

Response M-85: The commentor provided the following comment on the Draft EIR:

3.7 TRANSPORTATION AND CIRCULATION

CONCLUSION

Implementation of the proposed Project would not result in a geometric design feature that is inconsistent with applicable design standards for the City of Fort Bragg. The Project would not result in a significant change to the vehicle mix or speed of traffic that is not compatible with the design of existing or planned facility design.

137 The Project does not propose any new roadways or transportation facilities that would be inconsistent with applicable design standards for the City of Fort Bragg. As discussed above, the Site is accessed on the north end via a paved entrance to South Street, and an existing dirt driveway runs across the southern parcel from S. Franklin Street to N. Harbor Drive. The proposed project includes construction of new, defined entrances to S. Franklin Street and N. Harbor Drive on the south and east end of the Site to accommodate the retail store entrance. The existing driveway on the north end of the Site would be removed as part of the project. The project will additionally include an internal system of walkways and crosswalks to provide pedestrian connectivity between the parking lot, building, and sidewalk. A sidewalk would be constructed along the South Street, S. Franklin Street, and N. Harbor Drive frontages, as required by City standards to provide pedestrian access around the Site, and where required, existing sidewalks would be upgraded to meet City standards. The City standards which the Project would be subject to are designed to prevent hazards due to geometric design features. Additionally, it is noted that proposed Project Special Condition 25 requires stop signs at all four points of the intersection at South Street and South Franklin.

138 How? There is no factual basis for this statement. What is the wording of SC#25 and how does that impact the analysis? As indicated in the *Traffic Impact Analysis*, the proposed Project may result in pedestrians in two roadway locations near the project where sidewalks do not exist. Therefore, the City should consider installing No Parking signs in these areas. As demonstrated by the proposed design improvements shown on the Site Plan, the Site has been designed to provide ample access, driveway width, and turning radii. Overall, implementation of the proposed Project would have a less than significant impact relative to this topic. There is no justification for this asserted conclusion.

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Impact 3.7-4: Project implementation would not result in inadequate emergency access (Less than Significant)

Implementation 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.

141 There is no justification for this asserted conclusion. In fact, the DEIR mentions the demonstrated need for alternative access to the north side of Noyo Harbor, which is accessed only from North Harbor Drive, in order to provide adequate emergency access. This project contributes to this existing problem by adding more traffic and increasing delays on North Harbor Drive as well as the adjacent South Street, both of which are ambulance travel paths for emergency vehicles accessing the nearby hospital's emergency room, that is only a short distance east of this project location off of South Street. The project's impacts to emergency vehicles being able to timely access the hospital's ER should be analyzed in this DEIR, which requires relevant revisions.

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137 This is false. The project proposes a site layout and parking area design that is inconsistent with the Citywide Design Guidelines that apply to this project.

Design Review is not required at the EIR phase. As noted on page 2.0-6, the proposed Project will be subject to Design Review. The Design Review would

include a review of the proposed site plans as they relate to the Citywide Design Guidelines requirements.

As discussed in the Draft EIR, the Project is subject to the mandatory provisions of the City's Design Guidelines. The aesthetic impacts of the proposed Project have already been analyzed in the EIR. While not a CEQA issue, City staff's analysis of the Project against the mandatory guidelines is included as new Appendix E of this Final EIR. The analysis includes conditions to ensure compliance where required.

The internal system of walkways and crosswalks are shown in Figure 2.0-5, Site Plan, in Chapter 2.0 of the Draft EIR.

As a Special Condition for the proposed Project, a stop sign would be provided at the South Street / S. Franklin Street intersection before the proposed Project is operational. The Applicant will be legally bound to comply with Project Conditions of Approval, and the City will be bound to enforce them.

According to the City, the Noyo Harbor Access Planning Project is in its infancy. The City is working with other regional agencies and intends to apply for a planning grant in 2023 that will provide funds to address the need for an alternate egress out of the Noyo Harbor. The commenter states that the DEIR mentions the demonstrated need for alternative access to the north side of Noyo Harbor in order to provide emergency access. The text in question is from the Regulatory Setting section of Section 3.7 in the discussion of the City's General Plan, and is reproduced below:

Currently, access to the north side of Noyo Harbor is limited to North Harbor Drive. Another access is required to improve traffic circulation and to ensure that emergency vehicles can reach Noyo Harbor in the event North Harbor Drive is obstructed. Improved access to the Noyo Harbor would be considered if and when the City annexes the harbor.

Goal C-6 Improve access to the North Part of the Noyo Harbor.

Policy C-6.1 Provide Additional Access Routes to Noyo Harbor: Consider constructing a new access route from the west side of Main Street to the north side of the Noyo Harbor. Any new access route to the north side of the Noyo Harbor shall be consistent with all applicable policies of the LCP including, but not limited to, the wetland, environmentally sensitive habitat area, public access, and visual protection policies.

The discussion in the DEIR reflects a current planning issue identified by the City of Fort Bragg in their Coastal General Plan. The proposed Project would not result in unacceptable delays at any N. Harbor Drive intersections. The discussion in Impact 3.7-4 is factual and accurate.

Response M-86: The commentor provided the following comment on the Draft EIR:

 UTILITIES AND SERVICE SYSTEMS

3.8

Policy PF-1.1. All new development proposals shall be reviewed and conditioned to ensure that adequate public services and infrastructure can be provided to the development without substantially reducing the services provided to existing residents and businesses.

Policy PF-1.2. No permit for development shall be approved unless it can be demonstrated that such development will be served upon completion with adequate services, including but not limited to **potable water**; wastewater collection, treatment and disposal; storm drainage; fire and emergency medical response; police protection; transportation; schools; and solid waste collection and disposal; as applicable to the proposed development.

142 **There is not adequate evidence of sufficient water supply for any new development in Fort Bragg.**

- a. Demonstration of adequate water and sewer facilities shall include evidence that adequate capacity will be available within the system to serve the development and all other known and foreseeable development the system is committed to serving, and that the municipal system will provide such service for the development;

Please see Response M-91 regarding water supply.

Response M-87: The commentor provided the following comment on the Draft EIR:

 THRESHOLDS OF SIGNIFICANCE

Consistent with Appendix G of the CEQA Guidelines, the proposed Project will have a significant impact on the environment associated with Utilities if it will:

- Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board.
- Require or result in the construction of new wastewater treatment and/or collection facilities or expansion of existing facilities, the construction of which could cause significant environmental effects.
- Result in a determination by the wastewater treatment and/or collection provider which serves or may serve the Project that it does not have adequate capacity to serve the Project's projected demand in addition to the provider's existing commitments.

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These purported thresholds of significance relating to wastewater treatment do not actually contain any quantifiable review criteria and must be revised to do so.

3.8-6

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As explained earlier, qualitative thresholds, and thresholds based on Guidelines Appendix G questions, are acceptable for use in EIRs. Nevertheless, to determine

if the proposed Project will violate the Appendix G-based wastewater thresholds, the Draft EIR looks quantitatively at the design flow capacity of the Fort Bragg Wastewater Treatment Plant (WWTP), calculated in million gallons per day, and the actual average daily wastewater flow volume of the facility, also using million gallons per day, to correctly determine that the WWTP can accommodate the proposed Project because, in large part, it can meet the City's "wastewater service demands through buildout of the General Plan," inclusive of the proposed Project, which is an allowable use under the site's General Plan land use designation. (Draft EIR, p. 3.8-7.)

Response M-88: The commentor provided the following comment on the Draft EIR:

The Summers Lane Reservoir, an off-stream storage facility that holds water from Waterfall Gulch, is a new reservoir with a capacity of 45 acre-feet (AF) located on this same property. During Fiscal Year 2016-2017, the City completed the Summers Lane Reservoir Project, providing an additional 15 million gallons (MG) of raw water storage to help ensure a reliable water supply during the late summer months when flows are low at the City's three water sources. In addition, this new raw water storage will ensure adequate water supply during severe drought years and will help to meet the needs of future development for the City. **How? This assertion is not explained.** 144

Additionally, in 2021, the City installed reverse-osmosis desalination plant ready to treat 144,000 gallons per day. The system is expected to help the city survive extreme drought conditions that have left the Noyo River, one of its three primary drinking water sources, susceptible to water

145 **How exactly? This assertion is not explained.**

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Please see Response M-91 regarding water supply.

Response M-89: The commentor provided the following comment on the Draft EIR:

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quality issues during high tide events. High tides lead to saltwater intrusion in the Noyo River all the way up to the city's water intake pumps whenever the streamflow falls below 1.5 cubic feet per seconds (CFS).

Approximately 20% of the City's water supply during the summer months is drawn from the Newman and Summers Lane Reservoirs and approximately 25% throughout the year is from the Waterfall Gulch diversion, all of which are gravity fed through a single ten-inch pipeline to the raw water storage ponds at the WTP. Table 3.8-2 shows the City's approved water appropriations by water source.

TABLE 3.8-2: CITY OF FORT BRAGG WATER APPROPRIATIONS

WATER SUPPLY SOURCE	WATER APPROPRIATIONS	ESTIMATED RELIABLE PUMPING CAPACITY
Noyo River	1,500 AF (488.777 MG)	3.0 cfs
Newman Gulch	300 AF (97.755 MG)	0.5 cfs
Waterfall Gulch	475 AF (154.779 MG)	0.668 cfs
Total	2,275 AF (741.312 MG)	4.168 cfs

SOURCE: CITY OF FORT BRAGG MUNICIPAL IMPROVEMENT DISTRICT NO. 1 MUNICIPAL SERVICE REVIEW AND SPHERE OF INFLUENCE UPDATE.

The City's operational treated water storage requirement is 3.3 MG. Table 3.8-3 below shows the water storage capacity for each of the City's water storage facilities.

TABLE 3.8-3: CITY OF FORT BRAGG WATER STORAGE

STORAGE FACILITY	STORAGE CAPACITY
Summers Lane Reservoir	14.6 MG
Newman Reservoir	0.3 MG
Water Fall Reservoir	0.005 MG
Raw Water Ponds	3.0 MG
Clearwell	0.025 MG
Total	17.93 MG

SOURCE: CITY OF FORT BRAGG MUNICIPAL IMPROVEMENT DISTRICT NO. 1 MUNICIPAL SERVICE REVIEW AND SPHERE OF INFLUENCE UPDATE.

WATER DEMAND

The water system annual demand is approximately 250 MG or 767 acre-feet (AF) of drinking water. During the summer months, the water demand peaks at around 0.900 MGD with the peak tourist season. During winter months, the water demand averages 0.600 MGD. Table 3.8-4 below shows the water demand levels for fiscal year 2015-2016 by season.

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This data may be too old to be sufficiently relevant or useful. More recent years have consistently involved serious drought conditions and the City has adopted regular water shortage declarations and restricted use because the water supply is close to being inadequate for existing development, let alone any new development. The water demand analysis should address both pre-drought and drought conditions for a complete picture and more reliable findings.

According to the City, the 2015-2016 demand shown in the text in question and subsequent page is the most recent water supply data. The year 2015 was a significant drought year.

Response M-90: The commentor provided the following comment on the Draft EIR:

THRESHOLDS OF SIGNIFICANCE

Consistent with Appendix G of the CEQA Guidelines, the proposed Project may have a significant impact on the environment associated with Utilities if it would:

- Require or result in the construction of new water treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects; or

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These purported thresholds do not include objective or measurable criteria and must be revised accordingly.

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3.8-15

Once again, qualitative thresholds, and thresholds based on Guidelines Appendix G questions, are acceptable for use in EIRs. Nevertheless, the Draft EIR looks quantitatively at the City's water storage capacity, calculated in million gallons, and the proposed Project's maximum possible water requirements by use, pursuant to the City's current Water System Study and Master Plan, to correctly determine that the City has adequate capacity to serve the proposed Project. (Draft EIR, pp. 3.8-16 - 3.8-17.) Refer to Response M-91 for more detail on the adequacy of the EIR's water supply analysis.

Response M-91: The commentor provided the following comment on the Draft EIR:

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- Have insufficient water supplies available to serve the Project from existing entitlements and resources, or if new or expanded entitlements are needed.
- 148 This omits the required analysis of available water supply in "normal, dry, and multiple dry years".
- IMPACTS AND MITIGATION MEASURES

Impact 3.8-4: The proposed Project will require or result in the construction of new water treatment or collection facilities, but the construction of them will not cause significant environmental effects. 149
(Less than Significant) There is no evident supporting analysis for this assertion.

Water service would be provided to the Project site by the City of Fort Bragg. There are currently on-site utility connections; however, the recorded use of the building was for office space and the proposed use is retail grocery, which means water capacity fees would be associated with the proposed increase in use. The existing water connection on South Street includes a 6-inch fire service line and is proposed to be the main water service to the building, with a new 6-inch fire connection to be constructed to the east of the existing connection. A total of three (3) fire hydrants with valve lines are proposed for fire suppression on the Project site. There is one existing hydrant that will be relocated and two new ones are being added with the project.

The City's water storage capacity as shown on Table 3.8-3 is 17.93 million gallons, and operational treated water storage requirement is 3.3 million gallons. The City has water appropriations of 741 million gallons as shown on Table 3.8-2. The City currently has sufficient water supply and storage to meet an 8% increase in water demand and could accommodate the additional growth without developing additional water storage. Additionally, since the completion of the Summers Lane Reservoir with approximately 45 AF of water storage capacity, the City can accommodate approximately a 20% growth in water demand. The City will not need to expand water appropriations, storage, or treatment capacity to serve the proposed Project. The proposed Project is required to pay its fair share of the water system infrastructure and future capital improvements through the Water Capacity Fee. All water distribution will be supplied by an underground distribution system to be installed per the City of Fort Bragg standards and specifications. The potential environmental effects of the construction of the water infrastructure are discussed throughout this Draft EIR.

150
Conclusion is not justified when projected sea level rise is factored into the City's working water model.

Implementation of the proposed Project would have a **less than significant** impact relative to this topic. 151
How? There is not adequate supporting analysis to justify this assertion. Revise DEIR accordingly.

The commenter is incorrect that the Draft EIR has "no evident [sic] supporting analysis" for its conclusion that the construction of new water treatment and collection facilities will not cause significant environmental impacts. (Draft EIR, p. 3.8-16.) The proposed Project will include the construction of "a new 6-inch fire connection...to the east of the existing connection" and "three (3) fire hydrants with valve lines are proposed for fire suppression on the Project site." (*Ibid.*; *id.*, p. 2.0-5.) These are the only water-supply related facilities that will be constructed as part of the proposed Project. Although the construction of these facilities will obviously involve some level of environmental impact, the extent will not be significant. The construction of these improvements will be subject to all applicable mitigation measures approved and adopted along with the

proposed Project to ensure less-than-significant impacts to potentially affected resources, such as air quality and noise receptors, during construction.

Furthermore, the City has sufficient water supply to meet the proposed Project's needs. See Comments 152 and 153 [Draft EIR, p. 3.8-17] and associated Response M-92. Currently, the City has enough water supply, storage, and treatment capacity to accommodate a 20 percent increase in water demand above existing conditions. (Draft EIR, pp. 3.8-11, 3.8-16 - 3.8-17.) Per available data, the City has an approximate 17.93 million-gallon storage capacity, an "operational treated water storage...of 3.3 million gallons," and "water appropriations of 741 million gallons." (*Id.*, p. 3.8-16.)

The Project "is estimated to demand 1,288 gallons per day" of water according to the City's data that commercial space utilizes approximately "78 gallons [of water]/1,000 square-feet (SF) of commercial space." (*Id.*, p. 3.8-17.) the proposed Project's estimated water demand increases to 2,699 gallons per day when using the "the 1986 Water System Study and Master Plan... showing a rate of 1,656 gallons per day/gross acre of commercial." (*Ibid.*) Both of these numbers, however, represent a very conservative estimate because, based on current and reliable data from comparable Grocery Outlet stores in Northern California, the proposed Project will use between 300 to 450 gallons of water per day. (*Ibid.*) Obviously, even an absolute maximum use of 2,699 gallons per day represents merely a tiny fraction of the City's existing operational supply of 3.3 million gallons and its current overall appropriation of 741 million gallons. (See *Ocean Street, supra*, 73 Cal.App.5th at pp. 1019-1021 [court upholds conclusion that the water supply impacts of multifamily housing project were less than significant; project would consume "less than one hundredth of one percent of the total estimated future water demand within the City's service area"].)

Appendix D of this Final EIR includes the water utility bills for the Willits Grocery Outlet location. The meter reading dates included in the appendix are January 18, 2022 to September 19, 2022. The appendix also includes a table on page 17 which shows the average water usage in gallons per day. As shown, the average water usage for the Willits Grocery Outlet from January 18, 2022 to September 19, 2022 was 357.50 gallons per day.

The water supply/demand data presented in the EIR constitute "facts" and "reasonable assumptions predicated upon [these] facts" supporting the conclusion that the proposed Project's water supply impacts will be less than significant. (Pub. Resources Code, § 21082.2; Guidelines, § 15384.) Moreover, the proposed Project's water demand (or the demands of another allowable by-right commercial land use that would consume as much or more water) are accounted for in current planning documents (e.g., the Coastal General Plan), upon which the City would have predicated its water growth analysis and projections.

Thus, the proposed Project's "contribution [to water demand] is "already accounted for in the [City's] estimates." (*Ocean Street, supra*, 73 Cal.App.5th at p. 1020.) "Accordingly, the EIR provides adequate information to allow for informed decision making, and there is substantial evidence in the record...to support the City's conclusions." (*Id.*, at p. 1021.)

The commenter may wish for more or different water supply analysis in the Draft EIR, but "[u]nder CEQA, an agency is not required to conduct all possible tests or exhaust all research methodologies to evaluate impacts. Simply because an additional test *may* be helpful does not mean an agency must complete the test to comply with of CEQA. ... An agency may exercise its discretion and decline to undertake additional tests." (*Save Panoche, supra*, 217 Cal.App.4th at p. 524, italics added, citing *Association of Irrigated Residents, supra*, 107 Cal.App.4th at p. 1396.)

The Project would not be impacted by, nor would it impact, sea-level rise because of its positioning relevant to the ocean. Additionally, the proposed Project does not include updating the "City's working water model." Therefore, any comments on that theoretical future project, which would occur separate and apart from the proposed Project, do not apply here.

Response M-92:

The commentor provided the following comment on the Draft EIR:

UTILITIES AND SERVICE SYSTEMS

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The City supplies treated potable water at a rate of approximately 78 gallons/1,000 square-feet (SF) of commercial space. The proposed Project is estimated to demand 1,288 gallons per day utilizing this average rate. The rates identified in the *1986 Water System Study and Master Plan* were slightly higher, showing a rate of 1,656 gallons per day/gross acre of commercial. Utilizing this higher rate, the proposed Project could demand 2,699 gallons per day. However, this water demand is likely an overestimation as the proposed Project would not have onsite food preparation or processing as all food arrives pre-packaged. For these reasons, this is considered a conservative estimate. The City has adequate capacity in their appropriations, storage, and treatment ability to serve the additional demand under either water demand rate.

152 How? There is no evident supporting analysis for this assertion.

As described earlier, Water supply analyses within the Municipal Service Review and Sphere of Influence Update indicate that the City has sufficient water supply to serve the projected buildout of the City of Fort Bragg as currently zoned within the existing City Limits through 2040. An amendment to the existing zoning or General Plan land use designation is not proposed for the proposed Project and therefore is consistent with the water supply analysis of the City of Fort Bragg Municipal Service Review.

Water bills from comparable Grocery Outlet stores in Northern California were also reviewed to estimate the proposed Project water demand. The average Grocery Outlet Store uses 300 to 450 gallons of water per day (109,500 to 164,250 gallons per year) in both domestic water for the store and irrigation water for the landscaping. The Grocery Outlet store average use is considerably lower than was estimated using the average commercial space rate.

The water supply for the proposed Project will have the same water supply reliability and water quality as the water supply available to each of the City's other existing and future water customers. Implementation of the proposed Project would have a *less than significant* impact relative to this topic.

153 This conclusion is not adequately supported or explained in part because there is not an actual threshold of significance included as part of the analysis in the DEIR, which should be revised accordingly to include a reasonable threshold of significance based on measurable criteria.

As explained at length previously (see Response M-15, for example), thresholds based on questions included in the CEQA Guidelines (Appendix G) are acceptable for use in EIRs. Please also see Response M-91 regarding water demand.

Response M-93: The commentor provided the following comment on the Draft EIR:

UTILITIES AND SERVICE SYSTEMS

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The proposed stormwater and drainage improvements would be located within the footprint of the Project site. The impacts associated with development of the Project site have been analyzed throughout this EIR. All impacts were found to be less-than-significant or less-than-significant with mitigation.

There are a variety of state and federal regulations already in place that require obtaining permits, preparing Storm Water Pollution Prevention Plans, and implementing Best Management Practices during construction to manage construction related storm water. The Project applicant will be required to comply with existing regulations and obtain necessary permits.

About half of the Project site is currently impervious from the existing paved surface and building. The other half of the Project site is currently pervious and would need storm drainage control. The following mitigation measure requires the Project applicant to install storm drainage infrastructure that meets standards and specifications of the City of Fort Bragg. 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*.

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This is not accurate. First of all, it references mitigation measures that don't exist, including not actually explicitly requiring the installation of storm drain infrastructure that meets the City's standards and specifications as a formal mitigation measure. The DEIR should be revised to either actually include that as a mitigation measure or to remove the apparently erroneous reference to a non-existent mitigation measure. Moreover, the project's drainage impacts cannot be determined to be less-than-significant without actually evaluating the effectiveness of the proposed storm drain infrastructure at reducing the storm water impacts to less than whatever the threshold of significance is once it is actually adopted as part of this environmental review process. Currently, no such threshold of significance exists or is referenced in this DEIR. How would the drainage impacts be reduced to less-than-significant? That needs to be explicit.

The commenter is correct that the Draft EIR here incorrectly references a mitigation measure—an inadvertent editorial error—that neither exists nor is required as it is imposed as a condition of approval. (Draft EIR, p. 3.8-25.) The threshold of significance for impacts to stormwater drainage facilities requires that a Project both: (1) “result in the construction of new storm water drainage facilities or expansion of existing facilities;” and that (2) “the construction of which ... cause significant environmental effects.” (*Id.*, p. 3.8-24.)

See Chapter 3.0, Revisions, of this Final EIR for the revision.

Here, the proposed Project will result in the construction of new stormwater drainage components and facilities. The proposed Project includes onsite “post-construction BMPs [best management practices], which include bioretention facilities 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.” (Draft EIR, p. 3.8-24; see also *id.*, p. 2.0-5.) The proposed Project also includes “the

construction of [offsite] pedestrian facilities, including curbs, gutters, and sidewalks along the north, south, and east side of the Project site.” (*Id.* at p. 3.8-24.) These offsite facilities, included as part of the proposed Project (*id.*, p. 2.0-5), would “convey flows from the post-construction BMPs at the Project site to the existing Caltrans stormwater drainage system located west of the Project site on State Highway 1.” (*Id.*, p. 3.8-24.)

The construction of these facilities, however, will not cause “significant environmental effects.” Construction of all onsite and offsite stormwater drainage components required for the proposed Project would be subject to all applicable mitigation measures approved and adopted along with the proposed Project to ensure their construction would have less-than-significant impacts to potentially affected resources during construction, such as air quality and noise receptors.

Furthermore, the proposed Project “is subject to water quality regulations and general permits put in place by state and federal agencies.” (Draft EIR, p. 2.0-7.) As well, “[c]onstruction activities for the proposed Project will be subject to the requirements of General Construction Activity Stormwater Permit...issued by the State Water Resources Control Board,” which requires “a Stormwater Pollution Prevention Plan (SWPPP) identifying specific best management practices (BMPs) to be [developed and approved by the North Coastal Regional Water Quality Control Board and then] implemented to minimize the amount of sediment and other pollutants associated with construction sites from being discharged in stormwater runoff.” (*Ibid.*) The purpose of these requirements is to ensure that construction will have a less-than-significant impact on water quality.

Additionally, the “[i]nstallation of the proposed Project’s storm drainage system will be subject to current City of Fort Bragg Design Specifications and Standards. The proposed storm drainage collection and detention system will be subject to the [State Water Resource Control Board] and City of Fort Bragg regulations, including: Fort Bragg Storm Drain Master Plan, 2004; Phase II, NPDES Permit Requirements; NPDES-MS4 Permit Requirements; and LID Guidelines.” (Draft EIR, p. 3.8-24.) Again, as stated just above, the purpose of these specifications, standards, and requirements is to ensure that construction will have a less-than-significant impact on water quality.

The Project’s adherence to all of these mandated specifications, standards, and requirements ensures that the construction of any stormwater drainages facilities included as part of the proposed Project would have a less-than-significant impact.

Response M-94: The commentor provided the following comment on the Draft EIR:

PUBLIC FACILITIES ELEMENT

Goal OS-8: Reduce, recycle, and reuse solid waste generated in the City.

155 *Policy OS-8.1.* Comply with State requirements to reduce the volume of solid waste through recycling and reduction of solid waste. But the project involves avoidable generation of solid waste because of the demolition. That doesn't reduce solid waste, it increases it.

Goal PF-8: Ensure that new development is served by adequate public services and infrastructure.

Policy PF-1.1. All new development proposals shall be reviewed and conditioned to ensure that adequate public services and infrastructure can be provided to the development without substantially reducing the services provided to existing residents and businesses.

Policy PF-1.2. No permit for development shall be approved unless it can be demonstrated that such development will be served upon completion with adequate services, including but not limited to potable water; wastewater collection, treatment and disposal; storm drainage; fire and emergency medical response; police protection; transportation; schools; and solid waste collection and disposal; as applicable to the proposed development.

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3.8-27

Demolition is a one-time event that will produce a finite amount of solid waste within a month's period of time. (See Draft EIR, p. 3.2-17 [estimated construction schedule].) The City's policy does not require the elimination of solid waste, but the reduction. This will be accomplished by the City's waste diversion requirements for demolition material, which require "[s]eventy-five percent of waste tonnage of concrete and asphalt" to be recycled, reused, or otherwise diverted from being landfilled (Fort Bragg Municipal Code, § 15.34.020) , which exceeds that of "California Green Building Standards Code (California Code of Regulations Title 24, Part 11)," which require that "50 percent construction/demolition waste must be diverted from landfills." (Id., p. 3.4-16.) Prior to issuance of a demolition or building permit, the City requires applicants to submit a "waste management checklist" showing "how the applicant will satisfy the diversion requirement" (Id., §15.34.060.)

