4**: Include specific time frames for the funding and completion of roadway improvements for projects which cause adopted roadway and intersection Level of Service standards to be exceeded. Require security, bonding or other means acceptable to the City to ensure the timely implementation of roadway mitigations.

<u>Consistency</u>: This project is not consistent with C-1.4 because there are no time frames established for the completion of roadway improvements and the project causes the LOS to exceed the applicable standards.

[Note: The EIR and permit review attempt to dismiss this policy as not applicable, claiming (falsely IMO) that this policy doesn't apply to fair share contributions even though nearly all such roadway improvements triggered by LOS metrics involve fair-share contributions and that exclusion is not actually part of the language of the policy or its related goal. This project is a classic case of the developer having to contribute funding for Caltrans' future projects on Hwy One due to LOS changes but there is no plan to actually implement anything so the impacts aren't really mitigated at all, the developer just effectively pays an in-lieu fee. The plan language of this policy indicates it was specifically intended to avoid that kind of situation.]

**Policy C-1.5**: Traffic Impact Fees. When traffic impact fees are collected, establish a schedule from the date of collection of said fee for the expenditure of funds to construct roadway improvements that meets project needs. Where a project would cause a roadway or intersection to operate below the adopted traffic Level of Service standards, the roadway or intersection improvements should be completed in a timely manner but no later than five years after project completion.

<u>Consistency</u>: (See consistency analysis for C-1.4; see also C-9.3.) In addition, although this project results in intersections projected to operate below LOS standards, no roadway or intersection improvements are proposed. Because roadway and intersection improvements

are necessary per the traffic study as well as relevant Coastal General Plan policies discussed herein, the project must also incorporate a timeline for such improvements that ensures completion within the maximum five years permitted by C-1.5. Thus, the project is not consistent with C-1.5 absent these revisions to the project and corresponding revision of the draft IS/MND.

**Policy CD-1.1**: Visual Resources: Permitted development shall be designed and sited to protect views to and along the ocean and scenic coastal areas, to minimize the alteration of natural landforms, to be visually compatible with the character of surrounding areas, and, where feasible, to restore and enhance scenic views in visually degraded areas.

Consistency: The project is not consistent with CD-1.1 because it is not "designed and sited to protect views to and along the ocean" since the site layout and design shifts the new building further north on the project site compared to the existing building to a location that includes the only current blue water ocean views through the site from the public rights-of-way. The draft IS/MND attempts to dismiss this inconsistency by describing the existing ocean views as "keyhole" views through the existing gas station to the west of the project but CD-1.1 is mandatory based on the use of "shall" and CD-1.1 does not make any exceptions to the requirement to protect views for partially-obstructed or keyhole views. The draft IS/MND should be revised to incorporate visual analysis of the project's potentially significant impacts of the existing ocean views that will be blocked. (See the documents in the record for the recent proposed but denied application for an Auto Zone project on Todd's Point, which incorporated visual analysis of ocean views through the project site and through intervening development that partially obstructed the ocean views through that project site. Similar visual analysis of partially obstructed ocean views through the northern portion of the project site should be incorporated into a revised draft IS/MND along with a corresponding mitigation measure to prevent future development within the view corridors through the site.)

[Note: The agenda materials appear to try to distract reviewers from this issue by pointing to a similar but different policy, Policy CD-1.4, that doesn't apply to this project because "public viewing area" is a defined term and doesn't include S. Franklin Street, even though this similar policy applies and does not include the defined term "public viewing area". This basically conflates the two policies and incorrectly concludes that because 1.4 doesn't apply, then 1.1 wouldn't apply either but that is not accurate, IMO, based on the plain language of 1.1. Instead of trying to achieve the objectives of this policy as much as is feasible, it is just rejected altogether resulting in a project that conflicts with this Policy CD-1.1 as much as it possibly could. In short, if the project can't get 100% compliance, the City appears to just pretend it is not feasible or necessary to considernot even partial compliance.]

From:	Fort Bragg Local Business Matters
То:	<u>City Clerk</u>
Cc:	Peters, Sarah; cdd
Subject:	Re: Public Comment in Opposition to the Proposed Grocery Outlet Matter for Consideration at the City Council Hearing on June 5, 2023
Date:	Monday, June 05, 2023 9:28:31 AM

Hello,

I am confirming receipt of our Petition and email to the City Council on the Grocery Outlet matter for tonight's hearing. We also wanted to note that the number of signers has increased to 767, since we submitted our Petition in opposition to the development on Saturday. We look forward to hearing from someone soon. Thank you for your time and assistance.