The Potrero Hills Landfill is permitted to accept 4,300 tons of solid waste per day, or up to 1,569,5000 tons per year. (Id., p. 3.8-28.) The landfill will surely have enough space to accept this one-time finite amount of solid waste, which will have been significantly reduced by state and local requirements, that will be generated by Project demolition, and the commenter has presented no evidence to the contrary.

Response M-95: The commentor provided the following comment on the Draft EIR:

UTILITIES AND SERVICE SYSTEMS

3.8

Implementation of the proposed Project would have a *less than significant* impact relative to this topic.

- 156 The analysis in this section concerning solid waste impacts completely omits any mention, let alone relevant analysis, of the solid waste generated by this project due to the proposed demolition of the existing building and construction of an entirely new building. This serious omission presents a defect in the current DEIR that should be corrected through revision to include analysis of the solid waste projected to be generated through the temporary demolition and construction activities in addition to the solid waste projected to be generated through ongoing operations after the new Grocery Outlet building is constructed and operational. CEQA requires relevant analysis of all forms of solid waste, including from demolition and construction activities not just solid waste projected to be generated from ongoing operations. The significant solid waste to be generated from the demolition of the existing vacant building is far greater in quantity and must be addressed. Without such analysis based on an applicable threshold of significance relating to the solid waste generated from demolition and construction activities, the DEIR is inadequate. This topic was peripherally mentioned in the greenhouse gas emissions discussion due to the traffic generated through the disposal of the demolition debris but the solid waste itself has not been addressed adequately to justify the asserted conclusion that the project can be expected to have a less-than-significant impact concerning solid waste generation and disposal.

Please see Response M-94. The operational solid waste is discussed in Impact 3.8-7 of the Draft EIR. As discussed, addition of the volume of solid waste associated with the proposed Project is estimated to be 50.4 pounds per day using a Supermarket rate from CalRecycle of 3.12lbs/1,000sf/day (Table 3.8-6).

Response M-96: The commentor provided the following comment on the Draft EIR:

Cumulative development in the City would not impact a Designated Scenic Highway. Additionally, future projects within the County would be subject to the light and glare standards and site design established by the individual jurisdictions. These regulations are designed to minimize potential light and glare impacts of new development and ensure development is compatible with the visual character of the area. Implementation of these regulations would ensure that future projects minimize their potential aesthetic-related impacts, resulting in a *less than significant* cumulative impact relative to this environmental topic. For these reasons, cumulative impacts on aesthetics are less than significant, and the proposed Project's impact is *less than cumulatively considerable*. No mitigation is required.

- 157 None of this analysis includes the projection method listed on the previous page as being applied to this DEIR. How is this conclusion justified without any projections based on the relevant analysis in the Coastal General Plan or other adopted planning documents?

4.0-4

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As explained in the Draft EIR: “There are two approaches to identifying cumulative projects and the associated impacts. The list approach [and] [t]he projection approach.” (Draft EIR, p. 4.0-3.) The projection approach is employed

here. This approach “uses a summary of projections in adopted General Plans or related planning documents to identify potential cumulative impacts.” (*Ibid.*) This projection approach is often encompassed in project-level analysis where an assessment of project impacts requires a detailed evaluation of how a project comports with adopted planning documents, which inherently account for local and regional development as a whole (i.e., cumulative development). For example, for impacts to aesthetics and visual resources, the Draft EIR looks to the applicable adopted planning documents to determine what is allowable in the area for *all* development and land uses and how the proposed Project fits within that cumulative context in terms of visual resources. (See Draft EIR, Chapter 3.1.) Put another way, these planning documents contain development and land use projections for, and limitations to, the cumulative area of development for the proposed Project. By determining how the proposed Project fits within these cumulative planning parameters, the Draft EIR de facto analyzes a cumulative effect.

To demonstrate, the Draft EIR looks at the applicable policy of the Coastal General Plan to determine the proposed Project’s impacts on visual resources. (See Draft EIR, pp. 3.1-6 - 3.1- 9.) The Coastal General Plan is the primary planning document that dictates development for the entire Project area, not just the Project site. Thus, when the Draft EIR determines that the proposed Project is consistent with the applicable policy (such as a City-wide guideline or standard or code) related to visual resources, and therefore has no significant impact on visual resources, the City also is determining that the proposed Project has no significant impact on the totality of the entire area’s visual resources, cumulatively, because these policies and standards and codes account for, and dictate development for, the totality of the area. As concluded in Chapter 3.1:

The proposed Project would be subject to the policies and goals of the Fort Bragg General Plan, Citywide Design Guidelines, as well as the City’s Standards for *all Development and Land Uses* outlined in Chapter 17.30 of the Municipal Code. The Citywide Design Guidelines complement the standards contained in the City of Fort Bragg Inland Land Use and Development Code, and the Coastal Land Use and Development Code by providing good examples of appropriate design solutions, and by providing design interpretations of the various regulations.

Chapter 17.30, Standards for *all Development and Land Uses*, of the City’s Coastal Land Use and Development Code expands upon the zoning district development standards of Article 2 by addressing additional details of site planning, project design, and the operation of land uses. *The intent of these standards is to ensure that proposed development is compatible with existing and future development on neighboring properties*, and produces an environment of stable and desirable

character, consistent with the General Plan, Local Coastal Program, and any applicable specific plan.

(DEIR, p. 3.1-9, italics added.)

Response M-97: The commentor provided the following comment on the Draft EIR:

AGRICULTURAL AND FOREST RESOURCES

The cumulative setting for agricultural and forest resources impacts is the City of Fort Bragg.

Impact 4.2: Cumulative Impact on Agriculture and Forest Resources (Less than Significant and Less than Cumulatively Considerable)

As described in Section II, Agriculture and Forestry Resources of the Initial Study, the proposed Project would not convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance to non-agricultural use, conflict with existing zoning for agricultural use, or a Williamson Act contract. The Project site is designated as "Urban and Built-Up Land" under the Farmland Mapping and Monitoring Program (FMMP) of the California Department of Conservation (DOC) and is located within the City of Fort Bragg in an urban built-up environment. Because the proposed Project only includes redevelopment of the Project site within an urban area of the City designated for urban uses, the Project has no potential to convert any off-site agricultural land, Prime Farmland, Unique Farmland, or Farmland of Statewide Importance to non-agricultural use.

The Project site is not zoned for agricultural use nor is it under a Williamson Act contract. The proposed Project would not conflict with existing zoning for agricultural use, or a Williamson Act contract.

The Project site is not forest land (as defined in Public Resources Code section 1222(g)) or timberland (as defined in Public Resources Code section 4526). The proposed Project would not conflict with existing zoning for, or cause rezoning of, forest land or timberland.

158 For these reasons, cumulative impacts on agriculture and forestry resources would be ***less than significant*** and would have a ***less than cumulatively considerable*** contribution.
[Same issues as described in the prior comment concerning the cumulative aesthetic impacts.]

Please see Response M-96 for an explanation regarding the projection approach for the analysis of cumulative impacts, as allowed by CEQA.

Response M-98: The commentor provided the following comment on the Draft EIR:

OTHER CEQA-REQUIRED TOPICS

4.0

that would help facilitate carbon monoxide dispersion. Congested traffic conditions that otherwise could result in concentration of carbon monoxide would be of short duration. Further, under existing regulatory and legislative mandates, emissions volumes from all vehicle classes will continue to decline. Given these factors, substantial concentrations of carbon monoxide are not expected at or along any affected roadways or intersections.

159

Commercial use of the site anticipated with buildout of the Project is generally consistent with growth projections assumed in the Fort Bragg Coastal General Plan for the same time horizon. The proposed Project, as well as future projects in the City and County, will be subject to the requirements of the MCAQMD, including but not limited to:

How?

- Rule 1-400(a) Public Nuisance – This is a general requirement that is applicable to odors as well as other air contaminants. Specifically, the rule states that a person shall not discharge from any source whatsoever such quantities of air contaminants or other material that cause injury, detriment, nuisance, or annoyance to any considerable number of persons or to the public or that endanger the comfort, repose, health or safety of any such persons or the public or that cause or have a natural tendency to cause injury or damage to business or property.
- Rule 1-410 Visible Emissions – This applies to any source at the facility and limits visible emissions to no more than 20-percent opacity for more than a 3-minute period in any 1 hour.
- Rule 1-420 Particulate Matter – This rule imposes particulate matter emission rate limitations and is applicable to combustion and non-combustion sources. Combustion sources do not include mobile sources. The Proposed Project will have both combustion and non-combustion sources that would be subject to these requirements.
- Rule 1-430 Fugitive Dust Emissions – This rule requires that (a) all reasonable precautions be taken to prevent particulate matter from becoming airborne and (b) specifies airborne dust control measures that would be required. The Project would be subject to these requirements.

For these reasons, cumulative impacts on air quality would be **less than significant** and would have a **less than cumulatively considerable** contribution.

160

[Same issues as described in the prior comment concerning the cumulative aesthetic impacts.]

This comment is noted. The growth assumptions associated with the Fort Bragg Coastal General Plan include the Project site. Since the proposed Project is consistent with the existing General Plan land use designation of Highway Visitor Commercial (CH), commercial uses similar to the proposed project would have been assumed by the Fort Bragg Coastal General Plan for the Project site. The proposed Project does not propose a land use that was not previously anticipated for the Project site in the General Plan.

Separately, please see Response M-96 for an explanation regarding the projection approach for the analysis of cumulative impacts, as allowed by CEQA.

Response M-99: The commentor provided the following comment on the Draft EIR:

Impact 4.4: Cumulative Loss of Biological Resources Including Habitats and Special Status Species (Less than Significant and Less than Cumulatively Considerable)

Under cumulative conditions, buildout of the General Plan(s) within Mendocino County will result in impacts to biological resources in the cumulative area through new and existing development. The General Plan(s) includes policies that are designed to minimize impacts to the extent feasible.

As described in Section 3.2, Biological Resources, construction in the Project site has the potential to result in impacts to special-status species in the region. Although there has been no documented sighting within the immediate area in, or near the Project site, the Project site provides potential habitat for limited species, including those discussed in Section 3.2. 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. Further, regardless of the absence of bats, or evidence of bats, on the Project site during the site survey, there remains a possibility that bats could establish a roost in the abandoned building in the future.

Mitigation Measure 3.2-1 requires measures to avoid or minimize impacts on other protected bird species that may occur on-site, such as preconstruction surveys and appropriate buffers, if needed. Mitigation Measure 3.2-2 requires a preconstruction bat survey and appropriate exclusion methods, if needed.

As such, impacts to biological resources would be a **less than significant** and the project's contribution would be **less than cumulatively considerable**.

161 [Same issues as described in the prior comment concerning the cumulative aesthetic impacts.]

Please see Response M-96 for an explanation regarding the projection approach for the analysis of cumulative impacts, as allowed by CEQA.

Response M-100: The commentor provided the following comment on the Draft EIR:

OTHER CEQA-REQUIRED TOPICS

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search conducted at the Northwest Information Center (NWIC), the consultation undertaken with the Native American Heritage Commission (NAHC), and the Tribal consultation effort completed by Genesis Society (2019), no unique archaeological resources or prehistoric cultural material was identified in the Project area. The Cultural Survey recommends archaeological clearance for the proposed Project, with the inclusion of general provisions that recommend consultation and protocol in the event of inadvertent discovery. A standard condition of approval to that effect, as discussed above, will be applied to the proposed project and probable future projects. Further, no Tribal Cultural Resources were identified at or near the Project site during the records review and pedestrian survey.

For these reasons, cumulative impacts on cultural and tribal resources would be **less than significant** and would have a **less than cumulatively considerable** contribution.

162 [Same issues as described in the prior comment concerning the cumulative aesthetic impacts.]

Please see Response M-96 for an explanation regarding the projection approach for the analysis of cumulative impacts, as allowed by CEQA.

Response M-101: The commentor provided the following comment on the Draft EIR:

Prior to the Newhall Ranch decision, GHG analysis in CEQA documents often involved comparison of the project emissions to a “no action taken” (NAT) scenario. In the Newhall Ranch decision, the court found that, although comparison of a project to NAT (or “business as usual” [BAU]) may be appropriate in concept, the comparison of a specific local project against a statewide business as usual scenario is not an analogous comparison. Specifically, the Court stated that the business as usual approach would need to be based on a substantial evidence-supported link between data in the Scoping Plan and the project, at its proposed location, to demonstrate consistency of a project’s reductions with statewide goals. It should be noted that, based on current data available, it is not possible, within the structure of the Scoping Plan sectors, to develop the evidence to reliably relate a specific land use development project’s reductions to the Scoping Plan’s statewide goal, as envisioned by the Court. Based on the court’s finding, the NAT approach is now considered problematic even though it is still recommended by the San Joaquin Valley Air Pollution Control District, which has not updated its guidance on this topic to account for the outcome in *Newhall Ranch*.

Based on the discussion in Section 3.4, the following threshold is applied to this analysis:

163

- The proposed Project is evaluated for its consistency with the GHG reduction measures contained in the CARB’s 2017 Scoping Plan Update and the MCOG’s 2017 RTP.

This is not relevant concerning if the project’s contribution is “cumulatively considerable”, which is under review here. If the project demonstrates that it is consistent with these plan documents, the proposed Project would not be anticipated to generate GHG emissions that would have a significant impact on the environment, or conflict with any plan, policy, or regulation adopted for the purpose of reducing GHG emissions.

This comment is noted. The proposed Project was identified as having a ‘less than cumulatively considerable’ cumulative impact relative to GHG impacts, in the Draft EIR. It should also be noted that, since GHG emissions are a global impact, they are inherently cumulative. Since the proposed Project’s GHG impacts were identified as being less than significant, a ‘less than cumulatively considerable’ cumulative impact relative to GHG impacts is appropriate. It should be noted that the Chapter 4.0: Other CEQA-Required Topics within the Draft EIR has been revised to reflect the ‘less than cumulatively considerable’ impact associated with GHG emissions (this was erroneously concluded to be a ‘significant and unavoidable and cumulatively considerable’ in the Draft EIR). See Chapter 3.0, Revisions, of this Final EIR for the revision. No further response to this comment is warranted.

Response M-102: The commentor provided the following comment on the Draft EIR:

4.0 OTHER CEQA-REQUIRED TOPICS

164 anticipated to reduce overall VMT, when accounting for even a modest trip redistribution from the VMT currently generated from trips from Fort Bragg to the Willits Grocery outlet. Therefore, the proposed Project would be consistent with the State GHG reduction targets, and would not generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment or to conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases. Therefore, implementation of the proposed Project would have a *significant and unavoidable* and *cumulatively considerable* contribution. What? This states that there is a significant and cumulatively considerable impact but that is not explained nor are possible mitigation measures evaluated in the DEIR.

This comment is noted. As described that under Response M-101, Chapter 4.0: Other CEQA-Related Topics within the Draft EIR has been revised to reflect the 'less than cumulatively considerable' impact associated with GHG emissions (this was erroneously concluded to be a 'significant and unavoidable and cumulatively considerable' in the Draft EIR). See Chapter 3.0, Revisions, of this Final EIR for the revision. No further response to this comment is warranted.

Response M-103: The commentor provided the following comment on the Draft EIR:

4.0 OTHER CEQA-REQUIRED TOPICS

Project would be subject to the Statewide CGP and the standards outlined in Chapter 17.64 of the CLUDC, which would ensure that the proposed Project would minimize pollutant loading and erosive stormwater runoff flows both during and post-construction. Compliance with these regulations would facilitate the implementation of water quality control efforts at the local and state levels. In addition, there is currently no sustainable groundwater management plan for the Fort Bragg Terrace Area in which the proposed Project would be located.

165 For these reasons, cumulative impacts on hydrology and water quality would be *less than significant* and would have a *less than cumulatively considerable* contribution.
[Same issues as described in the prior comment concerning the cumulative aesthetic impacts.]
LAND USE

The cumulative setting for land use impacts is the City of Fort Bragg.

Impact 4.10: Cumulative Impact on Communities and Local Land Uses (Less than Significant and Less than Cumulatively Considerable)

Cumulative land use impacts, such as the potential for conflicts with adjacent land uses and consistency with adopted plans and regulations, are typically site- and Project-specific. The City's General Plan Draft EIR found that impacts related to the physical division of an established community would be less than significant.

The Fort Bragg Zoning Code implements the General Plan. The Project site is currently within the jurisdiction of the City of Fort Bragg. The Project site has a City of Fort Bragg General Plan land use designation of Highway Visitor Commercial (CH) and a City zoning designation of Highway Visitor Commercial (CH). No changes to the Project site's current land use or zoning designations are proposed under the Project.

It is noted that consistency with relevant Fort Bragg Coastal General Plan policies is discussed in Table 3.4-1 of Section 3.4. As shown, the proposed Project is consistent with all of the applicable General Plan policies that aim to avoid or mitigate an environmental effect. The City will review each component of the proposed Project as plans (improvement plans, building plans, site plans, etc.) are submitted for final approval to ensure that they are consistent with the City's Zoning ordinance.

167 Cumulative impacts related to land use and planning would be *less than significant*. Implementation of the proposed Project would have a *less than cumulatively considerable* incremental impact relative to this topic.
[Same issues as described in the prior comment concerning the cumulative aesthetic impacts.]
MINERAL RESOURCES

The cumulative setting for mineral resources impacts is the City of Fort Bragg.

Impact 4.11: Cumulative Impact on Mineral Resources (Less than Significant and Less than Cumulatively Considerable)

As described in Section XII, Mineral Resources, of the Initial Study, the proposed Project is not located in an area of known rock, aggregate, sand, or other mineral resource deposits of local,

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Please see Response M-96 for an explanation regarding the projection approach for the analysis of cumulative impacts, as allowed by CEQA.

Response M-104: The commentor provided the following comment on the Draft EIR:

OTHER CEQA-REQUIRED TOPICS

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regional, or state residents. There are no known mineral resources of significance on the Project site that would be made unavailable by the proposed Project. Furthermore, the Project site is not utilized for Surface Mining and Reclamation Act (SMARA) activities. The proposed Project area does not contain mineral resources that are of value locally, to the region, or to residents of the City, County, or state. According to the Mineral Land Classification Studies Index of the California Department of Conservation (DOC, 2015), the proposed Project is not located in an area with known mineral resources. The proposed Project area is not identified as a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan. Therefore, the proposed Project would not interfere with materials extraction or otherwise cause a short-term or long-term decrease in the availability of mineral resources.

According to the City's General Plan Draft EIR, there are no mapped or known mineral resources in the Fort Bragg SOI. Historically, various parties have taken small amounts of aggregate from area streams, but this is no longer the case. Because the California Division of Mines and Geology has not identified any significant mineral resources in the SOI, and there are no known sources contemplated for development, there will not be any significant impacts resulting from development of potentially valuable mineral resources as a result of General Plan buildout.

For these reasons, cumulative impacts on mineral resources would be *less than significant* and the proposed project would have a *less than cumulatively considerable* incremental impact relative to this topic.

168 [Same issues as described in the prior comment concerning the cumulative aesthetic impacts.]

Please see Response M-96 for an explanation regarding the projection approach for the analysis of cumulative impacts, as allowed by CEQA.

Response M-105: The commentor provided the following comment on the Draft EIR:

Construction Noise: Noise generated by construction would be temporary, and would not add to the permanent noise environment or be considered as part of the cumulative context. Implementation of the proposed Project would have a *less than significant* cumulative impact relative to this environmental topic. As such, impacts related to construction noise would result a *less than cumulatively considerable* contribution.

POPULATION AND HOUSING

169

Not justified because the impacts are significant on their own, let alone cumulatively.

The cumulative setting for population and housing impacts is the City of Fort Bragg.

Impact 4.13: Cumulative Impact on Population and Housing (Less than Significant and Less than Cumulatively Considerable)

Based on the U.S. Census Bureau Quick Facts, Fort Bragg city, a census-designated place had a population of approximately 7,291 persons as of July 1, 2019, a decrease of approximately 0.2 percent since April 1, 2018. There were an estimated 2,775 households between 2014 and 2018,

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As discussed in Chapter 4.0 and Section 3.6 of the Draft EIR, construction activities would temporarily increase ambient noise levels at nearby receptors. Any other future developments that are built concurrently with the proposed Project could further

contribute to these temporary increases in ambient noise levels. It is possible that construction noises from other construction projects and the Proposed Project could cumulatively increase temporary noise levels at nearby sensitive receptors. However, appropriate mitigation strategies and compliance with existing City regulations pertaining to construction noise by all projects would reduce the potential for a cumulative impact. For example, it was determined that the implementation of Mitigation Measures 3.6-1 would prevent the proposed Project's own construction noises from increasing noise levels above the construction threshold. Similar mitigation strategies by any other construction projects would likewise reduce their own respective construction noise impacts and ensure that nearby receptors not experience individual or cumulative construction-related noise increases in excess of the applicable threshold.

Response M-106: The commentor provided the following comment on the Draft EIR:

The Project site has been identified in the City of Fort Bragg' General Plan for future Highway Visitor Commercial uses. Infrastructure needed to support development of the Project area, and the subsequent employment increases, have already been planned and evaluated. Additionally, all lands within the General Plan jurisdiction have been planned to accommodate growth within the City have been evaluated in the General Plan FEIR.

While the proposed Project will result in employment growth, it is not anticipated to significantly induce growth beyond the levels analyzed in the City's General Plan. Implementation of the proposed Project, together with other past, present, and probable future projects, would have a **less than significant** cumulative impact relative to this environmental topic. As a result, implementation of the proposed Project would have a **less than cumulatively considerable** incremental contribution to cumulative impacts related to population and housing.

171

[Same issues as described in the prior comment concerning the cumulative aesthetic impacts.]

170

How and why?

Please see Response M-96 for an explanation regarding the projection approach for the analysis of cumulative impacts, as allowed by CEQA.

Response M-107: The commentor provided the following comment on the Draft EIR:

The relevant applicable analysis scenarios were analyzed using the methodologies described above, and the VMT analysis results are summarized in Table 3.7-17 in Section 3.7. The results indicate that the Project would result in a net increase in VMT over baseline conditions. The model considers a very limited amount of re-routing of Fort Bragg residents that currently go to the Grocery Outlet store located in Willits for grocery shopping. According to information provided by Grocery Outlet, over the last 12 months (June 2021 to June 2022), around 9% of the people that visit their Willits store come from Fort Bragg. Considering that the length of a one-way trip from Fort Bragg to the Willits Grocery Outlet store is approximately 35 miles, and one mile from Fort Bragg to the Project, 990 VMT is equivalent to the re-routing of 30 one-way trips or 15 round trips from the Willits Grocery Outlet store to the Project store. Per the Institute of Transportation Engineers *Trip Generation Manual, 11th Edition*, a grocery store such as the one in Willits generates approximately 3,500 daily one-way trips. Therefore, the re-routing of less of 1% of these trips would result in a net decrease in VMT for both baseline (2022) and future year (2030) conditions.

Overall, implementation of the proposed Project would have a **less than significant** and **less than cumulatively considerable** impact relative to this topic. How? The performance method was not done.

172

Please see Response M-96 for an explanation regarding the projection approach for the analysis of cumulative impacts, as allowed by CEQA.

Response M-108: The commentor provided the following comment on the Draft EIR:

Overall, the Project would not interfere with the implementation of a planned bicycle facility, pedestrian facility, or transit service/facility. The Project, in combination with and past, present, and probable future projects associated with buildout of the various general plans in the County, would not cause a degradation in transit service such that service does not meet performance standards established by the transit operator. The proposed Project, when considered alongside all past, present, and probable future projects (inclusive of buildout of the City's General Plan), would not be expected to cause any significant cumulative pedestrian or bicycle facilities impacts.

173 Cumulative impacts to pedestrian and bicycle facilities would be *less than significant*, and the proposed Project would have a *less than cumulatively considerable* incremental contribution to cumulative impacts on pedestrian or bicycle facilities.

There is no basis for this asserted conclusion. No actual cumulative impacts analysis has been performed.

Please see Response M-96 for an explanation regarding the projection approach for the analysis of cumulative impacts, as allowed by CEQA.

Response M-109: The commentor provided the following comment on the Draft EIR:

According to wastewater generation factors of similar cities in California, commercial uses are estimated to generate 750 gallons per gross acre per day. The Project site includes 16,517 square feet of Commercial uses on 1.63 acres. Using this rate, the proposed Commercial uses would generate approximately 1,223 gallons per day (gpd) of wastewater. The proposed Project would increase the amount of wastewater requiring treatment; however, the City's WWTP has sufficient capacity to service the proposed Project.

174 The proposed Project in combination with future projects associated with buildout of the various general plans in the County would not result in a deficit of capacity warranting improvements to increase treatment capacity. Each Project that receives wastewater collection and treatment services is required to pay a connection fee, which serves as a Project share of service expansion. Implementation of the proposed Project would have a *less than significant* and *less than cumulatively considerable* impact relative to this topic.

175 [Same issues as described in the prior comment concerning the cumulative aesthetic impacts.]

174 Why not? This must be explained.

Please see Response M-96 for an explanation regarding the projection approach for the analysis of cumulative impacts, as allowed by CEQA.

Response M-110: The commentor provided the following comment on the Draft EIR:

176 The water supply for the proposed Project will have the same water supply reliability and water quality as the water supply available to each of the City's other existing and future water customers. Implementation of the proposed Project would have a *less than significant* and *less than cumulatively considerable* impact relative to this topic.

[Same issues as described in the prior comment concerning the cumulative aesthetic impacts.]
Impact 4.19: Cumulative Impact on Stormwater Facilities (*Less than Significant and Less than Cumulatively Considerable*)

Past, pending, and probable future development projects in the area could result in additional discharges of stormwater during storm events. When combined, these future development projects could, in theory, lead to an incremental increase in peak stormwater runoff and potential incremental increases in downstream flood elevations. However, these past, pending, and probable future development projects in the area would be subject to the applicable Fort Bragg Municipal Code relating to stormwater and drainage. Chapter 15.32 Floodplain Management, addresses floodplain regulations and requirements for new development and construction within Flood Hazard Areas delineated by Flood Insurance Rate Maps published by FEMA. Chapter 12.14, Drainage Facility Improvements and Drainage Fees, addresses the standards and operations of storm drainage improvements by incorporation of Low Impact Development (LID) strategies that minimize impermeable areas, maximize permeable areas, and that slow, spread, and sink runoff so as to recharge groundwater and minimize runoff. Chapter 14.16, Sanitary Code, addresses City requirements for stormwater management and discharge control, including controlling non-stormwater discharges to the stormwater conveyance system, eliminating discharges to the stormwater conveyance system from spills, dumping or disposal of materials other than stormwater, reducing pollutants in urban stormwater discharges to the maximum extent practicable.

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Please see Response M-96 for an explanation regarding the projection approach for the analysis of cumulative impacts, as allowed by CEQA.

Response M-111: The commentor provided the following comment on the Draft EIR:

177 The proposed Project, when considered alongside all past, present, and probable future projects (inclusive of buildout of the Fort Bragg General Plan), would not be expected to cause any significant cumulative stormwater impacts. The proposed Project would not have cumulatively considerable impacts associated with stormwater. Implementation of the proposed project would have a *less than significant cumulative impact* and *less than cumulatively considerable* incremental contribution to cumulative impacts on stormwater. [Same issues as described in the prior comment concerning the cumulative aesthetic impacts.] **Impact 4.20: Cumulative Impact on Solid Waste Facilities (Less than Significant and Less than Cumulatively Considerable)**

178 The cumulative context for cumulative impacts on solid waste facilities includes the Waste Management service area. Waste Management provides weekly curbside residential and commercial garbage, recycling, and green waste collection within the City of Fort Bragg. Waste collected by Waste Management is taken to Fort Bragg Disposal located at 219 Pudding Creek Road in Fort Bragg for processing and transport. The disposal facility has a maximum daily permitted throughput capacity of 99 tons and per day. The disposal facility is approximately 9.2 acres. This is totally inaccurate. Waste management does not provide these services.

The addition of the volume of solid waste associated with the proposed Project is estimated to be 50.4 pounds per day using a Supermarket rate from CalRecycle of 3.12lbs/1,000sf/day. The proposed Project would be required to comply with applicable state and local requirements including those pertaining to solid waste, construction waste diversion, and recycling. The addition of the volume of solid waste associated with the proposed Project, approximately 50.4 pounds per

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Please see Response M-96 for an explanation regarding the projection approach for the analysis of cumulative impacts, as allowed by CEQA. Please also see Chapter 3.0, Revisions, of this Final EIR, which shows corrections to the discussion in Impact 4.20 of the Draft EIR.

Response M-112: The commentor provided the following comment on the Draft EIR:

OTHER CEQA-REQUIRED TOPICS

4.0

day (approximately 9.2 tons per year) at total buildout, to the Potrero Hills Landfill would not exceed the landfill's remaining capacity.

The Waste Management service area is expected to add numerous developments through 2045. These projects within the region are likely to generate new sources of solid waste that would need to be processed at the Potrero Hills Landfill. The Landfill has sufficient capacity to serve future projects in the City. Implementation of the proposed project, together with past, present, and probable future projects, would have a less than significant cumulative impact relative to this environmental topic. Therefore, this would result in a *less than significant* and a *less than cumulatively considerable* impact on solid waste facilities. How?

179 [Same issues as described in the prior comment concerning the cumulative aesthetic impacts.]

Please see Response M-96 for an explanation regarding the projection approach for the analysis of cumulative impacts, as allowed by CEQA.

Response M-113: The commentor provided the following comment on the Draft EIR:

4.3 SIGNIFICANT AND UNAVOIDABLE IMPACTS

CEQA Guidelines Section 15126.2(b) requires an EIR to discuss unavoidable significant environmental effects, including those that can be mitigated but not reduced to a level of insignificance. No significant and unavoidable impacts would result from the proposed Project.

180 This assertion is not justified or supported by the analysis in the DEIR. How?

As discussed through the Initial Study, Sections 3.1 through 3.8 of the Draft EIR, and Chapter 4.0 of the Draft EIR, none of the impacts discussed in the Draft EIR were determined to be significant and unavoidable. All impacts were determined to be less-than-significant or less-than-significant with mitigation.

Response M-114: The commentor provided the following comment on the Draft EIR:

ALTERNATIVES TO THE PROPOSED PROJECT

5.0

5.1 CEQA REQUIREMENTS

The California Environmental Quality Act (CEQA) requires that an Environmental Impact Report (EIR) analyze a reasonable range of feasible alternatives that would feasibly attain most of the basic project objectives while reducing or avoiding one or more significant environmental effects of the project. The range of alternatives required in an EIR is governed by a “rule of reason” that requires an EIR to set forth only those alternatives necessary to permit a reasoned choice (CEQA Guidelines Section 15126.6[f]). Where a potential alternative was examined but not chosen as one of the range of alternatives, the CEQA Guidelines require that the EIR briefly discuss the reasons the alternative was dismissed. The only impacts that were determined to be significant were for biological resources with regard to special-status bird and mammal species, construction noise impacts, and construction vibration.

181

The alternatives need to be selected to reduce the significant impacts identified in the DEIR but the alternatives chosen appear to be geared toward approving the proposed project rather than facilitating truly-informed decision-making and selecting the environmentally superior alternative compared to what is proposed.

182

The first three objectives are achieved by any version of the project. The 4th objective is subjective. And the 5th objective is not achieved by the proposed project for the same reasons the project is not consistent with the Citywide Design Guidelines concerning site layout and parking lot design as well as related CGP policies.

PROJECT OBJECTIVES

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:

- 183 The first 3 objectives are achieved by all alternatives except "No Project"
- 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.

184

This final objective is more achievable with the alternative site layout discussed by the PC during their deliberations. That alternative should be analyzed in the DEIR.

ALTERNATIVES NOT SELECTED FOR FURTHER ANALYSIS

A Notice of Preparation was circulated to the public to solicit recommendations for a reasonable range of alternatives to the proposed Project. One specific alternative was recommended by the general public during the NOP public review process. The suggested alternative was to reuse the existing building for the proposed grocery store. This alternative is analyzed below. 185

"One" is not accurate. Another specific alternative was suggested: an alternative site layout. The City of Fort Bragg considered alternative locations early in the public scoping process. The City's key considerations in identifying an alternative location were as follows:

- Is there an alternative location where significant effects of the Project would be avoided or substantially lessened?
- Is there a site available within the City's Sphere of Influence with the appropriate size and characteristics such that it would meet the basic Project objectives?

186

Since this was not required, why did the City explore alternative sites but not an alternative site layout with the new building to the south and parking and driveway access to the north? That was discussed by the PC to reduce impacts.

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5.0-1

The project objectives help the agency “develop a reasonable range of alternatives to evaluate in the EIR and ... aid decision makers in preparing findings or a statement of overriding considerations, if necessary.” (Guidelines, § 15124,

subd. (b); *In re Bay-Delta etc.*, supra, 43 Cal.4th at p. 1163.) The City has broad discretion to formulate its own project objectives.

The commenter's interpretations of Project objectives and whether or not the alternatives meet the objectives are not binding on the City. Neither do City staff or an EIR consultant's opinions bind City Council. Rather, as explained earlier, City Council will consider the "actual feasibility" of the alternatives, if at all, when, after certifying the FEIR but prior to project approval, the Council considers the feasibility of any alternatives that could reduce the severity of significant unavoidable effects of the proposed Project. (See Guidelines, § 15091, subd. (a)(3).) At that time, the City Council will be free to weigh not only the views of the EIR authors, but also those of the public. Also, at that time, Mr. Patterson's opinions of the proposed Project objectives may be of interest. They raise no legal issues regarding the adequacy of the EIR, however.

Please also see Response M-116 regarding the alternatives impact analysis.

Response M-115: The commentor provided the following comment on the Draft EIR:

5.0 ALTERNATIVES TO THE PROPOSED PROJECT

The City's consideration of alternative locations for the Project included a review of previous land use planning and environmental documents in Fort Bragg including the General Plan. The City has found that there are no feasible alternative locations that exist within the City's Sphere of Influence with the appropriate size and characteristics that would meet the basic Project objectives while avoiding or substantially lessening a significant effect of the proposed Project. The City has determined that alternative locations outside the Sphere of Influence would not be desirable because an expansion of the Sphere of Influence would induce unplanned growth and cause impacts greater than development on the Project site. Moreover, the proposed Project is consistent with both the General Plan designation and the zoning designation for the Project site, and thus is consistent with past City planning decisions regarding the appropriate locations for commercial uses within the City. For these reasons, the City of Fort Bragg determined that there are no alternative locations that need to be included in order to meet the CEQA requirement to address a reasonable range of alternatives. But "these reasons" don't justify rejecting alternative

187 sites and only suggest the proposed site is acceptable. In addition, as discussed in *Citizens of Goleta Valley v. Board of Supervisors* (1990) 52 Cal.3d 553 (*Goleta II*), where a project is consistent with an approved general plan, no off-site alternative need be analyzed in the EIR except in unusual circumstances. The EIR "is not ordinarily an occasion for the reconsideration or overhaul of fundamental land-use policy." (*Goleta II, supra*, 52 Cal.3d at p. 573.) In approving a general plan, the local agency has already identified and analyzed suitable alternative sites for particular types of development and has selected a feasible land use plan. "Informed and enlightened regional planning does not demand a project EIR dedicated to defining alternative sites without regard to feasibility. Such ad hoc reconsideration of basic planning policy is not only unnecessary, but would be in contravention of the legislative goal of long-term, comprehensive planning." (*Goleta II, supra*, 52 Cal.3d at pp. 572-573.) Here, the proposed Project is generally consistent with the types of uses considered in the Fort Bragg General Plan, and thus, in addition to the reasons discussed above, an off-site alternative need not be further discussed in this EIR. Did the City evaluate if "unusual circumstances" apply based on the criteria set out in

5.2 ALTERNATIVES CONSIDERED IN THIS EIR

Three alternatives to the proposed Project were developed based on input from City staff, the public during the NOP review period, and the technical analysis performed to identify the environmental effects of the proposed Project. The alternatives analyzed in this EIR include the following three alternatives in addition to the proposed Project.

- **No Project (No Build) Alternative:** Under this alternative, development of the Project site would not occur, and the Project site would remain in its current existing condition.
- **Building Reuse Alternative:** Under this alternative, the proposed Project would be developed with the same amenities as described in the Project Description, but the existing vacant former office building would be renovated and reused for the grocery store use.
- **Decreased Density Alternative:** Under this alternative, the proposed Project would be developed with the same amenities as described in the Project Description, but the density of the grocery store use would be decreased.

191 There is no clear reason why this alternative was selected because it doesn't meaningfully reduce any of the impacts

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Revise DEIR to add a 4th project alternative of a flipped site layout because it reduces pedestrian and vehicle conflicts and safety impacts and inconsistency with the Citywide Design Guidelines discussed during the prior review.

As discussed on page 5.0-2 on Chapter 5.0 of the Draft EIR, an off-site alternative does not need to be evaluated in the EIR, except in unusual circumstances, where

a Project is consistent with an approved general plan. As stated in the Draft EIR, the proposed Project is consistent with the General Plan. The *Citizens of Goleta Valley v. Board of Supervisors* case asserts that the law does not require in-depth review of alternatives which cannot be realistically considered and successfully accomplished; the County could properly find that a property located outside of its decision making authority was not a feasible project alternative.

Response M-116: The commentor provided the following comment on the Draft EIR:

ALTERNATIVES TO THE PROPOSED PROJECT

5.0

NO PROJECT (NO BUILD) ALTERNATIVE

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. ¹⁹³ **It is noted that the No Project (No Build) Alternative would fail to meet the Project objectives identified by the City of Fort Bragg.** **So? That is almost always the case and not particularly relevant. I recommend deleting this sentence.**

BUILDING REUSE ALTERNATIVE

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. The building size and footprint of the existing building would not change. Additionally, similar to the proposed Project, the southern portion of the site 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. ¹⁹⁵ **This alternative is more consistent with the CGP policies and Citywide Design Guidelines!**

DECREASED DENSITY ALTERNATIVE

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 (0.83 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.** ¹⁹⁷ **What does this accomplish other than being slightly more consistent with the CGP policy to preserve existing open space? That isn't identified as a significant impact so this alternative is not consistent with how CEQA says they should be selected.**

5.3 ENVIRONMENTAL ANALYSIS

The alternatives analysis provides a summary of the relative impact level of significance associated with each alternative for each of the environmental issue areas analyzed in this EIR. Following the analysis of each alternative, Table 5.0-1 summarizes the comparative effects of each alternative.

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5.0-3

In many of the proceeding comments, the commenter claims that the Draft EIR's analysis of certain alternatives is insufficient because it also includes information regarding how the alternatives will reduce impacts that are already less than

significant under the proposed Project. However, the Draft EIR explains how each alternative will reduce at least one impact that is significant without mitigation under the proposed Project. This meets the letter of the law. Nothing in CEQA precludes an agency from providing more information regarding an alternative's impacts in addition to the required discussion.

Moreover, CEQA provides no specific guidance as to which of a project's significant impacts should be the driver for the formulation of alternatives. Rather, as noted above, alternatives need only "substantially lessen any of the significant effects of the project...." (Guidelines, § 15126.6, subd. (a), italics added.) Nor do the alternatives need to focus exclusively on significant unavoidable effects of a project. Rather, an alternative may address any category of impact that might be reduced to less than significant levels by mitigation. This is because "alternatives and mitigation measures have the same function—diminishing or avoiding adverse environmental effects." (Laurel Heights, *supra*, 47 Cal.3d at p. 403.)

The Draft EIR analyzed each alternative's impacts on aesthetics, air quality, biological resources, greenhouse gases, climate change and energy, land use, noise, transportation and circulation, and utilities. (Draft EIR, pp. 5.0-3 – 5.0-17.) In light of this analysis, neither CEQA nor public policy required the City to incur the expense and burden of conducting substantial design and engineering work on the EIR alternatives, as requested by the commenter (see, e.g., Comments 211-213, 216, 223-225, 228, 229, 232, 233, 237, 243, 247, 261 [Draft EIR, pp. 5.0-7 – 5.0-5.0-9, 5.0-11 – 5.0-17, 5.0-21]), in order to flesh out further details. (Guidelines, § 15126.6, subd. (d); Goleta, *supra*, 52 Cal.3d at p. 566; Al Larson, *supra*, 18 Cal.App.4th at pp.745–746; Mann, *supra*, 233 Cal.App.3d at p. 1151.)

As discussed later in the proceeding responses, the City's analysis of the proposed Project's consistency with its own General Plan policies is reasonable and sufficient. Therefore, the Draft EIR's analysis of the alternatives' consistency with these policies is also adequate. When a Final EIR and the proposed Project come before the City Council, the elected members of that body will decide whether the Building Reuse Alternative is the best outcome from their standpoint.

As CEQA Guidelines section 15126.6, subdivision (a), makes clear, an alternative included in an EIR need only be "potentially feasible." The Building Reuse Alternative meets this standard. As the court in Santa Cruz explained, "[t]he issue of feasibility arises at two different junctures: (1) in the assessment of alternatives in the EIR and (2) during the agency's later consideration of whether to approve the project. [Citations.] But 'differing factors come into play at each stage.' [Citation.] For the first phase—inclusion in the EIR—the standard is whether the alternative is potentially feasible. [Citations.] By contrast, at the second phase—the final decision on project approval—the decision making body evaluates whether the alternatives are actually feasible. [Citation.] At that juncture, the

decision-makers may reject as infeasible alternatives that were identified in the EIR as potentially feasible. [Citation.]” (177 Cal.App.4th at p. 981.)

Here, the publication of the Draft EIR represents the “first juncture” at which the issue of potential feasibility of alternative arises. To the extent that City staff and De Novo Planning Group have offered their opinions regarding the extent to which the alternatives do or do not meet particular Project objectives, or seem to give more weight to one objective than another, these staff and consultant opinions will not be binding on the City Council if and when the Council considers the “actual feasibility” of alternatives. That time will come at the “second juncture” at which the feasibility of alternatives is considered, namely, when the City Council, after certifying the Final EIR but prior to project consideration, must consider the feasibility of any alternatives that could reduce the severity of significant unavoidable effects of the proposed Project. (See CEQA Guidelines, § 15181, subd. (a)(3).) Public opinions on the merits of the alternatives will also be part of the consideration at that future time.

Notably, if and when the City Council determines the “actual feasibility” of the EIR alternatives, including the Building Reuse Alternative, the Council will have broad discretion to consider policy outcomes and to give weight to competing project objectives. (See *City of Del Mar v. City of San Diego* (1982) 133 Cal.App.3d 410, 417 [“‘feasibility’ under CEQA encompasses ‘desirability’ to the extent that desirability is based on a reasonable balancing of the relevant economic, environmental, social, and technological factors”]; *Santa Cruz*, supra, 177 Cal.App.4th at p. 1001 [same]; *Sierra Club v. County of Napa* (2004) 121 Cal.App.4th 1490, 1507-1508 (County of Napa) [upholding CEQA findings rejecting alternatives in reliance on applicant’s project objectives]; see also *Santa Cruz*, supra, 177 Cal.App.4th at p. 1001 [“an alternative ‘may be found infeasible on the ground it is inconsistent with the proposed Project objectives as long as the finding is supported by substantial evidence in the record’”]; *Citizens for Open Government v. City of Lodi* (2012) 205 Cal.App.4th 296, 314-315 [court upholds agency action where alternative selected “entirely fulfill” a particular project objective and “would be ‘substantially less effective’ in meeting” the lead agency’s “goals”]; *In re Bay-Delta etc.*, supra, 43 Cal.4th at pp. 1165, 1166 [“feasibility is strongly linked to achievement of each of the primary program objectives;” “a lead agency may structure its EIR alternative analysis around a reasonable definition of underlying purpose and need not study alternatives that cannot achieve that basic goal”]; and *Sequoia Hills Homeowners Assn. v. City of Oakland* (1993) 23 Cal.App.4th 704, 715 [court upholds finding rejecting lower density housing alternative as infeasible, citing city council’s conclusion the fact that “‘the houses would be necessarily more expensive than those of the proposed project’ ... would defeat the proposed Project objective of providing the ‘the least expensive single-family housing for the vicinity’”].)

If and when the Council reaches its ultimate determinations regarding the feasibility of alternatives, the City Council will be free to weigh not only the assessment by the EIR authors of the extent to which the alternatives do or do not meet various project objectives, but also to weigh input from members of the public. All such input may be reasonable and thoughtful; but the ultimate obligation to weigh competing policy considerations lies with the City Council.

In actuality, there will be no need for the City Council ever to reach the question of whether this alternative, or the other two addressed in the EIR, are infeasible, in that the proposed Project does not have any significant unavoidable environmental effects. Much of the discussion above of the distinction between “potential feasibility” and “actual feasibility” is academic, in that here all significant impacts can be reduced to less than significant levels through the adoption of feasible mitigation measures. The Council will therefore not be under any obligation to assess the feasibility of alternatives. (See *Laurel Hills Homeowners Association v. City Council of City of Los Angeles* (1978) 83 Cal.App.3d 515, 520-521 [“if ... feasible mitigation measures substantially lessen or avoid generally the significant adverse environmental effects of a project, the proposed Project may be approved without resort to an evaluation of the feasibility of various project alternatives contained in the environmental impact report”].)

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.

With respect to the commenters request that the Draft EIR be modified to include an analysis of the “actual feasibility” of the Building Reuse Alternative (Comments

258, 261 [Draft EIR, p. 5.0-21], the commenter's request is unwarranted, as case law is clear that EIRs need not address the economic feasibility of alternatives. (See, e.g., *San Franciscans Upholding the Downtown Plan v. City and County of San Francisco* (2002) 102 Cal.App.4th 656, 689-691; *County of Napa*, supra, 121 Cal.App.4th at pp. 1506-1508.) As was explained earlier, actual feasibility is determined, if ever, at the time at which the final decision making body, having certified a Final EIR, is ready to consider the merits of a proposed Project. The mechanism for assessing actual feasibility is the so-called "CEQA Findings" adopted pursuant to Public Resources Code section 21081, subdivision (a), and Guidelines section 15091, subdivision (a).

Consistent with this approach, Guidelines section 15131, subdivision (c), states that "[e]conomic, social, and particularly housing factors shall be considered by public agencies together with technological and environmental factors in deciding whether changes in a project are feasible to reduce or avoid the significant effects on the environment identified in the EIR. If information on these factors is not contained in the EIR, the information must be added to the record in some other manner to allow the agency to consider the factors in reaching a decision on the project."

Response M-117: The commentor provided the following comment on the Draft EIR:

NO PROJECT (NO BUILD) ALTERNATIVE

198

Aesthetics For alternatives analysis, the DEIR should list the relevant impacts that are significant without mitigation not impacts deemed less-than-significant.

As discussed under Impact 3.1-1 in Section 3.1, while the proposed Project would permanently convert the developed site from a vacant building to a new grocery store building, the Project site is designated for and consistent with the use established by the General Plan for the site. As discussed under Impact 3.1-2, impacts associated with substantial damage to scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway, would be less than significant. Similarly, Project implementation would not conflict with an applicable zoning or other regulation governing scenic quality within an urbanized area. Further, impacts associated with light and glare would be less than significant.

199
The 3-1-2 analysis is flawed and likely tree removal is a significant impact.

Under the No Project (No Build) Alternative, the Project site would not be developed, and there would be no change in the visual character of the site, scenic resources, or light and glare emanating from the site. As such, this impact would be reduced when compared to the proposed Project.

Air Quality

Under buildout conditions in Mendocino County, the North Coast Air Basin (NCAB) would continue to experience increases in criteria pollutants. As described in Section 3.1, Mendocino County has a State designation Attainment or Unclassified for all criteria pollutants except for particulate matter of 10 microns or less in size (PM₁₀). Mendocino County has a national designation of either Unclassified or Attainment for all criteria pollutants. Table 3.1-2 presents the state and nation attainment status for Mendocino County.

As discussed under Impact 3.2-1 in Section 3.2, the proposed Project would result in increased emissions primarily from vehicle miles travelled associated with Project implementation. The relevant Mendocino County Air Quality Management District (MCAQMD) CEQA operations-related emissions thresholds of significance as follows: 54 pounds per day of oxides of nitrogen (NO_x), 54 pounds per day of reactive organic gases (ROG), 82 pounds per day of PM₁₀, 54 pounds per year of particulate matter of 2.5 microns or less in size (PM_{2.5}); 10 tons per year of NO_x, 10 tons per year of ROG, 10 tons per year of PM₁₀, and 10 tons per year of PM_{2.5}. Moreover, the MCAQMD has issued clarification (in a December 2013 Advisory) that MCAQMD's indirect and permitting rules allow 125 tons per year of CO. As shown in Table 3.1-8 in Section 3.3, operational emissions would not exceed any of the applicable criteria pollutant thresholds. Additionally, as shown in Table 3.1-9 in Section 3.1, the proposed Project does not exceed the applicable thresholds of significance for construction criteria pollutants. Further, the Project is located in an area that is designated attainment and attainment-unclassified for carbon monoxide. No Project-level conformity analysis is necessary for CO. Substantial concentrations of carbon monoxide are not expected at or along any streets or intersections affected by the development of the Project site.

Please see Response M-12 regarding tree removal and impacts related to aesthetics and Response M-116 regarding the alternatives impact analysis.

Response M-118: The commentor provided the following comment on the Draft EIR:

ALTERNATIVES TO THE PROPOSED PROJECT

5.0

(*200 includes highlights on prior page)

200 policies related to air quality. As such, this impact would be reduced when compared to the proposed Project. So? Please explain how this is relevant. The question presented is if the

alternative reduces a significant impact relative to the proposed project rather than reducing an already less-than-significant impact.

Biological Resources

As described in Section 3.2, Biological Resources, construction in the Project site has the potential to result in impacts to some special-status bird and bat species in the region. 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. Additionally, although no evidence of bat roosting on the Project site was present, there remains a possibility that bats could establish a roost in the abandoned building in the future. Although there has been no documented sighting within the immediate area in, or near the Project site, the Project site provides potential habitat for several species, including those discussed in Section 3.2.

202 False: there ARE documented sitings of locally native herons foraging for gophers on the site. Mitigation Measure 3.2-1 requires measures to avoid or minimize impacts on other protected bird species that may occur on-site, such as preconstruction surveys and appropriate buffers, if needed. Mitigation Measure 3.2-2 requires a preconstruction bat survey and appropriate exclusion methods, if needed.

Under the No Project (No Build) Alternative, the proposed Project would not be constructed, no trees, structures, or potential habitat would be removed, and no ground disturbing activities would occur. As such, this impact would be reduced when compared to the proposed Project.

201 This is accurate but conflicts with prior assertions in the DEIR.

Please see Response M-30 regarding impacts related to special-status species and Response M-116 regarding the alternatives impact analysis.

Response M-119: The commentor provided the following comment on the Draft EIR:

Under the No Project (No Build) Alternative, the Project site would not be developed, and there would be no net change in emissions and no potential for a conflict with any adopted plans or policies related to GHG reductions. As such, this impact would be reduced when compared to the proposed Project. This is mainly because of GHG emissions associated with construction and the need to supply the Grocery Outlet structure with electricity. **GHG emissions from vehicles would be less under the proposed Project, as it would result in small reductions in vehicle miles traveled compared with existing conditions.** **Not clearly established in DEIR because of referenced but omitted table that allegedly provides such analysis.**

203

Land Use

The proposed Project would not conflict with an applicable land use plan, policy, or regulation adopted to avoid or mitigate an environmental effect. Under the No Project (No Build) Alternative, the Project site would not be developed and there would be no potential for conflicts or urban decay. As such, land use impacts would be reduced when compared to the proposed Project. **This assertion is incorrect and not supported by the DEIR analysis, which omits applicable CGP Noise policies that the project is inconsistent with, as discussed in prior comments (e.g., in 3.5).**

204

The proposed Project could increase noise-generating activities associated with the maintenance and operation of the proposed Project, as well as from vehicular traffic and construction. Additionally, increased construction noise and vibration would temporarily result from demolition of the current building and construction of the proposed grocery store. **Mitigation measures provided in Section 3.5 would reduce all potential impacts to a less than significant level.** **Conclusion is not supported by any analysis of the effectiveness of the relevant mitigation measures.** Under the No Project (No Build) Alternative, the Project site would not be developed and there would be no potential for new noise sources. As such, this impact would be reduced when compared to the proposed Project.

205

206

Transportation and Circulation **Accurate but this is not fully consistent with other DEIR content.**

The Project would result in a net increase in VMT over baseline conditions. However, the model considers a very limited amount of re-routing of Fort Bragg residents that currently go to the Grocery Outlet store located in Willits for grocery shopping. As such, the VMT calculation was adjusted for re-routing. According to information provided by Grocery Outlet, over the last 12 months (June 2021 to June 2022), around 9% of the people that visit their Willits store come from Fort Bragg. Considering that the length of a one-way trip from Fort Bragg to the Willits Grocery Outlet store is approximately 35 miles, and one mile from Fort Bragg to the Project, 990 VMT is equivalent to the re-routing of 30 one-way trips or 15 round trips from the Willits Grocery Outlet store to the Project store. Per the Institute of Transportation Engineers Trip Generation Manual, 11th Edition, a grocery store such as the one in Willits generates approximately 3,500 daily one-way trips. Therefore, the re-routing of less of 1% of these trips would result in a net decrease in VMT for both baseline (2022) and future year (2030) conditions. Table 3.7-18 shows the adjusted VMT results accounting for a trip redistribution from the Willits Grocery Outlet to the Fort Bragg

Pease see Response M-84 regarding VMT, Response M-45 regarding General Plan policy consistency, and Response M-61 regarding noise mitigation. Please also see Response M-116 regarding the alternatives impact analysis.