Sincerely,

Fort Bragg Local Business Matters

On Sat, Jun 3, 2023 at 4:05 PM Fort Bragg Local Business Matters

<<u>info@fblocalbusinessmatters.org</u>> wrote:

June 3, 2023

To the Honorable Fort Bragg City Council:

Attached, please find a copy of the online Petition from Fort Bragg Local Business Matters (FBLBM), in opposition to the proposed Grocery Outlet development at 851 S. Franklin Street, for the City Council's consideration of this matter, at their June 5, 2023 hearing.

As noted in the attached document, we have received over 756 digital signatures (and growing) to date from Fort Bragg residents, activists, families and workers, who have strong concerns about the proposed project impacts and the flawed EIR, that we had hoped would be comprehensive and conducted impartially by independent experts, but that was not the case.

We will share separate comments relating to our concerns about the EIR, and a respectful request that the Council strongly consider not certifying the proposed Final EIR for this development, in separate correspondence through our group's legal representative.

In the interim, please accept this Petition in Opposition to the proposed Grocery Outlet development on behalf of FBLBM, for the public record and for the Council's consideration of this important issue at their hearing on June 5th.

Please also confirm receipt of this email, and attached Petition, and certify that it will be included in the public record and shared with the City Council in a timely manner, prior to the hearing on this matter.

Sincerely,

Fort Bragg Local Business Matters

From:	<u>Mitzi Rider</u>
То:	<u>City Clerk</u>
Subject:	We oppose grocery outlet coming to Fort Bragg
Date:	Monday, June 05, 2023 10:05:10 AM

Hello, I am sorry that we are not able to attend the meeting today regarding the decision to let Grocery Outlet come to Fort Bragg. We OPPOSE grocery outlet coming to our small community. Please protect our local vendors and keep our Fort Bragg charm.

Sincerely, Lee and Mitzi Rider 27811 North Hiway 1, Fort Bragg, CA 95437

Sent from Mail for Windows

City Council,

Contrary to assertions otherwise, the southern portion of the project site regularly serves as an informal dirt parking area and a coastal resource, which has been brought up in various public comments. The city even included a special condition to make sure the project complied with applicable Coastal General Plan (CGP) policies concerning the need to provide alternate parking when a project displaces existing parking areas that are coastal resources like this area. Unfortunately, that special condition was erroneously rejected by the Planning Commission as impractical without providing an alternative way to satisfy this general plan requirement.

The existing parking area is an important local resource as evidenced by these photos from today, which is a random Monday, showing the extensive use of the site for parking. Please recitify this situation or a potential project approval wouldn't be consistent with the CGP.

Thanks,

--Jacob





From:	Janice Sullivan
То:	City Clerk
Subject:	Grocery outlet
Date:	Monday, June 05, 2023 12:04:24 PM

I don't think grocery outlet should be approved. This will hurt local grocery stores. We don't need another chain store that sells sub level food. We already have a dollar store doing just that. We should protect our local businesses. Thank you Janice Sullivan

Sent from my iPhone

From:	Eileen McGregor
То:	<u>cdd</u>
Cc:	City Clerk
Subject:	Proposed Grocery Outlet Public Hearing
Date:	Monday, June 05, 2023 1:35:54 PM
Date.	1001000, Julie 05, 2025 1.55.54 PM

To: Fort Bragg City Council Members,

At the Planning Commission Public Hearing on the proposed Grocery Outlet, May 10, 2023, it was clear people are in favor of paying less for food, the main reason people had in asking for approval of this project. Others have voiced objections to this proposal, concerned with traffic and safety issues this location presents. I share those concerns. I do not believe any amount of mitigation would make this a viable location for the Grocery Outlet proposal. Grocery Outlet should be able to find a suitable location beyond Fort Bragg city limits and still serve the needs of area residents.

Grocery Outlet's stated business model is opportunist. In an interview broadcast on KZYX Public Radio, the attorney for the failed attempt to develop a Grocery Outlet at Highway 1 & Highway 20, stated the City of Fort Bragg invited the Grocery Outlet to Fort Bragg with its Zoning Code." There are many "opportunist" big box and formula businesses that prey on small cities and drive out local businesses.

I ask City Officials to review the current Highway Commercial Zoning Code. By reducing the square footage and other measures would protect local businesses and preserve the what remains of our unique local character.

Respectfully, Eileen McGregor 127 1/2 W. Fir Street, Fort Bragg, CA