Commenter provides no legal justification regarding comment 209, that policies do not apply to the No Project Alternative.

Response M-120: The commentor provided the following comment on the Draft EIR:

ALTERNATIVES TO THE PROPOSED PROJECT

5.0

Grocery Outlet of 1% and 9%. All transportation-related impacts were determined to be less than significant. Not adequately supported by analysis. The project will have significant transportation-related impacts concerning incompatibility with CGP policies and for pedestrian safety.

The No Project (No Build) Alternative would not introduce additional vehicle trips onto the study area roadways. Rather, retail customers would continue their existing driving patterns in pursuit of groceries. According to information provided by Grocery Outlet, over the last 12 months (June 2021 to June 2022), around 9% of the people that visit their Willits store come from Fort Bragg. Considering that the length of a one-way trip from Fort Bragg to the Willits Grocery Outlet store is approximately 35 miles, and one mile from Fort Bragg to the Project, 990 VMT is equivalent to the re-routing of 30 one-way trips or 15 round trips from the Willits Grocery Outlet store to the Project store. Per the Institute of Transportation Engineers *Trip Generation Manual, 11th Edition*, a grocery store such as the one in Willits generates approximately 3,500 daily one-way trips. Therefore, as noted in Section 3.7 of this Draft EIR, the re-routing of less of 1% of these trips would result in a net decrease in VMT for both baseline (2022) and future year (2030) conditions. Table 3.7-18 shows the adjusted VMT results accounting for a trip redistribution from the Willits Grocery Outlet to the Fort Bragg Grocery Outlet of 1% and 9%. Under the No Project (No Build) Alternative, re-routing of traffic would not occur, and a net decrease in VMT for both baseline (2022) and future year (2030) conditions would not occur. As such, impacts related to CEQA Guidelines Section 15064.3, subdivision (b) would be increased compared to the Project.

208

Table 3.7-18 does not exist so this is merely unsupported assertion. Table 3-7-17 shows a significant impact.

Additionally, under the No Project (No Build) Alternative, transit use would not increase, bicycle storage facilities would not be installed, and pedestrian frontage improvements would not be constructed. Impacts related to conflicts with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities would be increased under this alternative. Further, impacts related to hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment) and emergency access would be similar to the Project. Overall, this alternative would result in

210

increased traffic related impacts compared to the Project.

Conclusion not justified because VMT is shown to increase from the project, which also has pedestrian Utilities safety impacts that wouldn't be created with the No Project alternative.

Implementation of the proposed Project would result in increased flows to the public wastewater system. The wastewater system is capable of handling the increased flows with their existing permit and infrastructure.

Implementation of the proposed Project would result in increased demand for potable water. The City has adequate water supply to handle the increased demand with its existing supply and infrastructure. Assertion is not accurate or justified when the impacts of climate change and

211 sea level rise are (properly) included in the City's water model.

Implementation of the proposed Project would result in increased storm drainage from new impervious surfaces. The proposed Project includes a storm drainage collection system to handle the increased storm drainage.

Implementation of the proposed Project would result in increased generation of solid waste. However, the landfill has adequate capacity to dispose the solid waste.

212

Adequate landfill capacity is not an appropriate metric or threshold of significance due to mandatory state requirements to reduce or divert solid waste from landfills.

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5.0-7

207
209
There is no basis for this conclusion, the cited policies do not apply absent a project, thus there is no "conflict" when baseline conditions are maintained.

Please see Response M-45 regarding General Plan policy consistency, Response M-84 regarding VMT, Response M-91 regarding water demand and sea-level rise,

and Response M-94 regarding solid waste. Please also see Response M-116 regarding the alternatives impact analysis.

Response M-121: The commentor provided the following comment on the Draft EIR:

5.0 ALTERNATIVES TO THE PROPOSED PROJECT

Under the No Project (No Build) Alternative, the Project site would not increase the demand for any utilities, including wastewater services, potable water supplies, or solid waste disposal. There would be no need to construct stormwater drainage infrastructure. Overall, the demand for utilities would be reduced under the No Project (No Build) Alternative when compared to the proposed Project. This conclusion is accurate but omits relevant information that the No Project alternative will also reduce significant impacts relative to the project relating to utilities. 213

BUILDING REUSE ALTERNATIVE

Aesthetics

As discussed under Impact 3.1-1 in Section 3.1, while the proposed Project would permanently convert the developed site from a vacant building to a new grocery store building, the Project site is designated for and consistent with the use established by the General Plan for the site. As discussed under Impact 3.1-2, impacts associated with substantial damage to scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway, would be less than significant. Similarly, Project implementation would not conflict with an applicable zoning or other regulation governing scenic quality within an urbanized area. Further, impacts associated with light and glare would be less than significant.

While the Building Reuse Alternative would be substantially renovated, consistent with the current California Building Code, the building footprint, height, and massing would be similar to the current vacant former office building. As such, impacts related to scenic vistas, scenic resources, and visual character would be reduced when compared to the proposed Project. The building renovation would include renovated interior, exterior, and parking lot lighting in order to facilitate operation of the grocery store use. As such, impacts associated with light and glare would be similar to the Project. 214 How?

All impacts related to utilities as a result of the proposed Project were determined to be less than significant.

Please see Response M-12 regarding tree removal and impacts related to aesthetics. Please also see Response M-116 regarding the alternatives impact analysis.

Response M-122: The commentor provided the following comment on the Draft EIR:

ALTERNATIVES TO THE PROPOSED PROJECT

5.0

Further, the Project is located in an area that is designated attainment and attainment-unclassified for carbon monoxide. No Project-level conformity analysis is necessary for CO. Substantial concentrations of carbon monoxide are not expected at or along any streets or intersections affected by the development of the Project site.

Implementation of the proposed Project would cause an increase in traffic, which is the dominant source of air emissions associated with the proposed Project. 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. The size of the grocery store would somewhat increase from 16,157 sf under the proposed Project to 16,436 sf (an increase of 279 sf). The amount of traffic generated from the Project site would be comparable under this alternative to the proposed Project. Mobile source air emissions are directly correlated to traffic volume; therefore, it is estimated that the similar trip volume would result in a similar amount of the mobile source emissions. Additionally, because the office building would be substantially renovated, consistent with the current California Building Code, the area source emissions would be similar to the Project. However, because full demolition and construction of a new building would not be required under this alternative, construction emissions would be reduced. It is noted that there may be a need to demolish certain aspects of the existing building (i.e. roof, walls, paneling, electrical, etc.). This is the key to this alternative actually being environmentally superior to the proposed project because it avoids or reduces demolition and construction impacts. The grocery store use in the Building Reuse Alternative would be required to adhere to the same mitigation measures as the proposed Project. The Building Reuse Alternative would result in somewhat reduced air emissions associated with the construction phase when compared to the proposed Project. How is "somewhat reduced" calculated or justified? This section should actually analyze the relative impacts in each relevant area of inquiry.

215

216

This comment is noted. Please see Response M-116 regarding the alternatives impact analysis.

Response M-123: The commentor provided the following comment on the Draft EIR:

5.0 ALTERNATIVES TO THE PROPOSED PROJECT

The Building Reuse Alternative would result in development of the entire Project site. Under this alternative, the areas which provide habitat for a variety of bird and bat species would be disturbed or removed. The same mitigation measures required for the proposed Project would be required for this alternative. As such, the Building Reuse Alternative would result in similar impacts to biological resources when compared to the proposed Project. Agreed: the former justifies the latter.

Greenhouse Gases, Climate Change and Energy

217

Short-term construction GHG emissions are a one-time release of GHGs and are not expected to significantly contribute to global climate change over the lifetime of the proposed Project. The City of Fort Bragg has not adopted a regional GHG reduction plan (such as a Climate Action Plan). However, the MCAQMD has developed GHG thresholds for operational emissions. Specifically, the MCAQMD's CEQA Guidelines include guidance on assessing GHGs and climate change impacts as required under CEQA Section 15183.5(b) and establish thresholds of significance for impacts related to GHG emissions. These guidelines are based on substantial evidence to attribute an appropriate share of GHG emissions reductions necessary to reach California GHG reduction goals for new land use development projects in the air district's jurisdiction that are evaluated pursuant to CEQA. The Project is assessed against the MCAQMD numeric threshold of significance of 1,100 metric tons of CO₂e per year. This threshold was developed to ensure at least 90 percent of new GHG emissions would be reviewed and assessed for mitigation, thereby contributing to the Statewide GHG emissions reduction goals. Thus, both cumulatively and individually, projects that generate less than 1,100 MT CO₂e per year have a negligible contribution to overall emissions.

As presented in Table 3.3-1 in Section 3.3, short-term construction emissions of GHGs are estimated at a maximum of approximately 123.9 MT CO₂e per year. As shown in presented in Table 3.3-2 in Section 3.3, the annual mitigated GHG emissions associated with the proposed Project would be approximately 696.5 MT CO₂e.

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. 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. The renovation would increase the energy efficiency of the building compared to existing conditions. The grocery store use in the Building Reuse Alternative would be required to adhere to the same mitigation measure as the proposed Project. The comparable size of the proposed grocery store building and the Building Reuse Alternative grocery store building would result in a corresponding comparable level of operational GHG emissions when compared to the proposed Project. However, because demolition and construction of a new building would not be required under this alternative, construction-related GHG emissions would be reduced. As such, the GHG emissions relating to construction would be somewhat reduced when compared to the proposed Project. Agreed. 218

Land Use

219

False: there ARE clear or likely conflicts with several applicable CGP policies. The proposed Project would not conflict with an applicable land use plan, policy, or regulation adopted to avoid or mitigate an environmental effect. The Building Reuse Alternative would result

5.0-10

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Please see Response M-45 regarding General Plan policy consistency.

Please also see Response M-116 regarding the alternatives impact analysis.

Response M-124: The commentor provided the following comment on the Draft EIR:

ALTERNATIVES TO THE PROPOSED PROJECT

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in a comparable amount of grocery store square footage on the same site as the Project. The same land use and zoning regulations would apply to this alternative as the Project. **Because the same use and comparable size would result under this alternative, the impacts to land use would be comparable to the Project.** **This is not accurate. The building reuse alternative isn't adequately analyzed in this DEIR because many of the proposed project's conflicts with applicable CGP policies and Noise Design Guidelines relate to site layout, which would be different rather than comparable to...**

The proposed Project could increase noise-generating activities associated with the maintenance and operation of the proposed Project, as well as from vehicular traffic. Additionally, increased construction noise and vibration would temporarily result from demolition of the current building and construction of the proposed grocery store. **Mitigation measures provided in Section 3.6 would reduce all potential impacts to a less than significant level.** **Not actually justified.**

The Building Reuse Alternative would result in a comparable amount of grocery store square footage as the Project; therefore, the operational noise impacts associated with the alternative would be similar to the vehicular and operational activities of the proposed Project. However, because demolition and construction of a new building would not be required under this alternative, construction noise and vibration would be reduced. It is noted that all noise and vibration issues would be mitigated, as appropriate, through noise attenuation and best management practices. **Nevertheless, due to the reduced construction noise under this alternative, construction noise and vibration impacts would be reduced when compared to the proposed Project.** **True but should revise to include "demolition and construction noise".**

Transportation and Circulation

The Project would result in a net increase in VMT over baseline conditions. However, the model considers a very limited amount of re-routing of Fort Bragg residents that currently go to the Grocery Outlet store located in Willits for grocery shopping. As such, the VMT calculation was adjusted for re-routing. According to information provided by Grocery Outlet, over the last 12 months (June 2021 to June 2022), around 9% of the people that visit their Willits store come from Fort Bragg. Considering that the length of a one-way trip from Fort Bragg to the Willits Grocery Outlet store is approximately 35 miles, and one mile from Fort Bragg to the Project, 990 VMT is equivalent to the re-routing of 30 one-way trips or 15 round trips from the Willits Grocery Outlet store to the Project store. Per the Institute of Transportation Engineers Trip Generation Manual, 11th Edition, a grocery store such as the one in Willits generates approximately 3,500 daily one-way trips. Therefore, in conclusion, the re-routing of less of 1% of these trips would result in a net decrease in VMT for both baseline (2022) and future year (2030) conditions. Table 3.7-18 shows the adjusted VMT results accounting for a trip redistribution from the Willits Grocery Outlet to the Fort Bragg Grocery Outlet of 1% and 9%. All transportation-related impacts were determined to be less than significant.

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. The comparable size of the grocery store buildings under the proposed Project and this alternative would result in a comparable amount of traffic generated from the Project site. **However, due to the current layout of the**

223
Note: this is merely a recitation of the analysis about the project found in the rest of the DEIR. This section is supposed to analyze the specific project alternatives not just make conclusory statements about the relative impacts of the alternative compared to the proposed project.

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5.0-11

Please see Response M-45 regarding General Plan policy consistency.

Response M-125: The commentor provided the following comment on the Draft EIR:

5.0 ALTERNATIVES TO THE PROPOSED PROJECT

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 on-site circulation and pedestrian access is safe and adequately provided. Overall, the Building Reuse Alternative would result in similar traffic related impacts when compared to the proposed Project. Transportation impacts (rather than just traffic) would likely be reduced by this alternative but relevant analysis is currently omitted. Revise DEIR accordingly.

Utilities 225

Implementation of the proposed Project would result in increased flows to the public wastewater system. The wastewater system is capable of handling the increased flows with their existing permit and infrastructure.

Implementation of the proposed Project would result in increased demand for potable water. The City has adequate water supply to handle the increased demand with their existing supply and infrastructure. Again, not clearly justified as discussed elsewhere. 226

Implementation of the proposed Project would result in increased storm drainage from new impervious surfaces. The proposed Project includes a storm drainage collection system to handle the increased storm drainage.

Implementation of the proposed Project would result in increased generation of solid waste. However, the landfill has adequate capacity to dispose the solid waste. Again, not particularly relevant. 227

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. Utility improvements would still be required for this alternative. Operation of the Building Reuse Alternative would result in a comparable amount of wastewater, water demand, stormwater runoff, and solid waste generated from the Project site. The amount of pervious surfaces under this alternative would be comparable to the Project. Additionally, the grocery store use in the Building Reuse Alternative would be required to adhere to the same mitigation measures as the proposed Project, and the comparable amount of square footage would result in similar utility demands. The Building Reuse Alternative would result in similar demand on utility systems when compared to the proposed Project. However, because demolition of the existing building would not occur under this alternative, the amount of construction debris and waste would decrease compared to the Project.

Overall, this alternative would have comparable wastewater treatment demand, water demand, and storm water runoff when compared to the proposed Project. Nevertheless, due to the decrease in construction debris and waste compared to the Project, this alternative would have somewhat reduced impacts related to solid waste generation when compared to the proposed Project. This conclusory statement appears reasonable on its face but CEQA requires actual supporting analysis and the alternatives section, in particular, is very important and should be more detailed than is currently presented. Revise DEIR to include actual analysis of the projected impacts of the alternatives and how those impacts relate to the projected impacts of the project as proposed. The feasibility of each project alternative is also supposed to be included but is currently omitted; revise to address.

229

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Pease see Response M-84 regarding VMT, Response M-94 regarding solid waste, and M-91 regarding water demand and sea-level rise.

224
Yes, these areas are supposed to be analyzed in this section of the DEIR but are not. The project alternatives need additional detail that is currently lacking.

228
This is not accurate or supported. Building reuse likely significantly reduces solid waste from avoided demolition and construction activities. The DEIR should be revised to actually analyze the quantitative differences.

Please also see Response M-116 regarding the alternatives impact analysis.

Response M-126:

The commentor provided the following comment on the Draft EIR:

ALTERNATIVES TO THE PROPOSED PROJECT

5.0

DECREASED DENSITY ALTERNATIVE

Aesthetics

As discussed under Impact 3.1-1 in Section 3.1, while the proposed Project would permanently convert the developed site from a vacant building to a new grocery store building, the Project site is designated for and consistent with the use established by the General Plan for the site. As discussed under Impact 3.1-2, impacts associated with substantial damage to scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway, would be less than significant. Similarly, Project implementation would not conflict with an applicable zoning or other regulation governing scenic quality within an urbanized area. Further, impacts associated with light and glare would be less than significant.

The Decreased Density Alternative would result in development on the Project site, but the development would be reduced with 0.49 acres remaining in its current condition. The 0.49 acres that would remain undeveloped would be located in the southern portion of the site, which is largely undeveloped. As such, the amount of light and glare emanating from the site would be reduced compared to the Project. Similarly, the reduced building size would result in reduced impacts related to scenic vistas, scenic resources, and scenic quality. How? There is no supporting analysis for these assertions and a smaller size will not necessarily do this. Revise the

Air Quality DEIR to actually include the supporting analysis and determine relative impacts.

Under buildout conditions in Mendocino County, the NCAB would continue to experience increases in criteria pollutants. As described in Section 3.1, Mendocino County has a State designation Attainment or Unclassified for all criteria pollutants except for PM₁₀. Mendocino County has a national designation of either Unclassified or Attainment for all criteria pollutants. Table 3.1-2 presents the state and nation attainment status for Mendocino County.

Please see Response M-116 regarding the alternatives impact analysis.

231 This makes no sense. What is the benefit of leaving a likely undevelopable portion of the project site and constructing a smaller store? Failing to preserve open space is not identified as a significant impact.

This alternative is inappropriate because it fails to reduce any impact that is identified as being significant without mitigation or is significant and unavoidable. CEQA requires EIRs to analyze alternatives that actually (relatively) reduce potentially significant impacts.

230

232

Response M-127: The commentor provided the following comment on the Draft EIR:

5.0 ALTERNATIVES TO THE PROPOSED PROJECT

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. Because the disturbance area would be comparable to the Project, and because the same type of building would be constructed on the site, the construction related emissions would be comparable to the Project. However, this approximately 30 percent reduction in square footage and parking area would likely represent an approximately 30 percent reduction in the amount of traffic generated from the Project site. Mobile source air emissions are directly correlated to traffic volume; therefore, it is estimated that the reduced trip volume would reduce the mobile source emissions by approximately the same 30 percent. Additionally, this alternative would have a reduction in area source emissions proportional to the reduction in square footage. Why? What is the source for this?

233

The decrease in square footage and reduced traffic volumes under this Alternative would result in reductions in air emissions. Therefore, the Decreased Density Alternative would result in reduced air emissions when compared to the proposed Project.

Biological Resources

As described in Section 3.2, Biological Resources, construction in the Project site has the potential to result in impacts to some special-status bird and bat species in the region. 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. Additionally, although no evidence of bat roosting on the Project site was present, there remains a possibility that bats could establish a roost in the abandoned building in the future. Although there has been no documented sighting within the immediate area in, or near the Project site, the Project site provides potential habitat for several species, including those discussed in Section 3.2.

Mitigation Measure 3.2-1 requires measures to avoid or minimize impacts on other protected bird species that may occur on-site, such as preconstruction surveys and appropriate buffers, if needed. Mitigation Measure 3.2-2 requires a preconstruction bat survey and appropriate exclusion methods, if needed.

The Decreased Density Alternative would result in development on the Project site, but the development would be reduced with 0.49 acres remaining in its current condition. The 0.49 acres that would remain undeveloped would be located in the southern portion of the site, which is largely undeveloped. As such, because a portion of the area not currently developed would remain open and undeveloped, and would retain whatever biological values are associated with that condition. The same mitigation measures required for the proposed Project would be required for this alternative. For this reason, the Decreased Density Alternative would have a somewhat reduced impact to the proposed Project.

235
236 What? It is not clear what "reason" this refers to or how this project alternative reduces any significant impacts relative to the proposed project. Revise to include such relevant analysis, including the reduced conflict with the CGP policy that is intended to preserve or restore open space, which is partially accomplished in this project alternative.

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Trip generation rates are calculated using a trip generation rate and multiplying that rate by a unit count or building size, for example. Air emissions are calculated similarly because, as a building size decreases, fewer appliances and energy

intensive uses are included, reducing area emissions. The reduced trip generation with a smaller building also reduces mobile emissions.

Please see Response M-45 regarding General Plan policy consistency and Response M-116 regarding alternatives impact analysis.

See Chapter 3.0, Revisions, of the Final EIR for clarifying edits to the sentence which pertains to Comment 235.

Response M-128: The commentor provided the following comment on 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. Because the disturbance area would be comparable to the Project, and because the same type of building would be constructed on the site, the construction related emissions would be comparable to the Project. The decrease in building square footage and parking under this Alternative would significantly decrease the total GHG emissions. As such, the GHG emissions impact is reduced when compared to the proposed Project. How? There is no analysis to support a determination that this alternative would "significantly decrease" emissions. Revise DEIR to include such analysis. 237

Land Use

238 Again, this assertion is not accurate.

The proposed Project would not conflict with an applicable land use plan, policy, or regulation adopted to avoid or mitigate an environmental effect. Under the Decreased Density Alternative, the grocery store would be reduced by approximately 30 percent from 16,157 sf to 11,310 square feet and the development would be reduced with 0.49 acres remaining in its current condition. The same land use and zoning regulations would apply to this alternative as the Project. The same use as the Project would result under this alternative, and the size of the grocery store under this alternative would be within the allowed range for the site. As such, the impacts to land use would be comparable to the Project. This conclusion is based on an improperly narrow focus on the the permissible land uses rather than the project's and project alternatives' relative consistency with applicable land use policies that were adopted to protect environmental resources. 239

Noise

The proposed Project could increase noise-generating activities associated with the maintenance and operation of the proposed Project, as well as from vehicular traffic. Additionally, increased construction noise and vibration would temporarily result from demolition of the current building and construction of the proposed grocery store. Mitigation measures provided in Section 3.5 would reduce all potential impacts to a less than significant level. Again, not clearly justified. 240

Please see Response M-127 regarding the corresponding reduction in air emissions, including greenhouse gas emissions, which results when building size is reduced. Please also see Response M-45 regarding General Plan policy consistency and Response M-61 regarding noise mitigation.

Response M-129: The commentor provided the following comment on the Draft EIR:

5.0 ALTERNATIVES TO THE PROPOSED PROJECT

Because the development footprint and development type would be the same or comparable to the Project, noise impacts would also be similar to the Project. **Because the Decreased Density Alternative would result in less development, the noise impacts associated with the future use would be reduced when compared to the proposed Project.** All other noise issues would be similar to the proposed Project, but on a reduced scale given the 30 percent decrease in development intensity under this alternative. The same mitigation measures required for the proposed Project would be required for this alternative. **Under this alternative, noise impacts would be reduced proportionate to the reduced development area.** **This determination is not clearly justified because**

241
Why and how would the operational noise be reduced?

Transportation and Circulation

242

it is not the result of actual analysis, only superficial or conclusory statements and assumptions.

The Project would result in a net increase in VMT over baseline conditions. However, the model considers a very limited amount of re-routing of Fort Bragg residents that currently go to the Grocery Outlet store located in Willits for grocery shopping. As such, the VMT calculation was adjusted for re-routing. According to information provided by Grocery Outlet, over the last 12 months (June 2021 to June 2022), around 9% of the people that visit their Willits store come from Fort Bragg. Considering that the length of a one-way trip from Fort Bragg to the Willits Grocery Outlet store is approximately 35 miles, and one mile from Fort Bragg to the Project, 990 VMT is equivalent to the re-routing of 30 one-way trips or 15 round trips from the Willits Grocery Outlet store to the Project store. Per the Institute of Transportation Engineers Trip Generation Manual, 11th Edition, a grocery store such as the one in Willits generates approximately 3,500 daily one-way trips. Therefore, the re-routing of less of 1% of these trips would result in a net decrease in VMT for both baseline (2022) and future year (2030) conditions. Table 3.7-18 shows the adjusted VMT results accounting for a trip redistribution from the Willits Grocery Outlet to the Fort Bragg Grocery Outlet of 1% and 9%. All transportation-related impacts were determined to be less than significant. **Again, this first paragraph is not necessary or particularly relevant. However, the DEIR is supposed to include actual analysis of the relative significance of the impacts, which is omitted.**

243

Under this alternative, the decrease in square footage and parking areas, and the corresponding decreases in traffic volumes, would result in reductions in traffic congestion. Therefore, the Decreased Density Alternative would result in reduced traffic related impacts when compared to the proposed Project.

These determinations are not supported or clearly justified without supporting analysis. Revise DEIR to include such support.

Utilities

244

Implementation of the proposed Project would result in increased flows to the public wastewater system. The wastewater system is capable of handling the increased flows with their existing permit and infrastructure.

Implementation of the proposed Project would result in increased demand for potable water. **The City has adequate water supply to handle the increased demand with their existing supply and infrastructure.** **Again, not clearly justified or accurate. Revise DEIR to include analysis of the relative significance of impacts of the project alternative compared to the proposed project.**

245

Implementation of the proposed Project would result in increased storm drainage from new impervious surfaces. The proposed Project includes a storm drainage collection system to handle the increased storm drainage.

5.0-16

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Similar to air emissions, when trip generation decreases as a result of a reduced building size, the mobile noise also decreases. Please see Response M-84

regarding VMT, Response M-127 regarding trip generation, and Response M-91 regarding water demand and sea-level rise.

Please see Response M-116 regarding the alternatives impact analysis.

Response M-130: The commentor provided the following comment on the Draft EIR:

ALTERNATIVES TO THE PROPOSED PROJECT

5.0

Implementation of the proposed Project would result in increased generation of solid waste. However, the landfill has adequate capacity to dispose the solid waste.

Under the Decreased Density, 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 total development would be reduced by approximately 30 percent. This reduction in square footage and footprint would represent an approximately 30 percent reduction in the amount of wastewater and solid waste generated from the Project site. This reduction would also reduce water demand by approximately 30 percent. There would be approximately 0.49 more acres of pervious soils, thereby reducing the amount of storm drainage from the Project site. While uses in the Decreased Density Alternative would be required to adhere to the same mitigation measures as the proposed Project, the decrease in square footage and parking areas would reduce the utility demands.

Overall, this alternative would have less wastewater treatment demand, less water demand, less solid waste generated, and less storm water runoff when compared to the proposed Project. As such, this alternative would have a reduced impact when compared to the proposed Project.

How is this justified? Revise DEIR to provide supporting analysis for this conclusion.

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 (No Build) 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.

Table 5.0-1 presents a comparison of the alternative Project impacts with those of the proposed Project. As discussed above, there is not adequate support for the conclusions reflected in Table 5.0-1.

As shown in the table, the 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. So? There is no requirement that the environmentally superior alternative fully

meet ALL objectives; it only needs to be feasible and meet most objectives.

See Section 5.4 below for a comparative evaluation of the objectives for each alternative. The following Section 5.4 is fatally flawed without significant revision and does not actually support the DEIR's above determination that the reduced scope project is the environmentally superior alternative. The adaptive reuse alternative significantly reduces impacts compared to the proposed project, as discussed in prior comments within each DEIR section. When those additional potentially significant impacts, including some of the impacts that the DEIR asserts are reduced to less-than-significant with mitigation without actually calculating the effectiveness of the mitigation measures reducing the significance of the impacts, the adaptive reuse alternative is likely to be found to be the environmentally superior alternative compared to the reduced scope alternative which doesn't avoid or reduce the additional impacts.

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5.0-17

246 These assertions are not supported. Are these just assumptions? How does this relate to the modelling used to evaluate the impacts of the proposed project?

248

249 How?

250 Not clear how that was determined

251

252

Please see Response M-116 regarding alternatives impact analysis.

Similar to trip generation calculations, solid waste, water demand, and wastewater generation are typically based off building size. The building size is multiplied by the generation or demand rate. So, as building size decreases, solid waste, water demand, and wastewater generation typically decrease.

Response M-131: The commentor provided the following comment on the Draft EIR:

253

5.0 ALTERNATIVES TO THE PROPOSED PROJECT

The relative impact determinations listed in this table are not based on adequate analysis, including a complete lack of quantifiable information about the potentially significant impacts of each alternative. It is thus unreliable and not fit for purpose to evaluate which alternative is environmentally superior compared to the other alternative. Revise to include relevant calculations.

TABLE 5.0-1: COMPARISON OF ALTERNATIVE PROJECT IMPACTS TO THE PROPOSED PROJECT

ENVIRONMENTAL TOPIC	PROPOSED PROJECT ¹	NO PROJECT (NO BUILD) ALTERNATIVE	BUILDING REUSE ALTERNATIVE	DECREASED DENSITY ALTERNATIVE
SECTION 3.1, AESTHETICS				
AES Impact 3.1-1	LS	Less	Equal	Less
AES Impact 3.1-2	LS	Less	Equal	Less
AES Impact 3.1-3	LS	Less	Equal	Less
AES Impact 3.1-4	LS	Less	Equal	Less
SECTION 3.2, AIR QUALITY				
AQ Impact 3.2-1	LS	Less	Less	Less
AQ Impact 3.2-2	LS	Less	Less	Less
AQ Impact 3.2-3	LS	Less	Equal	Equal
AQ Impact 3.2-4	LS	Less	Less	Less
AQ Impact 3.2-5	LS	Less	Equal	Equal
SECTION 3.3, BIOLOGICAL RESOURCES				
BIO Impact 3.3-1	LS	Less	Equal	Equal
BIO Impact 3.3-2	LS/MM	Less	Equal	Less
BIO Impact 3.3-3	LS/MM	Less	Equal	Equal
BIO Impact 3.3-4	LS	Less	Equal	Equal
BIO Impact 3.3-5	LS	Less	Equal	Equal
BIO Impact 3.3-6	LS	Less	Equal	Equal
BIO Impact 3.3-7	LS	Less	Equal	Equal
SECTION 3.4, GREENHOUSE GASES, CLIMATE CHANGE AND ENERGY				
GHG Impact 3.4-1	LS	Less	Less	Less
GHG Impact 3.4-2	LS	Less	Less	Less
SECTION 3.5, LAND USE				
LU Impact 3.5-1	LS	Less	Equal	Equal
LU Impact 3.5-2	LS	Less	Equal	Equal
SECTION 3.6, NOISE				
NOI Impact 3.6-1	LS/MM	Less	Equal	Less
NOI Impact 3.6-2	LS/MM	Less	Less	Less
SECTION 3.7, TRANSPORTATION AND CIRCULATION				
TC Impact 3.7-1	LS	More	Equal	Less
TC Impact 3.7-2	LS	More	Equal	Less
TC Impact 3.7-3	LS	Less	Equal	Less

5.0-18

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Please see Responses M-116 through M-130.

Response M-132: The commentor provided the following comment on the Draft EIR:

2. *Develop a grocery store that provides customers with comparatively affordable groceries at a convenient location for their shopping needs.*

The No Project (No Build) Alternative would not satisfy this Project objective because under this alternative, the Project site would remain in its current existing condition and development of a grocery store that provides customers with a convenient location for their shopping needs would not occur. Both the Building Reuse Alternative and Decreased Density Alternative would meet this objective because both alternatives would develop a grocery store on-site. However, due to the reduced size of the Decreased Density Alternative, this alternative would meet this objective to a lesser extent than the proposed Project and the Building Reuse Alternative. This is not adequately supported. 254

The location is the same and the relative affordability is the same so there is no difference between the two alternatives.

3. *Develop a grocery store that would generate additional revenues to the City in the form of increased sales and property tax revenues.*

The No Project (No Build) Alternative would not satisfy this Project objective because under this alternative, the Project site would remain in its current existing condition and would not develop a grocery store that would generate additional revenues to the City in the form of increased sales and property tax revenues. Both the Building Reuse Alternative and the Decreased Density Alternative would meet this objective because both alternatives would generate additional revenues to the City. It is noted, however, that the reduced building size under the Decreased Density Alternative would likely result in decreased sales and property tax revenues compared to the Project. This is not adequately supported. There is no analysis to show decreased tax revenue due to a smaller store. Most groceries are not taxed so fewer products does not necessarily mean taxes will decrease. 255

4. *Develop a grocery store that would create new jobs in the City.*

The No Project (No Build) Alternative would not satisfy this Project objective because under this alternative, the Project site would remain in its current existing condition and would not develop a grocery store that would create new jobs in the City. Both the Building Reuse Alternative and the Decreased Density Alternative would meet this objective because both alternatives would create new jobs in the City. It is noted, however, that (similar to the above) the reduced building size

Please see Response M-116 regarding Project objectives and Project alternatives.

It is noted that many items which may be sold at the Grocery Outlet store would be subject to sales tax. In California, sales tax generally applies to sales of:²

- Alcoholic beverages
- Books and publications
- Cameras and film
- Carbonated and effervescent water
- Carbonated soft drinks and mixes
- Clothing
- Cosmetics
- Dietary supplements
- Drug sundries, toys, hardware, and household goods

² Source: <https://www.cdtfa.ca.gov/industry/grocery.htm#Topics>

- Fixtures and equipment used in an activity requiring the holding of a seller's permit, if sold at retail
- Food sold for consumption on the premises
- Hot prepared food products
- Ice
- Kombucha tea (if alcohol content is 0.5% or greater by volume)
- Medicated gum (Nicorette, Aspergum)
- Newspapers and periodicals
- Nursery stock
- Over-the-counter medicines, such as aspirin, cough syrups, cough drops, throat lozenges, and so forth
- Pet food and supplies
- Prepaid mobile telephone services
- Soaps or detergents
- Sporting goods

Response M-133: The commentor provided the following comment on the Draft EIR:

ALTERNATIVES TO THE PROPOSED PROJECT

5.0

under the Decreased Density Alternative would likely result in decreased jobs generation compared to the Project. This is not adequately supported. There is no analysis to suggest this particular reduced size will reduce the number of new jobs at Grocery Outlet.

5. Develop an aesthetically attractive grocery store and landscaping on an infill site.

The No Project (No Build) Alternative would not satisfy this Project objective because under this alternative, the Project site would remain in its current existing condition and development of a grocery store on an infill site with new improvements and landscaping to improve the aesthetic of the site for residents and passersbys would not occur. The Building Reuse Alternative would partially meet this objective 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. 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. The Decreased Density Alternative would meet this objective because a grocery store would be developed on an infill site with new improvements and landscaping to improve the aesthetic of the site for residents and passersbys. **Revise DEIR to include actual feasibility analysis rather than unverified and self-serving assertions from the applicant.**

6. Design a site plan that minimizes circulation conflicts between automobiles and pedestrians.

The No Project (No Build) Alternative would not satisfy this objective because under this alternative, the Project site would remain in its current existing condition and would not design a site plan that minimizes circulation conflicts between automobiles and pedestrians. Under the Building Reuse 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 this objective, but to a lesser extent than the proposed Project and the Decreased Density Alternative. The Decreased Density Alternative would meet this objective. **How is it "lesser? There is no clear justification or support.**

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Actual analysis of the building reuse alternative, including the different site plan and parking lot configuration with associated driveway connections should be included in the DEIR. Doing so is required by CEQA yet the current draft does not incorporate this relevant information and analysis. In fact, one of the reasons that CEQA only requires a minimum of the no project alternative and two other alternatives in an EIR, is because of the necessary time and financial reosures that must be dedicated to properly evaluating the identified project alternatives in the EIR. Unfortunately, as currently written this DEIR fails to meet these requirements concerning adequate Alternatives analysis. Instead it mostly includes a redundant and unnecessary reiteration of the impacts of the proposed project and then superficially compares the alternatives to the relative impacts of the proposed project. Rather than providing consistently meaningful analysis, it includes unsupported assertions based on mere assumptions about the relative significance of the impacts. The DEIR also omits actual feasibility analysis. The lack of any feasibility analysis is particularly objectionable because unsupported assertions of the infeasibility of building reuse are referenced to try to justify rejecting the environmentally superior alternative of building reuse. Finally, the DEIR concludes (but without supporting analysis) that the reduced scope is environmentally superior compared to the building reuse alternative. As discussed above, that conclusion is not adequately supported. The revised EIR may very well indicate that building reuse is actually the environmentally superior alternative.

Draft Environmental Impact Report – Best Development Grocery Outlet 5.0-21

Please see Response M-116 regarding Project objectives and Project alternatives.

Response M-134:

The commentor provided the following comment on the Draft EIR:

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This is not justified and misleading. The applicant did assert infeasibility but the assertion is not supported by any evidence of its accuracy. There is no proof of mold and asbestos can be easily remediated. The central location on the site is also more consistent with local planning documents. The landscaping and exterior will be upgraded and subject to identical requirements as new construction.

256
This is not adequately supported. Both options provide for an attractive building on an infill site subject to the same Design Guidelines.

260

- City of Fort Bragg. 2014. City of Fort Bragg Design Guidelines – Chapter 2 Commercial District Design Guidelines. Accessed March 2022. Available at: <https://www.city.fortbragg.com/home/showpublisheddocument/2544/63772644745277000>
- 262 0. What about the Design Guidelines revised in 2022? The DEIR refers to the both versions of the Citywide Design Guidelines. When was the new application deemed complete?

Design Review is not required at the EIR phase. As discussed in the Draft EIR, the Project is subject to the mandatory provisions of the City's Design Guidelines. The aesthetic impacts of the proposed Project have already been analyzed in the EIR. While not a CEQA issue, City staff's analysis of the Project against the mandatory guidelines is included as new Appendix E of this Final EIR. The analysis includes conditions to ensure compliance where required.

The 2022 Design Guidelines were added to Chapter 7.0 of the Draft EIR. See Chapter 3.0, Revisions, of this Final EIR for the addition.

Response M-135: The commentor provided the following comment on the Draft EIR:

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Wildlife Resource Managers. Grocery Outlet Fort Bragg, California Property Biological Review. August 2019.

Why are the entitlement review documents from the prior identical application for this project that was reviewed and approved based on an MND rather than an EIR not included in this reference list? The DEIR and appendices include several references to that prior review, including the consultant's reliance on the MND and the studies and comments concerning the prior project and its MND (e.g., for scoping purposes related to this DEIR) so they should be included in the reference list.

Specifically, this Section 7.0 of the DEIR should be revised to include the following: the adopted MND; the agenda packets for the relevant Planning Commission and City Council meetings about the project, including the prior comments and their attachments as well as the meeting agendas; the adopted minutes of those meetings; the meeting videos, audio recording, or transcripts thereof; and the City Council agenda materials and the adopted resolution vacating the City's prior approval.

All of those documents are relevant to the preparation of this DEIR and should be included as referenced documents because the review itself is technically a distinct entitlement review from this identical project. Currently, this Section 7.0 reference list only includes some of the relevant documents (e.g., the 2020 Initial Study and some of the supporting scientific studies that were carried over to prepare this DEIR) but it should arguably include all of the above. (Perhaps the video, audio, or likely nonexistent transcripts might not be relevant as inputs for this DEIR but the other documents are relevant.) The prior public and responsible agency comments were also already "incorporated by reference" via a June 8, 2022 email comment on the NOP (see Appendix A) so they should be included here or in the new section of the EIR with the timely comments and the responses thereto. The rest of the listed documents were not incorporated by reference but are still relevant. Please revise this Section 7.0 of the DEIR accordingly.

7.0-8 Draft Environmental Impact Report – Best Development Grocery Outlet

The previously-adopted MND is included on page 7.0-4 of Chapter 7.0 of the Draft EIR. The City's July 26, 2021 Agenda Item Summary, the City's June 9, 2021 Agenda Item Summary Report, the City's May 26, 2021 Agenda Item Summary Report, and the Petition for Writ of Mandate dated August 24, 2021 were added to Chapter 7.0 of the Draft EIR. See Chapter 3.0, Revisions, of this Final EIR for the additions.

Response M-136: The commentor provided the following comment on the Draft EIR:

With regards to this MND, page 11 of the Initial Study includes a list of environmental factors where the project might have a “Potentially Significant Impact” or the impacts might be “Potentially Significant Unless Mitigation [is] Incorporated.” Curiously, only Biological Resources, Geology/Soils and Noise were identified in this list even though there is substantial evidence supporting a fair argument that the project may have potentially significant impacts in other areas as well, including those areas identified in various public comments.

Not identified as being potentially impacted were **Aesthetics**, Agriculture and Forestry Resources, **Air Quality**, Cultural Resources, Energy,

No comment is provided. The commenter has highlighted topics which were discussed in an NOP comment letter. The highlighted topics were discussed in a standalone section of the Draft EIR. No further response is warranted.

Response M-137: The commentor provided the following comment on Appendix A of the Draft EIR:

Greenhouse Gas Emissions, Hazards & Hazardous Materials, Hydrology/Water Quality, **Land**, , Mineral Resources, Population/Housing, Public Services, Recreation, , Tribal Cultural Resources, **Utilities/Service Systems**, Wildfire, or . Based on the details and aspects of the proposed project, the 6 highlighted categories should have also been identified as having “Potentially Significant Impact” or the impacts might be “Potentially Significant Unless Mitigation [is] Incorporated” including several areas where the project contributes to cumulatively significant impacts when considered with other projects.

No comment is provided. The commenter has highlighted topics which were discussed in an NOP comment letter. The highlighted topics were discussed in a standalone section of the Draft EIR. No further response is warranted.

Response M-138: The commentor provided the following comment on Appendix A of the Draft EIR:

Facts:

The letter from CDFW stated that, “The Site is located within the Coastal Zone subject to California Coastal Act (CCA) and California Coastal Commission (CCC) coastal wetland regulations. The CCC’s regulation (California Code of Regulations Title 14) establishes a “one parameter definition” that requires evidence of only a single parameter to establish wetland conditions. The wetland delineation protocol in the U.S Army Corps of Engineers (ACOE) Wetland Delineation Manual (Environmental Laboratory 1987) and Western Mountains Valleys and Coast Supplement (ACOE 2010) describes how to evaluate and document wetland indicators of three parameters: vegetation, soil, and hydrology. The protocol also suggests delineations should occur two-weeks following a significant rainfall event during the growing season to observe indicators of hydrology and obtain accurate identification of plant species. With a single site visit in August, the presence of FAC plants, and no description of wetland assessment methods, the conclusion that wetlands are absent is not supported with substantial evidence. The IS/MND should provide substantial evidence to support the determination that wetlands are absent. A wetland delineation following ACOE protocol should be conducted to identify any locations where one or more wetland parameter indicators are present (**Recommendation 1**).”

No comment is provided. The commentor has highlighted topics which were discussed in an NOP comment letter. The highlighted topics were discussed Section 3.3 of the Draft EIR and the soil sampling occurred following rainfall. No further response is warranted.

Response M-139: The commentor provided the following comment on Appendix A of the Draft EIR:

Fact:

The Grocery Outlet Appeal Report prepared by city staff states that, “The impacts on the City’s existing water supply are negligible as the average water usage of a Grocery Outlet, as supplied by the applicant, is 250 – 350 gallons per day, including irrigation for the landscaping. As drought tolerant landscaping will be required, the average is probably on the lower end of this scale. The usage is expected to be less than 25% of the average water usage of other grocers in the City. In part, this is due to the operations of the market which does not include a deli, meat counter, bakery, or food preparation. Everything arrives packaged and in addition to the landscaping, water is used mainly for sanitation, restrooms, and other minor uses. To provide further context, for the FY 19-20 the City produced 272,833,000 gallons of water and sold 200,164,052 gallons. In that year, grocery stores made up less than 2% of the City’s water sales. The increase in water sales in the city would be approximately 0.055% and a 0.04% increase in the usage of treated water. This will be a less than significant increase in water usage.”

No comment is provided. The commenter has highlighted topics which were discussed in an NOP comment letter. The highlighted topic was discussed Section 3.8 of the Draft EIR. No further response is warranted.

Response M-140: The commentor provided the following comment on Appendix F of the Draft EIR:

**TABLE 10
EXISTING PLUS GROCERY OUTLET STORE INTERSECTION QUEUES**

Intersection	Movement	Storage (feet)	Weekday PM Peak Hour						Saturday Peak Hour			
			Existing		Existing Plus Project				Existing		Existing Plus Project	
			Volume (vph)	95 th % Queue (feet)	Volume (vph)		95 th % Queue (feet)		Volume (vph)	95 th % Queue (feet)	Volume (vph)	
					Project only	Total					Project only	Total
SR 1 - Main Street / Cypress Street	NB left	120	20	35	0	20	35	34	50	0	34	50
	SB left	130	43	55	0	43	55	29	45	0	29	45
	EB left	80	17	<25	0	0	<25	15	<25	0	15	<25
	WB left	100	219	140	12	231	150	204	130	13	217	140
Cypress Street / Franklin Street	EB left	75	45	<25	0	45	<25	46	<25	0	46	<25
	WB left	55	8	<25	0	9	<25	2	<25	0	2	<25

Highlighted values exceed available storage

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Note: the left turn lane onto SR1 (aka Main Street) is projected to exceed the available storage capacity of 100 feet, meaning that vehicles waiting to turn left will not all fit in the turn lane and the line of vehicles will extend into the through travel lane. The DEIR makes assertions in the transportation section that conflict with this model result incorrectly asserting that the through land will not be blocked. This amount to a significant impact at this intersection because the applicable threshold of significance for this transportation impact is not based on LOS alone but it based on the traffic patterns backing up so much that the through traffic lane is obstructed by vehicles waiting to turn onto SR1. The relevant issue is the land blockage not the length of the delay at the study intersection based purely on LOS metrics. The DEIR should be revised accordingly and this impact requires mitigation, which will likely be a fair share contribution to the intersection improvements at the nearby intersections of South Street or North Harbor Drive at SR1. Those mitigation measures must be selected and analyzed for effectiveness reducing this otherwise significant impact now. If such effectiveness analysis is deferred into the future based on Caltrans needing to select and approve the relevant traffic control measures (e.g., signal or roundabout) then the future performance criteria to reduce this impact below the threshold of significance need to be established and explicitly included in the DEIR as a current mitigation measure. The DEIR mentions this--it is currently internally inconsistent--but no such mitigation measure is actually included. The CGP Circulation Element policies about LOS, fair share contributions, and maximum implementation timelines need to be reflected in the measure to ensure the project's overall consistency with those CGP policies that were adopted to protect environmental resources.

Traffic Impact Analysis for
Fort Bragg Grocery Outlet Store, Mendocino County, CA

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As shown in Table 10 in Appendix F (shown above), exceedance of the westbound (WB) left turn movement turn lane at the SR 1 - Main Street / Cypress Street intersection is identified (as shown in yellow highlight). This exceedance occurs in the Existing Condition (without the Project) in both weekday PM peak hours and the Saturday peak hour. In the Existing Plus Project Condition, the 95th percentile queue length would increase from 140 feet to 150 feet during the weekday PM peak hours and from 130 feet to 140 feet during the Saturday peak hour. As stated on page 3.7-12 of Section 3.7 of the Draft EIR, Statistically, the 95th percentile queue represents the queue length that would only be exceeded 5 percent of the time during the peak period. The 95th percentile queues are a byproduct of HCM LOS analysis.

As noted on page 3.7-13, the proposed Project will add traffic at some locations where turn lane queues are a consideration. At the SR 1 - Main Street / Cypress Street intersection the proposed Project will add westbound left turns, and the 95th percentile queue may increase by about 10 feet during peak periods. As noted in the discussion of existing conditions, the queue will continue to extend into the transition area between the left turn lane and the adjoining TWLT lane

but will not spillover into the adjoining through lane. Because the through travel lane is not affected, the proposed Project's impact is not significant for purposes of compliance with the Coastal General Plan Circulation Element. No lane blockage would occur, as asserted by the commenter.

Response M-141: The commenter provided the following comment on Appendix F of the Draft EIR:

Project Impacts to Alternative Transportation Modes

Development of the proposed Grocery Outlet may incrementally contribute to the demand for facilities to serve pedestrians, cyclists and transit riders in this area of Mendocino County, but this demand is expected to be relatively minor.

Pedestrian Impacts. It is possible employees or customers of this project will elect to walk in appreciable numbers to and from the site, as there is residential or commercial development near the site. However, sidewalk exists on the streets adjoining the site, and with frontage improvements sidewalks will generally provide a complete path of travel to and from the site. There are two locations where gaps in the pedestrian system may remain, including:

- The south side of South Street from Franklin Street easterly to Myrtle Street (150 feet)
- The north side of North Harbor Drive between Franklin Street and Myrtle Street (100 feet)

265 Gaps do and will also exist directly across Franklin St. directly interfering with pedestrian access.

The gaps exist at locations where it appears that residences were constructed prior to the City of Fort Bragg requiring frontage improvements. Privately maintained landscaping exists near the road. The availability of right of way to construct improvements is unknown.

266 This is incorrect, the City r.o.w. exists but is merely unimproved with sidewalks in various locations.

While it is not the responsibility of the project proponents to install sidewalks along these areas it would be appropriate for the City of Fort Bragg to consider installing NO PARKING signs in the area to preserve the edge of roadway for pedestrians.

267 This statement is incorrect, the prior project approval included the applicant installing additional sidewalk segments near the SE corner of the intersection of Franklin and South Streets, which have a proportionate nexus to the project.

Please see Response M-68.

Response M-142: The commentor provided the following comment on Appendix F of the Draft EIR:

Traffic Signal Warrants. Table 14 notes Year 2040 background traffic volumes and identifies the status of resulting peak hour traffic signal warrants. As indicated, the SR 1 (Main Street) / South Street intersection carries volumes that satisfy warrants in the weekday p.m. peak hour, while the SR 1 (Main Street) / North Harbor Drive intersection satisfies peak hour warrants in the Saturday peak hour. These should be addressed with fair share contributions to improvements at one or both of these intersections and the effectiveness of those measures must be analyzed in this DEIR, which requires revision as a result.

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TABLE 14 YEAR 2040 BASE TRAFFIC SIGNAL WARRANTS						
Intersection	Weekday PM Peak Hour			Saturday Peak Hour		
	Volume (vph)		Warrant Met? ¹	Volume (vph)		Warrant Met? ¹
	Major	Minor		Major	Minor	
Cypress Street / Franklin Street	615	205	No	465	120	No
SR 1 – Main Street / South Street	2,620	100	Yes	2,565	90	No
South Street / Franklin Street	271	165	No	275	70	No
SR 1 – Main Street / No Harbor Dr	2,678	85	No	2,575	150	Yes
No Harbor Drive / Franklin Street	345	80	No	445	105	No
¹ based on Rural Peak Hour volume warrant only						

As discussed in Response M-52, this fair-share contribution will be included as a “Condition of Approval” that will bind both the Applicant and City to this requirement. (Draft EIR, p. 3.7-22 [“[t]he Grocery Outlet Store project proponents should contribute their fair share to the cost of regional circulation improvements by paying adopted fees and making frontage improvements. In addition, the project should contribute its fair share to the cost of cumulatively needed improvements to the SR 1 (Main Street) / South Street intersection”].) Thus, this requirement is enforceable and the proposed Project will be implemented with it intact. (See Berkeley Hillside Preservation, supra, 60 Cal.4th at p. 1119 [CEQA presumes that a project will be implemented as proposed].)

It is noted that the City requires payment of the fair share before a building permit is issued.

Please also see Response M-53.

Response M-143: The commentor provided the following comment on Appendix F of the Draft EIR:

269 **Project Impacts / Mitigation Options.** Based on General Plan policy, the project's cumulative impact is significant at the SR 1 (Main Street) / South Street intersection since the project will cause the intersection to operate at LOS E, which exceeds the LOS D minimum, and peak hour traffic signal warrants are met. **The project's impact is significant, and mitigation is required based on Level of Service.**

Unfortunately, despite this conclusion by the City's experts, no such mitigation is included!

To address future conditions at this location it would be necessary to consider alternatives such as:

- **Prohibit westbound left turns**, as is the case at the SR 1 (Main Street) / North Harbor Drive intersection.
- Install traffic controls that stop the flow of traffic on SR 1 in order to allow side street traffic to enter, such as an **all-way stop**, a **traffic signal** or a **roundabout**.

Table 12 also presents the Levels of Service occurring during the weekday p.m. peak hour with the Grocery Outlet Store as these treatments are pursued. As indicated, prohibiting left turns would result in LOS C at the intersection. While traffic diverted will likely make a right turn before making a u-turn at Cypress Street, the SR 1 (Main Street) / Cypress Street intersection would still operate at LOS C with this additional traffic. The cost to sign and stripe the intersection for these new controls would be minimal. Either a traffic signal or roundabout would yield LOS A, a Level of Service that satisfies the City's minimum standard, but the feasibility of either option at an intersection that is only 700 feet from the Cypress Street traffic signal will need to be confirmed. The cost of a traffic signal on the state highway would likely be about \$500,000, depending on the extent of ancillary intersection improvements required under

KDA

Please see Response M-142.

Response M-144: The commentor provided the following comment on Appendix F of the Draft EIR:

Mitigations. The Grocery Outlet Store project proponents should contribute their fair share to the cost of regional circulation improvements by paying adopted fees and making frontage improvements. In addition, the project should contribute its fair share to the cost of cumulatively needed improvements to the SR 1 (Main Street) / South Street intersection.

270 This is not carried through to the main body of the DEIR with appropriate mitigation measures. Table 16 notes the Grocery Outlet Store project's relative contribution to future traffic volumes at each study intersection based on the method recommended in Caltrans traffic study guidelines. As shown, project trips represent 16.1% of the future new traffic at the SR 1 / South Street intersection. Assuming a \$500,000 traffic signal, the project's contribution could be \$84,500.

TABLE 16 FAIR SHARE CALCULATION						
Location	Weekday PM Peak Hour Traffic (vph)					Fair Share
	Existing	Year 2040		Project Only	Net Future Growth	
		No Project	Plus Project			
A	B	C	C-B	C-A	(C-B)/(C-A)	
SR 1 / Cypress St	2,392	2,780	2,827	47	435	10.8%
Cypress St / Franklin St	815	965	989	24	175	13.7%
SR 1 / South St	2,365	2,740	2,812	72	447	16.1%
South St / Franklin St	458	559	655	96	197	48.7%
SR 1 / No Harbor Dr	2,413	2,788	2,851	63	438	14.4%
No Harbor Dr / Franklin St	363	425	430	5	67	7.5%

Please see Response M-142.

Response M-145: The commentor provided the following comment on Appendix F of the Draft EIR:

Long Term Cumulative Traffic Impacts. Without the Grocery Outlet Store the study intersections are projected to operate with Level of Service that satisfy the minimum LOS D standard in the future with the existing traffic controls. With the addition of the project's traffic the westbound approach to the SR 1 (Main Street) / South Street intersection will operate at LOS E during the weekday p.m. peak hour and during the Saturday peak hour. Peak hour traffic

KDA

Please see Response M-142 and M-146.

Response M-146: The commentor provided the following comment on Appendix F of the Draft EIR:

signal warrants will be satisfied at this location. While the City of Fort Bragg Coastal General Plan accepts LOS E conditions on peak summer weekends, exceeding LOS D on weekdays is a significant impact when traffic signal warrants are met, and mitigation is required.

Cumulative Mitigations. Alternative mitigation measures were considered, and three possibilities exist (i.e., left turn prohibition, traffic signal or roundabout). Any improvements within the state right of way require Caltrans approval. Under *Traffic Operations Policy Directive 13-02*, Caltrans will consider the relative merits of alternative traffic controls when it becomes necessary to stop traffic on state highways. The policy directive requires preparation of an *Intersection Control Evaluation (ICE)* to determine the preferred traffic control.

The Grocery Outlet Store project proponents should contribute their fair share to the cost of regional circulation improvements by paying adopted fees and making frontage improvements. In addition, the project should contribute its fair share to the cost of cumulatively needed improvements to the SR 1 (Main Street) / South Street intersection. Based on the method recommended in Caltrans traffic study guidelines, project trips represent 16.9% of the future new traffic at the SR 1 / South Street intersection. Assuming a \$500,000 traffic signal, the project's contribution could be \$84,500.

Vehicle Miles Traveled (VMT). Based on the location of competing stores, the most likely effect on regional travel associated with the development of the project is to slightly reduce the length of trips from areas south of the Noyo River off of SR 20 or SR 1 that are today made northbound, and to offer another option for shopping trips made by residents of areas to the north. As the proposed project is relatively close to other stores, the regional effect on VMT is likely to be small, but generally will be reduced by offering a closer option for northbound traffic.

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Note: the above highlighted content in the traffic analysis concludes that mitigation is required in order to reduce the project's impacts to less-than-significant based on conflicts with applicable policies within the City's Coastal General Plan yet no such mitigation measures are carried forward to the resulting DEIR. The general prohibition on using LOS standards on their own to determine a project has a significant transportation-related impact doesn't exclude still finding that a project has a significant impact on the environment partially based on LOS criteria that otherwise applies to the project because of local zoning code requirements or relevant planning policies. Fort Bragg has such policies and this project does not comply with them because it does not include relevant mitigation measures to ensure that the project will result in less-than-significant impacts due to its conflicts with applicable land use policies found in the Circulation Element of the Coastal General Plan, most of which are listed in Section 3.7 of the DEIR. The DEIR should be revised to incorporate such analysis. Furthermore, the VMT analysis is lacking, including reference to Table 3.7-18 that does not exist.

Please see Response M-142.

Response M-147: The commentor provided the following comment on Appendix G of the Draft EIR:

RE: ADDENDUM TO TRAFFIC IMPACT ANALYSIS FOR GROCERY OUTLET STORE, FORT BRAGG, CA

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Dear Mr. Johnson:

As requested, KD Anderson & Associates has prepared this addendum to our October 22, 2019 Traffic Impact Analysis (TIA) for a Grocery Outlet Store in Fort Bragg, California. While both Caltrans and the City of Fort Bragg have reviewed and concurred with the findings of the TIA, this addendum is intended to address questions raised by commissioners at the May 26, 2021 Planning Commission Meeting and summarize information in the TIA addressing these questions, including:

1. What are the traffic effects of the Grocery Outlet Store project at locations on Franklin Street and the relative need for improvements to local streets in Fort Bragg to ensure safety for motorists, bicyclists and pedestrians?
2. What are the Grocery Outlet Store project's impact to regional VMT and the significance of that impact under the California Environmental Quality Act, and is additional analysis needed?

Grocery Outlet Store Project's Effects on City Streets

Traffic Study Area. The TIA investigated background traffic conditions and project impacts across a broad area selected in consultation with City staff and Caltrans. In addition to Main Street (SR 1) the TIA also looked at:

- Cypress Street
- N. Harbor Drive
- South Street
- Franklin Street

Traffic volume count data was collected over a three day period in the summer of 2019 before COVID-19 travel restrictions, and peak hour intersection traffic counts were conducted during the weekday evening peak traffic hour and the peak hour of Saturday at these locations off of SR 1:

1. Franklin Street / Cypress Street
2. Franklin Street / South Street
3. Franklin Street / Harbor Drive

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Please see Response M-142.

This admission that Caltrans and the City of FB concur with the findings of the TIA, why does the DEIR not incorporate the recommended mitigation that the TIA concluded was necessary?

Response M-148: The commentor provided the following comment on Appendix G of the Draft EIR:

Pedestrian Facilities. Pedestrians were included in the intersection traffic counts. There are sidewalks in many locations on the streets surrounding the project. Sidewalk is present at these locations:

- both sides of Franklin Street from a point about 250 feet south of South Street northerly to Cypress Street
- east side of Franklin Street for 100 feet north of North Harbor Drive
- both sides of Cypress Street
- both sides of South Street

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Incorrect: sidewalk segments are missing from several relevant areas within the areas described in the highlighted areas, as discussed elsewhere in my notes on the DEIR.

KDA

Please see Response M-68.

Response M-149: The commentor provided the following comment on Appendix G of the Draft EIR:

*Mr. Terry Johnson
Best Development
June 3, 2021
Page 4*

The need for an all-way stop at the Franklin Street / South Street intersection was raised at Planning Commission Meeting, and the projected traffic, pedestrian and bicycle volumes were reviewed based on MUTCD requirements for an all-way stop. In July 2019 a total of 13 and 4 pedestrians crossed the intersection during the weekday p.m. and Saturday peak hour, respectively, while a total of 8 p.m. and 4 Saturday peak hour bicyclist were counted. These counts could conceivably double with the project. While the intersection would operate safely with current controls, the projected peak hour automobile, bicycle and pedestrian volumes indicate that the intersection may reach the level that satisfies MUTCD warrant requirements for an all-way stop, but analysis of MUTCD requirements over an 8 hour period would be required for confirmation.

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Since the intersection is projected to operate acceptably with current traffic controls, an all-way stop is not required due to an impact created by the Grocery Outlet Store, but the City of Fort Bragg could elect to install an all-way stop at their discretion.

There is no basis for the assertion that pedestrian counts could double. As noted, further analysis is necessary but it has not been performed. The DEIR and supporting studies should be revised to include such necessary and relevant analysis of the pedestrian safety impacts due to pedestrians crossign the adjacent streets to access the project site.

The desire and likelihood of such pedestiran access to the proposed Grocery Outlet was highlighted and confirmed by numerous members of the public commenting during the public hearings of this project when it was originally reviewed with an MND and approved. Those concerns remain as this project was not modified from the one evlautaed during the earlier application. Those prior comments, which were both written and oral, should be considered as part of this review for an identical projectbapplication that is ebign evaluated in this DEIR rather than the arguably deficient MND from the prior related application. The DEIR requires revision to properly analyze the potentially significant impacts due to pedestrian safety concerns as pedestrians from the numerous nearby multi-family housing developments cross the adjacent streets to access the propoed Grocery Outlet as well as within the parking lot, which was designed to not include internal protected pedestrian paths of travel and which includes the primary driveway access between the parking areas and the entrance thus exposing pedestrians to vehicle conflicts both on the adjacent streets but also withi the parking areas as they are currently proposed.

Please note that the Citywide Design Guidelines discourage or prohibit site and parking lot layouts that are similar to the parking and site layout propoised by the applicant. Those conflicts between the preferred designs and the Citywide Design Guidelines should be properly analyzed because the resulting conflicts or inconsistencies amount to potentially significant impacts that should be driving the project alternatives that are analyzed in the Alternatives section but currentyl are not included. That section requires revision as well to include appropriate project alternatives that reduce the project's conflicts with the Citywide Design Guidelines and the related pedestrian safety concerns that have not been adequate analyzed or addressed in the current DEIR now under review.

KDA

The basis for this assertion that pedestrian use could double is based on the expertise of the traffic consultant and City staff experience (which includes prior public comments during the hearing for this Project).

As noted on page 2.0-6, the proposed Project will be subject to Design Review. The Design Review would include a review of the proposed site plans as they relate to the Citywide Design Guidelines requirements. Design Review is not required at the EIR phase.

As discussed in the Draft EIR, the Project is subject to the mandatory provisions of the City's Design Guidelines. The aesthetic impacts of the proposed Project have already been analyzed in the EIR. While not a CEQA issue, City staff's analysis of the Project against the mandatory guidelines is included as new Appendix E of this Final EIR. The analysis includes conditions to ensure compliance where required.

Response M-150: The commentor provided the following comment on Appendix G of the Draft EIR:

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Pedestrian Impacts. Some Grocery Outlet Store employees or customers will elect to walk to and from the site, as there is residential or commercial development near the site. However, sidewalk exists on the streets adjoining the site, and with frontage improvements installed by Grocery Outlet Store, sidewalks will generally provide a complete path of travel to and from the site. There are two locations where gaps in the pedestrian system may remain, including:

- The south side of South Street from Franklin Street easterly to Myrtle Street (150 feet)
- The north side of North Harbor Drive between Franklin Street and Myrtle Street (100 feet)

The gaps exist at locations where it appears that residences were constructed prior to the City of Fort Bragg requiring frontage improvements. Privately maintained landscaping exists near the road. The availability of right of way to construct improvements is unknown.

While it is not the responsibility of the project proponents to install sidewalks along these areas it would be appropriate for the City of Fort Bragg to consider installing NO PARKING signs in the area to preserve the edge of roadway for pedestrians.

Bicycle Impacts. The use of bicycles may be an option for employees or customers to the site. Typically, grocery stores do not attract large numbers of cyclists due to the need to carry goods purchased, however it is likely that current bicycle activity by visitors to the Mendocino coast leads to greater use of that mode in the community. The number of cyclists associated with this project is not likely to create any appreciable safety impacts on adjoining streets, as Class II bike lanes exist on Franklin Street north of the site, and Franklin Street along the project frontage is wide enough to accommodate shared bicycle and automobile activity. While the project's off-site impact is not significant, applicable short-term bicycle storage facilities should be installed on site, as required by the City of Fort Bragg.

Transit Impacts. Project employees or customers will be able to use MTA service as it already passes the project site and stops near the corner of South Street and Franklin Street. The project's impact is not significant, and mitigation is not required.

Vehicle Miles Traveled (VMT) Impacts

Background. Starting in July 2020 SB 743 required agencies to move from a Level of Service based impacts analysis under CEQA to analysis based on regional Vehicle Miles Traveled (VMT). Current direction regarding methods to identify VMT and comply with state requirements is provided by the California Governor's Office of Planning and Research (OPR)' December 2018 publication, *Technical Advisory on Evaluating Transportation Impacts in CEQA*. In addition, in June 2020 the Mendocino Council of Governments (MCG) published its *Senate Bill 743 Vehicle Miles Traveled Regional Baseline Study*. Which provided perspective in support of OPR guidance.

Mitigation is not required for impacts which are determined to be less than significant. As stated in the appendix, sidewalks will generally provide a complete path of travel to and from the site. As discussed in Impact 3.7-1 (Project implementation would not conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities) of Section 3.7 of the Draft EIR, pedestrians were included in the intersection traffic counts. There are sidewalks in many locations on the streets surrounding the Project site. Sidewalk is present at these locations:

- both sides of Franklin Street from a point about 250 feet south of South Street northerly to Cypress Street
- east side of Franklin Street for 100 feet north of North Harbor Drive
- both sides of Cypress Street
- both sides of South Street

This is not adequate. Even if it was it would need to be a formal mitigation measure and analyzed for effectiveness reducing the harm pedestrians would be subjected to trying to access the site to less-than-significant. The DEIR does not currently do this so revision is required.

- north side of North Harbor Drive from SR 1 to the Project site (230 feet)
- south side of North Harbor Drive from SR 1 to 160 feet east
- east side of Main Street (SR 1)

Crosswalks are striped at intersections as noted earlier, and ADA ramps have been provided at most locations.

Some Grocery Outlet Store employees or customers will elect to walk to and from the site, as there is residential and commercial development near the site. However, sidewalk exists on the streets adjoining the site, and with frontage improvements installed by Grocery Outlet Store, sidewalks will generally provide a complete path of travel to and from the site. There are two locations where gaps in the pedestrian system may remain, including:

- The south side of South Street from Franklin Street easterly to Myrtle Street (150 feet)
- The north side of North Harbor Drive between Franklin Street and Myrtle Street (100 feet)

The gaps exist at locations where it appears that residences were constructed prior to the City of Fort Bragg requiring frontage improvements. Privately maintained landscaping exists near the road.

Response M-151: The commentor provided the following comment on Appendix G of the Draft EIR:

Similarly, the Grocery Outlet Store representative also provided supporting testimony. Based on their experience, the entry of Grocery Outlet Store into any community does not increase the amount that people eat. What it does do is redistribute the current shopping pattern, but based on Bureau of Labor Statistics analytics, community grocery consumption remains the same regardless of the number of grocers servicing the area. That dynamic supports the notion that the entry of Grocery Outlet actually lowers VMT and traffic congestion as consumers travel choices tend to favor convenience. Thus, the entry of any new grocer will tend to reduce travel as consumers located near the new location will gravitate to that new location making shorter trips. While traffic studies may conservatively describe trips to the Grocery Outlet Store as “new”, there is an offsetting reduction in trips to the pre-existing grocery providers.

Thank you again for your review of these materials. Please feel free to contact me at (916) 660-1555 if you have any questions or need additional information.

Sincerely Yours,

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KD Anderson & Associates, Inc.



Kenneth D. Anderson, P.E.
President

Fort Bragg Grocery Outlet Addendum.ltr

Note: The above highlighted text is not adequate and is actually inconsistent with what has been included in Section 3.7 of the DEIR. There, the City determined that VMT is actually increased by this project as shown in Table 3.7-17. There is reference to alternative or adjusted analysis that shows a different result as well as a non-existent Table 3.7-18 but no such analysis is included anywhere in the DEIR or its appendices. As such, this DEIR requires revision to include such supporting analysis, including verified data and relevant calculations or it must be revised to match the data and analysis that is actually included. As it stands now, such analysis is found in Table 3.7-17, which shows an net increase in VMT. A net increase in VMT amounts to a significant impact based on the cited threshold of significance in Section 3.7 of the DEIR. Thus, this project must be determined to have a significant impact because it increases VMT compared to baseline conditions.

Pease see Response M-84 regarding VMT. VMT would not increase as a result of the proposed Project.

Response M-152: The commentor provided the following comment on Appendix H of the Draft EIR:

Heather Gurewitz, City of Fort Bragg
June 29, 2022
Page 3 of 6

traveled in the project area compared to existing conditions should be presumed to have a less than significant transportation impact.

- (4) **Methodology.** A lead agency has discretion to choose the most appropriate methodology to evaluate a project's vehicle miles traveled, including whether to express the change in absolute terms, per capita, per household or in any other measure. A lead agency may use models to estimate a project's vehicle miles traveled and may revise those estimates to reflect professional judgment based on substantial evidence. Any assumptions used to estimate vehicle miles traveled and any revisions to model outputs should be documented and explained in the environmental document prepared for the project. The standard of adequacy in Section 15151 shall apply to the analysis described in this section.

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This is required but not included in the DEIR or supporting analyses. There is no "explanation" of the assumptions. The State Office of Planning and Research (OPR), in their Technical Advisory on the Evaluation of Transportation Impacts in CEQA (December 2018), has provided non-binding guidance on thresholds that could be used in the analysis of CEQA transportation impacts, using VMT as the quantified metric for evaluation. The basis of these OPR-recommended thresholds includes state climate planning documents and legislation.

The assumptions are included in Section 3.7 of the Draft EIR as well as in the technical appendix. See the Methodology sections of both. As discussed on page 3.7-24 of the Draft EIR:

The VMT analysis prepared for the CEQA transportation section is performed based on the total VMT metric, with a net-increase threshold being used to identify a significant CEQA impact. Typically, a travel demand model is used to assess changes in VMT resulting from a project, given their predictive power in terms of trip generation, trip distribution and trip assignment. The local travel demand model – the MCOG Travel Demand Forecasting Model (MCOG model) – was used to estimate VMT for the proposed project. The MCOG model includes a base year of 2009 and a future horizon year of 2030. The VMT analysis in this report is performed for both the 2009 and 2030 scenarios, with the delta between “no project” and “plus project” VMT for these two horizon years being interpolated to arrive at a delta reflecting a project baseline year of 2022. A boundary defined by the retail influence area of the Project was chosen as the extents of the VMT calculation. This boundary covers approximately 20 miles to the north and to the south of the Project, from the Town of Westport to the unincorporated community of Whitesboro, respectively, as well as the City of Willits and State Route 20 between Fort Bragg and Willits.

Response M-153: The commentor provided the following comment on Appendix H of the Draft EIR:

Based on the guidance presented in the *Technical Advisory* and the MCOG report, Fehr and Peers recommends that the City of Fort Bragg use the following VMT-based threshold to be applied to assess the CEQA significance of the project's effect on VMT:

- The project would result in a significant impact related to VMT if the project would result in a net increase in VMT. The City selected this as the threshold and the relevant analysis in Table 3.7-17 shows a net increase in VMT but still ignores this significant impact

The threshold noted above is consistent with OPR's recommended threshold; projects that are redistributive in nature (e.g., educational facility, retail, etc.) and result in an increase in VMT are not in-line with the portion of the legislative intent of SB 743 related to promoting the reduction of greenhouse gas emissions.

Pease see Response M-84 regarding VMT.

Response M-154: The commentor provided the following comment on Appendix H of the Draft EIR:

Table 2: Project Effect on VMT Accounting for Trip Redistribution from Willits Grocery Outlet to Fort Bragg Grocery Outlet

Analysis Horizon Year	Scenario	Scenario VMT (1% redistribution)	Scenario VMT (9% redistribution)
Model Base Year 2009	No Project	659,672	659,672
	Plus Project	657,565	648,045
	Year 2009 Delta	-2,107	-11,627
Model Future Year 2030	No Project	763,620	763,620
	Plus Project	763,420	753,900
	Year 2030 Delta	-200	-9,720
Interpolated Baseline Year 2022 Delta		-927	-10,447

Source: Fehr & Peers, June 2022.

Thus, per the significance criteria, the modeled VMT results, and the adjustments based on market information presented previously, the Project results in a **less-than-significant impact**.

This concludes our assessment. Please contact Bruno Lertora at b.lertora@fehrandpeers.com if you have questions or comments.

- 279 These tables are not supported by the actual models or calculations included in the DEIR and its appendices, unlike the relevant analysis for the other metrics used to evaluate transportation-related impacts. This demonstrates a lack of substantial evidence because none of the calculations that relate to the alleged modelling results shown in Tables 1 and 2 of this supplemental letter are provided so nothing can be verified or demonstrated to be accurate or reasonable. The DEIR and its appendices should be revised to include the critically important relevant analysis. Without doing so, there is not substantial evidence to support these conclusions or significance determinations.

The VMT analysis was completed using the Mendocino Council of Governments travel demand model. The results of the calculations completed by the model are shown here.

From: Jaen Treesinger <lucretia@mcn.org>
Sent: Monday, October 31, 2022 10:13 AM
To: Gurewitz, Heather <hgurewitz@fortbragg.com>
Subject: Grocery Outlet

Several things concern me:

The traffic increase,

The similarity to all the other Grocery Outlet shopping mall areas; we lose the unique quality of ft. Bragg

The increased percentage of poor quality food

The increased pressure on small food businesses, making it harder for them to prosper.

Jaen

N-1

Response to Letter N: Jaen Treesinger

Response N-1: The commentor makes statements regarding food affordability and convenience, and states benefits of the proposed Project.

While the comment does not address the adequacy of the Draft EIR, or compliance with CEQA, this comment is noted and will be forwarded to the decision makers for their consideration of topics beyond the adequacy of the Draft EIR.

From: karin weyland <karinweyland108@gmail.com>
Sent: Friday, October 28, 2022 1:15 PM
To: Gurewitz, Heather <hgurewitz@fortbragg.com>
Subject: Grocery Outlet Store

Hello,

I read the draft proposal and pros and cons about having a Grocery Outlet store in town.

I think it;s much needed for people who could not afford products Harvest Market and even Safeway carry at inflated prices. They have a lot of organic products that I buy for my family and I would like them to be a little closer than Ukiah. It might also bring more tourists who are camping on the coast and need affordable items for their trips. I've travelled up and down the coast through oregon and back and they have several of these stores well located for that kind of traffic. I don't think it would be an impediment for locals, on the country we will greatly benefit from the affordability and the variety.

O-1

Thanks,

Karin Weyland

258 Wall St.

707-472-8212

<https://mail.google.com/mail/u/1/?ik=802be77d6b&view=pt&search=all&permmsgid=msg-f%3A1747966246368240564&simpl=msg-f%3A1747966246...> 1/1

Response to Letter O: Karin Weyland

Response O-1: The commentor makes statements regarding food affordability and convenience, and states benefits of the proposed Project.

While the comment does not address the adequacy of the Draft EIR, or compliance with CEQA, this comment is noted and will be forwarded to the decision makers for their consideration of topics beyond the adequacy of the Draft EIR.

From: Leslie kashiwada
 To: Heather Gurewitz
 Re: Draft EIR, Best Development Grocery Outlet Project

I have many small, minor comments about this Draft EIR, but want to focus my comments on the larger scope of some issues. Ones I don't address don't imply there aren't issues, but rather that I don't have sufficient expertise to develop an informed opinion. Please note that many of my concerns expressed in previous comments about this project were not addressed well, or sometimes at all (comments located in Appendix A).

P-1

Air Quality (Section 3.2)

On page 395 of the DEIR states: "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." I bring this up here, in this section, because **Impact 3.2.2**: Proposed Project construction activities do not have the potential to result in a cumulatively considerable net increase of any criteria pollutant for which the Project region is in non-attainment, or conflict or obstruct implementation of the District's air quality plan (pg 104) indicates a less than significant impact. However, there is no mention of how air-borne particulates, especially mold spores and asbestos fibers, as well as dust, from the demolition process will be mitigated. If asbestos is truly an issue, then an abatement process must be required to sequester this extremely harmful material.

P-2

Biological Studies (Section 3.3)

The draft EIR mostly relied on the previous inadequate and inaccurate studies, with two additional visits on March 29 and April 20, 2022. There was little rain in March, and some rain in April (0.78 inches on April 14, 0.44 inches on April 16, and 0.24 inches on April 20, the day of the second visit). Because of the rain, I went to the site and took photos on April 25 and April 30, 2022.

I am the first to admit that I am not a botanist, but Table 3.3.1: Plant species identified on the south parcel does not include *Fragaria* (strawberry), which was very much in evidence when I went out in late April, 2022 (just after the second DeNovo survey). However, *Fragaria* is a low-lying plant that is hidden by taller plants (see photo below). This leads me to conclude that the plant survey was superficially conducted, because such an obvious plant should have been noted. Quite a few of the special status plant species that may occur in the project area are low-lying and cryptic. I do not have confidence in the survey, which may not have been as rigorous as required to locate these plants.

P-3



P-3
cont'd

On page 112 it states that the DeNovo field surveys, conducted by Principal Biologist, Steve McMurty, assessed the habitat and tested for aquatic resources/wetlands. It states that test pits were dug in 4 locations. Yet, the Hydrology, Soils, and Wetland Features section (pg 115) states that "...six soil test pits were dug and soils were tested for hydric characteristics." The raw data for these test pits are not included anywhere in the study. Especially critical is the location of the test pits as the previous study done by Wildland Resource Managers in 2021 placed their 4 test pits well away from the area most likely to contain hydric soils (western boundary of the property along the wood fence). This is particularly relevant because the placement of proposed BMPs (bioretention basins) are along the fence (see photo above). Without analysis of the soils in that area, there is no way to evaluate if the BMPs will impinge on hydric soils and associated plants.

P-3
cont'd

All the right language is used to say the mature trees on the north side of the property will be retained if possible, but it is clear that they will not. So, there's no need to greenwash this. Just say they have to go to allow for the project to be completed. In particular, the BMP (bioretention basin) on the northwest side of the property is sited in a way that requires the removal of the Monterey pine. Perhaps the shore pine on the very northwest corner of the property is salvageable, but I doubt the developer cares. I just want to remind everyone that it takes decades for a tree to mature, especially in this area, which is impacted by salt air.

The loss of blue heron hunting grounds isn't a major issue because, as noted, there are other fields herons can access. However, as more and more infill occurs in the area, herons will lose more and more terrestrial hunting grounds. That said, there is still ample open space to the west, and along the shoreline of the river and coast.

Land Use (Section 3.5)

Land Use Chart (PF-1.1) page 198 – "... without substantially reducing the services provided to existing residents and businesses." The IS and this DEIR did not address the potential impact on emergency vehicle access to the ER (more on this later)

Land Use Chart (OS-5.1) page 201 (and earlier in Bio Studies) – "Proposed landscaping includes trees and vegetation along the property boundaries within the proposed parking lot..." Unfortunately, no landscaping plan is presented to determine appropriateness of plants. These should be local, native plants that are drought tolerant (not just native to California). For example, *Ceanothus* can serve as low-lying ground cover or a bush depending on the species, but there are many species of *Ceanothus* that are not native to the Mendocino coast (there are 56 species of *Ceanothus* found in California, but only 10 of them are native to this area). The next section states no invasive non-native will be used, but what about invasive native plants?

P-4

I notice that there are repeated references to special conditions placed on project during the IS/MND review period. However, these special conditions are not

described in the body of the DEIR in each relevant section. This makes it very difficult to assess the appropriateness of the proposed mitigations.

Impact 3.5-2: Impacts related to the physical deterioration and urban decay of existing retail commercial development (pg 216)

This analysis is very superficial to the point of being meaningless. What if this new development **does cause** Safeway or Purity to close? What kind of business would go into those locations? A massive indoor grow? Another microbrewery? A Dollar General? None of those would be considered desirable nor would they contribute to the well-being of the community. In addition, the loss of union jobs if Safeway closes, only to be replaced by non-union jobs would be a huge loss. Not that Safeway is a paragon of virtue – I don't hear great things about working conditions there – but I haven't heard great things about working conditions at GO in Willits or Ukiah either.

P-4
cont'd

Transportation and Circulation (Section 3.7)

Table 3.7.1 – Daily Traffic Volumes (pg 254)

This is old data collected on just three consecutive days in July (Thurs-Sat) in 2019. What are traffic volumes on school days? What are traffic volumes on holidays, especially around July 4th and Paul Bunyan Days? I expected DeNovo to conduct new traffic studies, especially at the critical intersections of SR1 and N Harbor Dr, SR1 and South St, N Harbor Dr and S Franklin St, and South St and S Franklin St. These were identified as the intersections of main concern and warranted further study and analysis.

The South St/S Franklin St intersection (pg 254)

The DEIR states that a 4-way stop was previously warranted and will be constructed by the City when it begins work on roadway. However, the project will immediately increase traffic (vehicular, bicycle, and pedestrian) in this exact intersection; an increase that is directly attributed to the project. I think one of the special conditions imposed by the Planning Commission was construction of a 4-way stop with cross walks, but the DEIR seems to have returned this responsibility to the City. This is essential infrastructure that must be put in place before the Grocery Outlet opens its doors to the public.

P-5

Having mentioned a 4-way stop at the intersection of South St and S Franklin St, I must ask, again, how will it impact emergency vehicle access to ER? I didn't see any kind of analysis on this essential route. How will response times leaving the hospital and arriving at the place of need, and returning to the hospital be impacted when there is a stop on South St? What do MedStar, EMTs and paramedics have to say about the increased traffic that will result from this project? They are already going to have to deal with the increased traffic due to the housing project (The Plateau) that will soon be made available to residents.

What will be the impact of long delivery vehicles on surrounding intersections? What plans are in place to mitigate traffic if and when one of these delivery trucks doesn't quite make the right hand turn from SR1 onto N. Harbor Drive. This isn't a simple 90-

degree turn – instead it is close to a 45-degree turn. Then those trucks have to make another challenging left turn into the proposed parking lot to access the loading dock. | P-5
cont'd

Transit Facilities (pg 258)

Currently there is a bus stop on S Franklin St near the northeast corner of the intersection of S Franklin St and South St. Bus riders will have to walk west across S Franklin St and then south across South St to access the Grocery Outlet. They will have to retrace their path across both streets to get back to the bus stop. I think it is appropriate for Grocery Outlet to pay a fair share contribution for the cost of a bus stop on the west side of S Franklin St near the store entrance, but I did not see any mention of this, or design plans for a bus stop. | P-6

Traffic Signal Warrants – Table 3.7-14: Year 2040 plus Grocery Outlet (pg 270)

I believe this is mislabeled and should read Year 2040 without Grocery Outlet Based on background traffic volumes (from 2019 study) there are warrants for traffic signals at the intersection of SR1 and South St (weekday PM Peak) and SR1 and N Harbor Drive (Saturday Peak). That could potentially mean 2 new traffic signals very close to each other (and the traffic signal at SR1 and Cypress St), and one of them would be located just north of the bridge. It may be necessary, but will have a huge impact on flow into and out of town | P-7

Traffic Signal Warrants – Table 3.7-15: Year 2040 plus Grocery Outlet (pg 271)

With the added traffic from the Grocery Outlet the warrants for traffic signals at the intersection of SR1 and South St increases to include Saturday Peak as well as Weekday PM Peak. I understand that the developer will therefore provide a fair share contribution to the cost of adding this traffic signal, but the impact on traffic in this area is regrettable and likely cannot be mitigated. |

Project Mitigations (pg 271) – Prohibit westbound left turn

While CalTrans did prohibit westbound left turns at N Harbor Dr, that prohibition has been removed (DEIR states that prohibition is still in place). Left turns are currently allowed from westbound N Harbor Dr onto southbound SR1. Perhaps Caltrans will once again prohibit those turns when the Grocery Outlet opens, but vehicles regularly turn left from the gas station on the southeast corner of the intersection onto southbound SR1 so it wasn't a very effective prohibition. |

I didn't see a detailed analysis of pedestrian flow in this section on transportation and circulation, especially at the intersection of State St and S Franklin St. The Circulation section of Land Use chart (C-9.2 pg 207) says a little about South St, S. Franklin St, and N Harbor Dr regarding sidewalk improvement, but there is nothing about crosswalks. Keep in mind that many who will walk are elderly or will be parents with strollers. Some of these pedestrians won't be able to clear intersection quickly. And, as mentioned earlier, there appears to be no plan to build a bus stop in front of the store, which will only increase pedestrian crossings in the critical intersection of South St. and S Franklin St. | P-8

And, once again, I didn't see any analysis of the impact of a 4-way stop or increased traffic on South St on emergency vehicle access to ER and outbound to medical emergencies. This is important – do not ignore this!

P-8

The project proposal claims that there will be 15-25 full-time employees and 2 managers. I understand that they will work in shifts and not all be present at the same time, but, where will all those employees park? Will they park in the proposed parking lot or on the street? If the project reuses the old building or places the new building to the south, an employee-only parking lot could be constructed on the north side of the building.

cont'd

Utilities and Service Systems (Section 3.8.2) – Water Supplies

The City estimates that industrial/commercial facilities consume 78 gallons/1000 sq ft/day or 1656 gallons/gross acre/day. That means the project could use somewhere between 1288-2699 gallons/day. However, the DEIR states that the average Grocery Outlet Store in Northern California uses 300-450 gallons/day (internal use and irrigation combined). It states that the amount is so low because these stores only sell prepackaged goods. I'd like to see this data set. The use permit should be set up so that future use of the facility is restricted to prepackaged goods and produce, and that a deli, meat counter, bakery or any other service that requires increased use of water is prohibited in perpetuity.

P-9

Utilities and Service Systems (Section 3.8.4) – Solid Waste

The project should be required to work with the Fort Bragg Food Bank to make sure that excess produce, perishable, frozen and canned goods are collected regularly for distribution.

P-10

CEQA Requirements (Section 5.1)

Project Objective (5th bullet point)

Develop a site plan that minimizes circulation conflicts between automobiles and pedestrians. I don't think that this objective has been met.

5.2 Alternatives Considered in the EIR

I don't see any consideration or analysis of a project where a new building is placed in the approximate footprint of the existing building. This could be a building similar to the proposed project but moved to the south so that there is space for an employee-only parking lot on the north side of the building.

P-11

5.4 Evaluation of the Alternative Ability to Satisfy Project Objectives

5. Develop an aesthetically attractive grocery store and landscaping on an infill site Beauty is in the eye of the beholder. The proposed building may or may not be more attractive than the existing building depending on the viewer. In addition the existing building does not extend as far north towards South St. Terry Johnson "testified" that the existing building could not be reused because of mold and asbestos. I didn't see any study or analysis that showed this was the case. Show us the data! **And, if the existing building contains asbestos, why wasn't that addressed in the air**

quality section of the DEIR, Only construction emissions were discussed, not dust from demolitionP-11
cont'd**6. Design a site plan that minimizes circulation conflicts**

I don't agree that the split parking lots create circulation issues. The northern lot could be used for employee parking, so ingress and egress would be limited to shift changes. Delivery trucks could still enter from N Harbor Dr, which I think is a problematic intersection, or they could enter from South St which might decrease problems with interference with traffic driving north off the bridge. However, entering from South St might interfere with emergency vehicle passage, so this option would need to be carefully studied.

P-12

As I stated at the beginning of this document, I could have made a detailed list of all the errors, misstatements of fact, or misleading assertions, but I didn't want to get bogged down in the details. I've tried to distill my comments down to the most important issues with this project. This environmental consultant gave a lowball cost estimate to prepare this DEIR and had already been working with the developer. Guess what? You got what you paid for. Our fears of superficial analysis, using mostly old studies were realized. I'm disappointed to say the least.

P-13

Response to Letter P: Leslie Kashiwada

Response P-1: The commenter provides introductory comments regarding their review of the Draft EIR.

Please see Responses P-2 through P-13 regarding the listed concerns.

Response P-2: The commentor provides statements regarding mold and asbestos in the current building on-site and states that there is no mention of how air-borne particulates, especially mold spores and asbestos fibers, as well as dust, from the demolition process will be mitigated. The commenter concludes by stating that if asbestos is truly an issue, then an abatement process must be required to sequester this extremely harmful material.

The Mendocino County Air Quality Management District regulates asbestos under two different programs. The Federal Clean Air Act National Emissions Standards for Hazardous Air Pollutants (NESHAP) contains requirements for Renovation and Demolition of existing structures (including notification forms). The California Air Resources Board Air Toxic Control Measures for Naturally Occurring Asbestos regulations tend to effect new construction and grading activities. Further, during any disturbance of ACM on the Project site, the CAL OSHA worker health and safety regulations would apply. These regulations would apply regardless of friability or quantity disturbed. If there is greater than 100 square feet of ACM which will be affected by the demolition, a California Licensed Contractor who is registered with CAL OSHA for asbestos would be hired. The regulations regarding asbestos are found in Title 8 CCR Section 1529, and also include formal notification requirements to CAL OSHA at least 24 hours prior to removal. Removal would be conducted with the material(s) kept in a wetted state in order to contain dust and hazardous emissions.

Air toxics regulations under the Clean Air Act specify work practices for asbestos to be followed during demolitions and renovations of all facilities, including, but not limited to, structures, installations, and buildings (excluding residential buildings that have four or fewer dwelling units). The regulations require a thorough inspection where the demolition or renovation operation will occur. The regulations require the owner or the operator of the renovation or demolition operation to notify the District before any demolition, or before any renovations of buildings.

The rule requires work practice standards that control asbestos emissions. Work practices often involve removing all asbestos-containing materials, adequately wetting all regulated asbestos-containing materials, sealing the material in leak tight containers and disposing of the asbestos-containing waste material as expediently as practicable, as the regulation explains in greater detail. These work practice standards are designed to minimize the release of asbestos fibers during building demolition or renovation, waste packaging, transportation and disposal.

Response P-3: The commentor states that the Draft EIR mostly relied on the previous inadequate and inaccurate studies, with two additional visits on March 29 and April 20, 2022 (when there

was little rain in March and some in April). The commenter provides photos they took at the site on April 25 and April 30, 2022. The commenter also states that strawberry plants are not included in Table 3.3-1 and, because of this, they believe the plant survey was superficially conducted. Further, the commenter states that the raw data and location for the soil test pits are not included in the study. The commenter states that the proposed bioretention basin requires removal of the Monterey Pine on the north side of the property. The commenter concludes by stating that the loss of blue heron hunting ground is not a major issue and there is ample open space to the west.

Table 3.3-1 in Section 3.3 only lists special-status plant species. Strawberry plants are not special-status plant species. As such, strawberry plants should not be included in Table 3.3-1.

Four test pits were completed on the site as part of the Fort Bragg Wetland Report (Wildland Resource Managers, 2021). The locations and data for the test pits are included in the Report, which is included as Appendix D of the Draft EIR. The error which notes six test pits instead of four test pits has been corrected. See Chapter 3.0, Revisions, of this Final EIR. Additionally, the field data sheets for the six test pits have been added to this Final EIR (See Chapter 3.0, Revisions).

It is also noted that six additional test pits were completed by De Novo Planning Group in 2022. The results of the six additional test pits provides the same conclusions that there are no aquatic resources present on the Project site.

Response P-4: The commentor states that the IS and Draft EIR did not address the potential impacts on emergency vehicle access. The commenter also states that a landscaping plan was not presented, and local, native, drought tolerant species should be used. The commenter further states that the special conditions are not described in the Draft EIR. Lastly, the commenter states the urban decay analysis is superficial, and questions what type of businesses would open if the proposed Project does cause Safeway or Purity to close.

Emergency access is discussed on page 3.7-46 of the Draft EIR.

Local, native, drought tolerant species would be used. This is required by the California Model Water Efficient Landscape Ordinance (MWELo). New development and retrofitted landscape water efficiency standards are governed by the MWELo, which is also referenced by Title 24, Part 11, Chapters 4 and 5 CalGreen Building Code. All local agencies must adopt, implement, and enforce the MWELo or a local Water Efficient Landscape Ordinance (WELo) that is at least as effective as the MWELo. Usually, local agencies that adopt WELos create a more stringent ordinance than MWELo.

With respect to urban decay, see Section 3.5, Land Use, of the Draft EIR which provides an analysis of the potential for the proposed Project to result in urban decay. As discussed, under CEQA, an EIR should only consider direct and indirect physical effects of projects. Section 15064(d) of the CEQA Guidelines states that, "In evaluating the significance of the environmental effect of a project, the Lead Agency shall consider direct physical changes

in the environment which is caused by and immediately related to the project.” Section 15064(d)(3) further states that, “An indirect physical impact is to be considered only if that change is a reasonably foreseeable impact which may be caused by the project. A change which is speculative or unlikely to occur is not reasonably foreseeable.” In addition, CEQA requires that a determination that a project may have a significant environmental effect must be based on substantial evidence (CEQA Guidelines §15064(f)).

On the secondary socioeconomic effects of projects, Section 15131(a) of the CEQA Guidelines indicates that, “Economic and social effects of a project shall not be treated as significant effects on the environment. An EIR may trace a chain of cause and effect from a proposed decision on a project through anticipated economic or social changes resulting from the proposed Project to physical changes caused in turn by the economic or social changes. The intermediate economic or social changes need not be analyzed in any detail greater than necessary to trace the chain of cause and effect. The focus of the analysis shall be on the physical changes.” In other words, economic and social changes are not, in themselves, considered under CEQA to be significant effects on the environment.

Since only physical effects are to be considered under CEQA, economic and social changes resulting from a project may be considered if they in turn produce changes in the physical environment. To fully satisfy the requirements of an EIR, an economic analysis must start with the economic impacts. The analysis would then follow the causal chain to assess the likelihood of new retail space causing long-term vacancies in existing retail space and ultimately leading to urban decay and physical deterioration of existing retail centers and nodes.

In recent years, the California Courts have identified the term “urban decay” as the physical manifestation of a project’s potential socioeconomic impacts and have specifically identified the need to address the potential for urban decay in environmental documents for large retail projects, or mixed-use projects with a notable retail component. The leading case is *Bakersfield Citizens for Local Control v. City of Bakersfield* (2004) 124 Cal.App.4th 1184, in which the court set aside two environmental impact reports for two proposed Wal-Mart projects that would have been located less than five miles from each other. This was the first court decision to use the term “urban decay,” as opposed to the term “blight.” The court quoted “experts [who] are now warning about land use decisions that cause a chain reaction of store closures and long-term vacancies, ultimately destroying existing neighborhoods and leaving decaying shells in their wake.” (Id. at p. 1204.) The court also discussed prior case law that addressed the potential for large retail projects to cause “physical deterioration of [a] downtown area” or “a general deterioration of [a] downtown area.” (Id. at pp. 1206, 1207). The Bakersfield court also described the circumstances in which the duty to address urban decay issues arise.

Accordingly, there are two pertinent questions to be asked with regard to the effects of the proposed Project in terms of this economic impact and urban decay analysis: 1) would the proposed new retail uses result in sales losses that are sufficiently large at existing

retail establishments to force some to close; and 2) would the affected closed stores stay idle long enough to create physical changes that could be defined as urban decay?

While the measurement of urban decay is not strictly defined under CEQA, this analysis assumes that the term describes significant deterioration of existing structures and/or their surroundings. This is based upon the premise that such deterioration occurs when property owners reduce property maintenance activities below that required to keep such properties in good condition. It assumes that property owners make rational economic decisions about maintaining their property and are likely to make reductions in maintenance activities only under conditions where they see little likelihood of future positive returns from such expenditures. Where vacancy rates are low or growth rates are high, property owners are likely to see the prospect of keeping properties leased-up at favorable rents. Where vacancy rates are high and persistent, and growth rates are low, property owners are more likely to have a pessimistic view of the future and be prone to reducing property maintenance as a way to reduce costs.

However, whether or not conditions in between those discussed above (i.e., moderate vacancy levels that persist for a few years) are likely to lead to “urban decay” depends on many factors including the growth prospects of the market area, the future state of the national and local economy, financial strength of existing tenants and landlords, and the profitability and viability of existing commercial centers.

Impact 3.5-2 in Section 3.5, Land Use, of the Draft EIR was revised to incorporate the analysis and findings of the Urban Decay Study (ALH Urban & Regional Economics, 2023) completed for the proposed Project. See Appendix J of this Draft EIR for the complete Study, and Chapter 3.0, Revisions, of this Final EIR for the additional urban decay discussion.

As discussed in Impact 3.5-2, 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. The attraction in food and beverage stores comprise 60% of all food and beverage sales, where the retail leakage in all other categories range from -12% to -78% of sales. The high leakage amounts generally indicate that the primary market area is under-retailed relative to the demand generated by its population base.

There are a select number of stores in Fort Bragg, nearby Mendocino, and the general primary market area environs that might be competitive to varying degrees with the proposed Grocery Outlet because of the availability of overlapping sales merchandise. These stores are a subset of the following categories of stores: Grocery Stores; Natural Food Stores; Other Stores with Substantial Food and Beverage Sales; Convenience Stores; and Gas Station Convenience Stores. There are nine grocery facilities distributed throughout different residential neighborhoods and commercial establishments in the community, including: Safeway (660 South Main Street), Harvest Market (171 Boatyard Drive), Purity Supermarket (242 North Franklin Street), Nello’s Market and Deli (860 North

Main Street), La Mexicana Market (116 S. Main Street), Down Home Foods (115 S. Franklin Street), Colombi Market and Deli (647 E Oak Street), B&C Grocery (401 E. Oak Street) and El Yuca (242 North Mcpherson Street).

Of all these stores, the existing stores that are anticipated to have more food and related sales overlap with Grocery Outlet relative to other area stores include the full-service grocery stores, of which there are four (including one in Mendocino), and the general merchandise store Dollar Tree. The Natural Food Stores, Convenience Stores, Other Stores with Substantial Food and Beverage Sales (excluding Dollar Tree), and Gas Station Convenience Stores are not anticipated to experience much, if any competitive overlap.

Based on the estimated Grocery Outlet store sales by type of retail, and the volume of sales estimated to be supported by primary market area residents, the proposed Fort Bragg Grocery Outlet store will need to capture only 2.1% of primary market area food and beverage sales to achieve stabilized sales consistent with national Grocery Outlet store performance standards. This is a very small capture rate. The capture rate is higher for non-perishable primary market area sales; however, these sales categories are estimated to have existing retail leakage in the primary market area. Thus, no sales impact is anticipated among stores selling non-perishable goods comparable to Grocery Outlet, as the recapture of these sales will reduce the existing leakage, making the primary market area's retail base stronger.

These findings suggest that the existing primary market area food and other stores selling goods in common with Grocery Outlet are unlikely to experience strong individual store sales impacts resulting from the operations of the proposed Grocery Outlet Store. If sales are diverted from any existing stores resulting from Grocery Outlet's operation, 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. The full-service orientation and unique offerings at the existing grocery stores will help insulate them from the nominal amount of competitive food item sales anticipated at Grocery Outlet. Moreover, these stores have established customer bases. Accordingly, they will have the ability to modify their product mix to maximize sales in products not available at Grocery Outlet General yet targeted to meet the needs of its loyal customers.

Grocery Outlet does not exactly duplicate the market niche or product focus of any of the primary market area stores, although it is closest to Dollar Tree in its discount orientation, as well as nonperishable product offerings. However, given Grocery Outlet's relatively low levels of projected sales, Dollar Tree's pronounced general merchandise orientation, and distance from the proposed Grocery Outlet site, there is unlikely to be even a noticeable impact on Dollar Tree following the Grocery Outlet's opening.

There are a range of commercial retail building or retail space vacancies scattered throughout the primary market area. Most of the vacancies are in Fort Bragg, and especially Downtown Fort Bragg or at The Boatyard Shopping Center. The vacancies are primarily located in small, older buildings, with many vacant for extended periods of time,

such as two or more years. Many of the identified vacancies have been vacant since prior to the COVID-19 pandemic, or even earlier. However, many of the vacancies are not being actively marketed. This is evidenced by the lack of signage on the properties with commercial broker names, phone numbers, or even owner contact information. The physical condition of the vacancies varies, with some in well-kept condition and others appearing more rundown, or in less manicured condition, such as peeling paint in need of refreshing. None of the vacancies, however, exhibit classic signs of urban decay, such as graffiti, boarded up doors or windows, broken windows, or excessive trash. Moreover, despite the presence of some long-term commercial vacancies, there are indications of recent retail leasing activity in Fort Bragg.

Further, fieldwork conducted in March through May 2022 indicated there were no significant signs of litter, graffiti, weeds, or rubbish associated with existing commercial nodes and corridors in Fort Bragg, with only a few isolated instances of small amounts of fast food-related trash near some commercial properties. It is noted that the City has reported some issues with transient populations at the on-site vacant building in the past. The City of Fort Bragg Code Enforcement Department receives a limited number of complaints pertaining to commercial properties, and most of these complaints do not pertain to issues associated with urban decay.

The study analysis completed as part of the Urban Decay Study 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, the Urban Decay Study concludes that there is no reason to consider that development of the proposed Grocery Outlet store would cause or contribute to urban decay.

Overall, impacts related to urban decay were determined to be less than significant.

Response P-5: The commenter questions what the traffic volumes are on school days and holidays. The commenter also states they expected new traffic studies. The commenter discusses a four-way stop at the South Street / South Franklin Street intersection. The commenter questions how a four-way stop at the South Street / South Franklin Street intersection would impact emergency vehicle access. The commenter also states that emergency response will have to deal with the increased traffic due to the housing project (The Plateau) that will soon be made available to residents. Lastly, the commenter questions the impact of long delivery vehicles on surrounding intersections.

Because Level of Service (LOS) is not a CEQA topic, new traffic volume counts were not necessary for the CEQA document. Instead, a new traffic study analyzing vehicle-miles-traveled (VMT) was completed to comply with the new CEQA traffic analysis requirements under SB 375. The analysis is consistent with CEQA standards.

The applicant will construct a four-way stop at the South Street / South Franklin Street intersection.

Table 3.7-6 in Section 3.7 summarizes the assumed distribution of new trips (including long trucks). Emergency response is discussed in Section 3.7 of the Draft EIR. Implementation 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.

Response P-6: The commentor states that there is a bus stop on South Franklin Street near the northeast corner of the intersection of South Franklin Street and South Street, and the Project applicant should pay a fair share contribution for the cost of a bus stop on the west side of South Franklin Street near the store entrance.

As noted in Section 3.7 of the Draft EIR, the Mendocino Transit Authority (MTA) provides transit service to the Mendocino and Sonoma County areas. Two routes pass the Project site. Route 5 (Braggabout) and Route 60 (The Coaster) traverse the community and have a stop near the Old Social Services Building at the South Street / Franklin Street intersection. Project employees or customers will be able to use MTA service as it already passes the Project site and stops near the corner of South Street and Franklin Street.

There is already a bus stop adjacent to the Project site. An additional bus stop is not warranted by the proposed Project.

Response P-7: The commentor states that they believe Table 3.7-14 (Year 2040 Plus Grocery Outlet Store Traffic Signal Warrants) is mislabeled and should read “Year 2040 without Grocery Outlet”. The commenter states that, based on background traffic volumes (from 2019 study), there are warrants for traffic signals at the intersection of SR 1 and South St (weekday PM Peak) and SR 1 and N Harbor Drive (Saturday Peak). The commenter further states that two new traffic signals very close to each other (and the traffic signal at SR1 and Cypress St) may be warranted, and one of them would be located just north of the bridge.

The commenter further states that, “with the added traffic from the Grocery Outlet the warrants for traffic signals at the intersection of SR 1 and South St increases to include Saturday Peak as well as Weekday PM Peak. I understand that the developer will therefore provide a fair share contribution to the cost of adding this traffic signal, but the impact on traffic in this area is regrettable and likely cannot be mitigated.”

The titles in the tables in question are correct. Please also see Response P-8 regarding the additional traffic modeling and analysis which was completed in September 15, 2022.

Response P-8: The commentor states that left turns are currently allowed from westbound N. Harbor Drive onto southbound SR 1. The commenter also states they did not see a detailed analysis of pedestrian flow or crosswalks in this section on transportation and circulation, especially at the intersection of State St and S Franklin St. The commenter further states that there is no plan to build a bus stop in front of the store, and no analysis of the impact of a 4-way stop or increased traffic on South St on emergency vehicle access to ER and outbound to medical emergencies. The commenter also questions where employees will park.

Please see Response P-6 regarding a bus stop.

Additional traffic impact analysis (TIA) was completed in September 15, 2022 by the original traffic impact analysis consultant for the proposed Project, KD Anderson & Associates. Subsequent to the original TIA (KD Anderson & Associates, Inc., 2019) preparation, Caltrans District 1 elected to remove the left turn prohibition on N. Harbor Drive at its intersection with State Route 1 (SR 1). That change allows motorist to turn left directly onto the state highway at this location instead of making the turn at the SR 1 / South Street intersection further north. The change would also provide a route for Project customers headed south. The additional (2022) analysis has been incorporated into Section 3.7 of the Draft EIR. See Chapter 3.0, Revisions, of this Final EIR for the changes. In summary, the changed traffic prohibition did not result in increased impacts to this intersection.

As discussed in Impact 3.7-1 of Section 3.7, Transportation and Circulation, of the Draft EIR, some Grocery Outlet Store employees or customers will elect to walk to and from the site, as there is residential and commercial development near the site. However, sidewalk exists on the streets adjoining the site, and with frontage improvements installed by Grocery Outlet Store, sidewalks will generally provide a complete path of travel to and from the site. There are two locations where gaps in the pedestrian system may remain, including:

- The south side of South Street from Franklin Street easterly to Myrtle Street (150 feet)
- The north side of North Harbor Drive between Franklin Street and Myrtle Street (100 feet)

The gaps exist at locations where it appears that residences were constructed prior to the City of Fort Bragg requiring frontage improvements. Privately maintained landscaping exists near the road. The availability of right of way to construct improvements is unknown.

With respect to emergency vehicles, based on assumptions made for other traffic studies, the City assumed that 50% of the trips specifically made to visit the Grocery Outlet Store

(i.e., primary trips) will have origins / destination south of the Noyo River and use SR 1 and SR 20 to reach the site. The balance will be oriented to the north and to areas of the community east of Franklin Street. Table 3.7-6 in Section 3.7 summarizes the assumed distribution of new trips. Implementation 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.

Response P-9: The commentor discusses water demand and requests the data set for the water use data for Grocery Outlet stores. The commentor states that “The use permit should be set up so that future use of the facility is restricted to prepackaged goods and produce, and that a deli, meat counter, bakery or any other service that requires increased use of water is prohibited in perpetuity.”

Appendix D of this Final EIR includes the water utility bills for the Willits Grocery Outlet location. The meter reading dates included in the appendix are January 18, 2022 to September 19, 2022. The appendix also includes a table on page 17 which shows the average water usage in gallons per day. As shown, the average water usage for the Willits Grocery Outlet from January 18, 2022 to September 19, 2022 was 357.50 gallons per day. As stated on page 3.8-16 of Section 3.8, Utilities and Service Systems, of the Draft EIR, the proposed Project is estimated to demand 1,288 gallons per day utilizing this average rate. The rates identified in the 1986 Water System Study and Master Plan were slightly higher, showing a rate of 1,656 gallons per day/gross acre of commercial. Utilizing this higher rate, the proposed Project could demand 2,699 gallons per day. However, this water demand is an overestimation, as detailed below.

As also discussed in Section 3.8 of the Draft EIR, water bills from comparable Grocery Outlet stores in Northern California were also reviewed to estimate the proposed Project water demand. The average Grocery Outlet Store uses 300 to 450 gallons of water per day (109,500 to 164,250 gallons per year) in both domestic water for the store and irrigation water for the landscaping. This is consistent with the information shown in Appendix D of this Final EIR. It is also noted that the types of food items sold at the proposed grocery store will be comparable to the Willits grocery store location.

From a CEQA perspective, a use permit limitation for water use and types of goods is not warranted as the Project would result in a less-than-significant impact related to water demand and supply.

Response P-10: The commentor states that the proposed Project “should be required to work with the Fort Bragg Food Bank to make sure that excess produce, perishable, frozen and canned goods are collected regularly for distribution.”

While the comment does not address the adequacy of the Draft EIR, or compliance with CEQA, this comment is noted and will be forwarded to the decision makers for their consideration of topics beyond the adequacy of the Draft EIR.

Response P-11: The commentor states that they “don’t see any consideration or analysis of a project where a new building is placed in the approximate footprint of the existing building. This could be a building similar to the proposed project but moved to the south so that there is space for an employee-only parking lot on the north side of the building.”

The commenter further states that they don’t see an analysis or study about mold or asbestos, and that the air quality section of the Draft EIR does not discuss asbestos or dust from demolition.

The Draft EIR includes a range of alternatives to the proposed Project, as required by CEQA, and an environmentally superior alternative was determined. See Chapter 5.0 of the Draft EIR.

Under CEQA, an EIR must “describe a range of reasonable alternatives to the project” that “would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project[.]” (Guidelines, § 15126.6, subd. (a).) The significant effects of alternatives “shall be discussed, but in less detail than the significant effects of the project as proposed.” (Guidelines, § 15126.6, subd. (d), *italics added.*)

Recognizing the broad variety of contexts in which proposed projects are proposed, the courts have applied a “rule of reason” when assessing the adequacy of analyses of alternatives within EIRs. (*Citizens of Goleta Valley v. Board of Supervisors* (1990) 52 Cal.3d 553, 565 (Goleta); *Federation of Hillside & Canyon Associations v. City of Los Angeles* (2000) 83 Cal. App. 4th 1252, 1264.) What is reasonable varies from one situation to another. “There is no ironclad rule governing the nature or scope of the alternatives to be discussed other than the rule of reason.” (Guidelines, § 15126.6, subd. (a); *Mount Shasta Bioregional Ecology Center v. Center of Siskiyou* (2012) 210 Cal.App.4th 184, 199 (Mount Shasta) [“there is no rule specifying a particular number of alternatives”].) Similarly, there are “[n]o ironclad rules . . . regarding the level of detail required in the consideration of alternatives. EIR requirements must be ‘sufficiently flexible to encompass vastly different projects with varying levels of specificity.’” (*Al Larson Boat Shop, Inc. v. Board of Harbor Commissioners* (1993) 18 Cal.App.4th 729, 745–746 (*Al Larson*), *italics added.*)

CEQA only requires the range of alternatives to have “‘enough of a variation to allow informed decision-making.’” (*Cal. Native Plant Society v. City of Santa Cruz* (2009) 177 Cal.App.4th 957, 988 (Santa Cruz), quoting *Mann v. Community Redevelopment Agency* (1991) 233 Cal.App.3d 1143, 1151 (Mann).) An agency is allowed to narrow a larger universe of potential alternatives to a more manageable range. (Guidelines, § 15126.6, subd. (c); *In re Bay-Delta etc.* (2008) 43 Cal.4th 1143, 1162– 1167 (*In re Bay-Delta, etc.*);

Village Laguna of Laguna Beach v. Board of Supervisors (1982) 134 Cal.App.3d 1022, 1028-1029.)

Further, the duty to identify and adequately describe feasible project alternatives belongs to the public agency alone, and not project opponents. (Laurel Heights Improvement Assn. v. Regents of Univ. of Cal. (1988) 47 Cal.3d 376, 406 (Laurel Heights); Goleta, supra, 52 Cal.3d at p. 568.) “An EIR need not consider every conceivable alternative to a project” suggested by commenters (In re Bay-Delta etc., supra, 43 Cal.3d at p. 1163.) The mere fact that a project opponent or critic can conceptualize an additional alternative that a lead agency could have added to the EIR does not make the EIR deficient.

The commenter states that the Draft EIR should have been placed in a different location on the site. The Draft EIR did not need to consider such an additional alternative because the City had 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. (Guidelines, § 15126.6; In re Bay-Delta etc., supra, 43 Cal.4th at p. 1163.)

The commenter does not present any evidence that an “alternative site layout” would reduce impacts or better fulfill Project objectives. Notably, the proposed Project has less-than-significant effects on visual resources. Thus, no significant environmental effects would be avoided or reduced by moving the proposed building to a different part of the subject property in order to preserve the existing view of the Chevron gas station located west of the Project site.

The Draft EIR’s three alternatives also satisfy the CEQA requirement that alternatives meet most Project objectives while substantially lessening at least one significant impact. The alternatives section of the Draft EIR explicitly discloses both where the alternatives lessen Project impacts that would be significant without mitigation and the extent to which each alternative would satisfy the proposed Project’s objectives. See page 5.0-18 – 5.0-19 [Table 5.0-1], and 5.0-20 – 5.0-21 of the Draft EIR.

With respect to asbestos, see Comment P-1. The Mendocino County Air Quality Management District regulates asbestos under two different programs. The Federal Clean Air Act National Emissions Standards for Hazardous Air Pollutants (NESHAP) contains requirements for Renovation and Demolition of existing structures (including notification forms). The California Air Resources Board Air Toxic Control Measures for Naturally Occurring Asbestos regulations tend to effect new construction and grading activities. Further, during any disturbance of ACM on the Project site, the CAL OSHA worker health and safety regulations would apply. These regulations would apply regardless of friability or quantity disturbed. If there is greater than 100 square feet of ACM which will be affected by the demolition, a California Licensed Contractor who is registered with CAL OSHA for asbestos would be hired. The regulations regarding asbestos are found in Title 8 CCR Section 1529, and also include formal notification requirements to CAL OSHA at

least 24 hours prior to removal. Removal would be conducted with the material(s) kept in a wetted state in order to contain dust and hazardous emissions.

Air toxics regulations under the Clean Air Act specify work practices for asbestos to be followed during demolitions and renovations of all facilities, including, but not limited to, structures, installations, and buildings (excluding residential buildings that have four or fewer dwelling units). The regulations require a thorough inspection where the demolition or renovation operation will occur. The regulations require the owner or the operator of the renovation or demolition operation to notify the District before any demolition, or before any renovations of buildings.

The rule requires work practice standards that control asbestos emissions. Work practices often involve removing all asbestos-containing materials, adequately wetting all regulated asbestos-containing materials, sealing the material in leak tight containers and disposing of the asbestos-containing waste material as expediently as practicable, as the regulation explains in greater detail. These work practice standards are designed to minimize the release of asbestos fibers during building demolition or renovation, waste packaging, transportation and disposal.

Response P-12: The commentor states the following: “I don’t agree that the split parking lots create circulation issues. The northern lot could be used for employee parking, so ingress and egress would be limited to shift changes. Delivery trucks could still enter from N Harbor Dr, which I think is a problematic intersection, or they could enter from South St which might decrease problems with interference with traffic driving north off the bridge. However, entering from South St might interfere with emergency vehicle passage, so this option would need to be carefully studied.”

While the comment does not address the adequacy of the Draft EIR, or compliance with CEQA, this comment is noted and will be forwarded to the decision makers for their consideration of topics beyond the adequacy of the Draft EIR.

Response P-13: The commentor states the following: “As I stated at the beginning of this document, I could have made a detailed list of all the errors, misstatements of fact, or misleading assertions, but I didn’t want to get bogged down in the details. I’ve tried to distill my comments down to the most important issues with this project. This environmental consultant gave a lowball cost estimate to prepare this DEIR and had already been working with the developer. Guess what? You got what you paid for. Our fears of superficial analysis, using mostly old studies were realized. I’m disappointed to say the least.”

It is noted that several new studies were completed for the Draft EIR, including but not limited to a VMT Study, an update to the 2019 TIA, an Environmental Noise Assessment, and a Wetland Report.

While the comment does not address the adequacy of the Draft EIR, or compliance with CEQA, this comment is noted and will be forwarded to the decision makers for their consideration of topics beyond the adequacy of the Draft EIR.

From: montanagrl <montanagrl54@gmail.com>
Sent: Saturday, October 29, 2022 12:53 PM
To: Gurewitz, Heather <hgurewitz@fortbragg.com>
Subject: Grocery Outlet

To whom it may concern;

Please approve the building of the Grocery Outlet for the city of Fort Bragg. We need another business that can bring a choice of products at a reasonable price to the citizens of Fort Bragg. The traffic won't be any worse than it is now, depending on where you go.

Q-1

Thanks for your time,

Linda Williams

<https://mail.google.com/mail/u/1/?ik=802be77d6b&view=pt&search=all&permthid=thread-f%3A1748217463788423101&simpl=msg-f%3A1748217463...> 1/1

Response to Letter Q: Linda Williams

Response Q-1: The commentor expresses support for the proposed Project.

While the comment does not address the adequacy of the Draft EIR, or compliance with CEQA, this comment is noted and will be forwarded to the decision makers for their consideration of topics beyond the adequacy of the Draft EIR.

-----Original Message-----

From: Liz Helenchild <djliz@mcn.org>

Sent: Monday, October 31, 2022 3:53 PM

To: Gurewitz, Heather <hgurewitz@fortbragg.com>

Cc: Peters, Sarah <speters@fortbragg.com>; McCormick, Sarah <smccormick@fortbragg.com>; Ducey, Peggy <PDucey@fortbragg.com>

Subject: My comments re Proposed Grocery Outlet DEIR

As a coastal resident since 1971, considering the Big Picture, I do not find my top (of several) concerns fully addressed in the DEIR. I find the DEIR fails to address impacts farther from of the project site & its immediate surroundings than shown.

At present, also during & after construction of the projected hospital, fast-moving ambulances, possibly drivers distracted by medical issues, & tourists to/from N Harbor can endanger pedestrians & drivers. As a hospital volunteer, I am particularly aware of these hazards, especially for pedestrians in this often congested area where speed limits & intersections are not well marked nor complied with.

DEIR does not offer sufficient mitigations for increased vehicle traffic around the hospital & adjacent medical facilities as well as existing & projected housing nearby. The traffic studies fail to note that ambulances most often use South Street. The sudden dip at the intersection of South & Franklin Streets poses an additional potential hazard.

R-1

Sidewalks for pedestrians & space for shoppers to navigate the proposed Grocery Outlet parking lot fall short of safety.

Existing & future senior housing near the proposed site is not addressed. I often observe slow-moving elder people, whose eyesight, hearing & reaction time may be challenged, walking for exercise &/or errands nearby.

Allowing left turns onto the Noyo Bridge at the intersection of Harbor Drive & Highway One is a set-up for inevitable traffic collisions.

Not addressed in the DEIR: Raven predation on songbird eggs & nests in residential parts of the city has wiped out songbirds & increased the raven population. A grocery store will predictably attract ravens (& possibly rats) due to food scraps, packaging, etc easily available out in the open.

R-2

The DEIR lacks mitigations to address these & other current & foreseeable problems.

I urge you to deny the Proposed Grocery Outlet at this location at this time.

Respectfully,

Liz Helenchild

Response to Letter R: Liz Helenchild

Response R-1: The commentor states that the Draft EIR does not offer sufficient mitigation for increased vehicle traffic around the hospital and adjacent medical facilities. The commentor states that the traffic studies fail to note that ambulances most often use South Street. The commentor also states that an existing dip at the South Street / South Franklin Street intersection causes a hazard, and existing sidewalks fall short of safety. The commentor further states that existing and future senior housing is not addressed, and allowing left turns onto the Noyo Bridge at the intersection of Harbor Drive and Highway 1.

The Project includes sidewalk facilities along the perimeter of the Project site consistent with City standards. With respect to emergency vehicles, based on assumptions made for other traffic studies, the City assumed that 50% of the trips specifically made to visit the Grocery Outlet Store (i.e., primary trips) will have origins / destination south of the Noyo River and use SR 1 and SR 20 to reach the site. The balance will be oriented to the north and to areas of the community east of Franklin Street. Table 3.7-6 in Section 3.7 summarizes the assumed distribution of new trips. Implementation 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. It is also noted that the Plateau Housing Project was considered in the near-term and cumulative traffic condition. See page 3.7-16 of Section 3.7 of the Draft EIR.

While the majority of the comment does not address the adequacy of the Draft EIR, or compliance with CEQA, this comment is noted and will be forwarded to the decision makers for their consideration of topics beyond the adequacy of the Draft EIR.

Response R-2: The commentor states that raven predation on songbird eggs and nests in residential parts of the city has wiped out songbirds and increased the raven population. The commentor also states that a grocery store will predictably attract ravens (and possibly rats) due to food scraps, packaging, etc. easily available out in the open

While the comment does not address the adequacy of the Draft EIR, or compliance with CEQA, this comment is noted and will be forwarded to the decision makers for their consideration of topics beyond the adequacy of the Draft EIR.

Grocery Outlet Impacts by Mary Rose Kaczorowski,

P.O. Box 1684, Ft. Bragg CA 95437

I am a resident of Ft. Bragg and these are my concerns.

October 31, 2022

Public Comment on Draft

Environmental Impact Report for the Proposed Grocery Outlet

The poor quality of this EIR document is obvious and is lacking in many areas and does not address new standards just set by Gov. Newsom and recent legislation signed into law.

For Example:

The 2022 Energy Code update focuses on four key areas in new construction of homes and businesses:

- Encouraging electric heat pump technology and use
- Establishing electric-ready requirements when natural gas is installed
- Expanding solar photovoltaic (PV) system and battery storage standards
- Strengthening ventilation standards to improve indoor air quality

I do not see this EIR addressing these standards nor for combined solar PV and battery standards where systems are sized to maximize onsite use of solar energy and avoid electricity demand during times when the grid must use gas-powered plants.

The California 2022 Energy Code extends solar and introduces battery storage standards to the grocery stores and for businesses — there are new heat pumps standard for retail, and grocery. Where is all these adoption of new standards discussed?

S-1

Fort Bragg is a small town with a small land footprint that cannot accommodate every development whim. When one enters Fort Bragg, do we wish to keep moving toward stripping away our scenic beauty for the model of an unpleasant and ugly type of 101 Eureka Corridor model that everyone just hates and tries to get past quickly? Look at the fate of Big Box stores in wealthy areas like Mountain View California that went belly up!

S-2

Food waste? Several local groceries stores every week take their overstock, imperfections, or looming expiration date items to our local food bank. Food waste is not an issue here.

Why will shoppers have to pay for near expired product or discounted product when it can go to the Food Bank and **people who need this food can get it for FREE?**

S-3

The site of and parcels encompassing the proposed Grocery Outlet is designated as Highway Visitor Commercial

<https://www.city.fortbragg.com/home/showpublisheddocument/710/637710004853630000>

and is nearby a Special Review And Runoff Sensitive Area

<https://www.city.fortbragg.com/home/showpublisheddocument/722/637710004904870000>

“Our commitment to sustainability should be integrated into our everyday decision-making 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/380/637709989995753660>

S-4



S-4
cont'd

Traffics, Safety and Pollution

AB 2097 by Assemblymember Laura Friedman (D-Glendale) and signed by Gov. Newsom prohibits minimum parking requirements for new housing, commercial and other developments located near transit to reduce vehicle emissions and promote denser, more affordable housing closer to people's daily destinations. While developers can still choose to include parking as part of any project, they can now build housing as well as commercial properties without including any parking at all—as long as a public transit stop lies within a half-mile radius.

S-5

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, 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 yet to be opened Crisis Respite Center (517 Cypress Street) . Then there are the ongoing trips by Fed Ex, UPS, PG&E, AT&T, Comcast, Verizon, Public Works, electricians, plumbers, carpenters, yard and landscape services, Emergency Ambulance, Sheriff and Police vehicles, Waste transfer vehicles, and vehicles that go through Lyme Timber Logging Gates.

Let's not forget the COVID Vaccine testing and vaccine delivery vehicle line ups.

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 is already one of the highest traffic areas compared to the rest of the City of Ft. Bragg other than along Highway 1/Main Street. Walking and biking will become more hazardous.

Then there is the six existing apartment complexes and townhouses along Cypress St. and Kempe Way, plus the 69-unit DANCO subdivision (near completion). Emissions of pollutants from motor vehicles, are injurious to people's health. Noise from vehicles is also harmful, damaging hearing and causing psychological ill-health.

Do know that associated big rig delivery trucks (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 if we add hundreds of cars going in and out of this Grocery Outlet at these busy intersections every day.

The proposed Grocery Outlet also raises concerns about stormwater runoff, water supply, public safety, solid waste impacts, crime and more alcohol sales.

S-5

cont'd

S-6

Again, this neighborhood area of town has the highest traffic flow in the city outside of Highway 1.

Do we REALLY need another grocery store competing with our local stores and adding more traffic? Grocery Outlet is a publicly traded company. From an economic perspective, there is much data to suggest 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 our 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
gas station convenience stores

Then we have the impact of traffic in shipping goods over Highway 20 which also will be increased and combined with FedEx, UPS, gas and propane trucks, logging & gravel and other export/import deliveries, plus other service vehicles (Cal Fire, Sheriff, Caltrans, etc.) tourist & commuter traffic. This all definitely has and continues to have a negative impact on roads, garbage along the roadside, impact on the environment in addition to more traffic.

Then there is the Mendocino Coast 50-mile area radius centering from Ft. Bragg impact on this area's **carrying capacity**. **This impacts** residents, businesses and the distances shoppers are willing to travel and to support any new business development in Fort Bragg. *However, thresholds are only based on population and do not take into consideration other crucial factors such as income, nearby competition, gas prices, traffic, etc. Will Ft. Bragg inventory how impacts of such a store have on the existing stores that offer groceries, empty existing storefronts and businesses for comparative and competitive analysis?*

S-7

What about the following?

- ☐ Climate Change Impacts
- ☐ Pollution run off from vehicles
- ☐ No parking lot at this site (or street parking) will accommodate cars, pickup trucks, big rig delivery trucks, small delivery trucks, RV's, etc.
- ☐ Grocery Outlet can have supply chain challenges
- ☐ We already have a labor availability issue
- ☐ Will Grocery Outlet have a gross profit margin stability

S-7
cont'd

Examples of failures in this area: Bank of America, Wells Fargo, Burger King, etc. Remember the local copy shop wars when a franchise came in and undercut existing copy shops and that franchise caused them to close and then the franchise went out of business?

CLIMATE IMPACTS and Green House Gas Emissions and Solid Waste Generation

Vehicles generate more Greenhouse Gas Emissions than all other sources combined. Vehicles are also responsible for the majority of air pollutants. Waste is trucked to the destinations outside of our area and contribute to Greenhouse Gas Emissions and a high-Volume Grocery Outlet will increase solid waste via sale of excess packaging and plastic bags.

S-8

Bringing in more product from hundreds of miles away to Ft. Bragg over Highway 20 to this Grocery Store adds to Greenhouse Gas Emissions.

Who gets the Advantage?

We all know that corporate run formula and franchise stores are set up to attain advantage and the maximization of profit for the owners and stockholders who do not reside in the small rural towns where these businesses are situated.

Regarding Discount Formula Stores

"Although dollar stores sometimes fill a need in places that lack basic retail services, there's growing evidence that these stores are not merely a byproduct of economic distress. They're a cause of it," write ILSR co-authors Marie Donahue and Stacey Mitchell. "In small towns and urban neighborhoods alike, dollar stores are leading full-service grocery stores to close. And their strategy of saturating communities with multiple outlets is making it impossible for new grocers and other local businesses to take root and grow." (Source: <https://www.fastcompany.com/90278384/why-dollar-stores-are-bad-business-for-the-neighborhoods-they-open-in>)

S-9

Response to Letter S: Mary Rose Kaczorowski

Response S-1: The commenter states that the 2022 Energy Code is not addressed in the EIR and questions where these standards are discussed.

The California Energy Code is discussed in Section 3.4, Greenhouse Gases, Climate Change and Energy, of the Draft EIR. See pages 3.4-15, 3.4-16, 3.4-37, and 3.4-40. The proposed Project is subject to the California Energy Code, as it is an existing standard. All projects ultimately require Buildings Plans to be prepared, which undergo review by the Building Department prior to issuance of a building permit. Such review covers compliance with all building codes in effect at the time of project submission, including the California Energy Code.

Response S-2: The commentor provides opinions regarding scenery in Fort Bragg.

While the comment does not address the adequacy of the Draft EIR, or compliance with CEQA, this comment is noted and will be forwarded to the decision makers for their consideration of topics beyond the adequacy of the Draft EIR.

Response S-3: The commentor provides opinions and statements regarding food waste.

While the comment does not address the adequacy of the Draft EIR, or compliance with CEQA, this comment is noted and will be forwarded to the decision makers for their consideration of topics beyond the adequacy of the Draft EIR.

Response S-4: The commentor states that the Project site is designated as Highway Visitor Commercial and is nearby a Special Review and Runoff Sensitive Area. The commenter then cites the City's Climate Action Plan, and provides an aerial view of the Project vicinity.

While the comment does not address the adequacy of the Draft EIR, or compliance with CEQA, this comment is noted and will be forwarded to the decision makers for their consideration of topics beyond the adequacy of the Draft EIR.

Response S-5: The commentor discusses Assembly Bill (AB) 2097 and states that the proposed 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. The commenter describes existing activities and popular destinations in this area, and states that various areas of the City (Noyo Harbor, South Main Street, South Street, S. Franklin Street, and Cypress Street) are difficult to navigate currently. The commenter states that walking and biking will become more hazardous, and discusses air quality emissions which result from big rig delivery trucks in the area currently. Additionally, the applicant requests consideration of the traffic which will be added to the area.

See Section 3.7, Transportation and Circulation, of the Draft EIR for discussions of impacts related to bicyclists, pedestrians, and emergency access, and Section 3.2, Air Quality, of

the Draft EIR for discussions of air quality emissions. The trip generation and distribution for the proposed Project is discussed on pages 3.7-8 through 3.7-10. Table 3.7-5 displays the Saturday midday and weekday p.m. peak hour trip generation forecasts for the proposed Project. As indicated, the proposed Project would generate 165 Saturday and 148 weekday p.m. peak hour trips at its driveways. A portion of the traffic drawn to these stores would be drawn from the stream of traffic already passing the site. The ITE Trip Generation Handbook, 3rd Edition notes that 36% of the weekday trips generated by supermarkets are typically “passby”, and this rate has been used for both study time periods.

Impacts associated with hundred heavy-duty truck trips and generation of TACs are discussed in Section 3.2, Air Quality. Ultimately, as discussed in the Draft EIR, the heavy- and 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.

Response S-6: The commentor states that the proposed Project raises concerns about stormwater runoff, water supply, public safety, solid waste impacts, crime, and more alcohol sales.

See Section 3.8, Utilities, of the Draft EIR for discussions regarding stormwater runoff, water supply, and solid waste. Public safety and services are discussed in Section XV, Public Services, of the Initial Study (Appendix A of the Draft EIR). All impacts associated with public services, stormwater runoff, water supply, and solid waste were determined to be less than significant. Alcohol sales is not an EIR topic, but the comment will be forwarded to the decision makers.

Response S-7: The commenter lists existing grocery stores in the City and questions if the City needs another grocery store competing with our local stores and adding more traffic. Further, the commenter expresses general concerns about increased traffic resulting from delivery drivers, service vehicles, and import/export deliveries, as well as impacts to existing grocery stores.

See Section 3.7, Transportation and Circulation, of the Draft EIR for discussions of traffic impacts and Section 3.5, Land Use, of the Draft EIR for a discussion of urban decay. The remainder of the comment is not related to environmental analysis from the Draft EIR.

Response S-8: The commentor states that solid waste will increase as a result of the proposed Project, and the import of grocery products will increase greenhouse gas emissions.

See Section 3.8, Utilities, of the Draft EIR for discussions of solid waste impacts and Section 3.4, Greenhouse Gas Emissions, Climate Change and Energy, of the Draft EIR for a discussion of greenhouse gas emissions. Greenhouse gas emissions and solid waste generation will increase as a result of the proposed Project. Greenhouse gas emissions have been modeled, and the results of the modeling are reflected in the Draft EIR.

Response S-9: The commentor states that corporate run formula and franchise stores are set up to attain advantage and the maximization of profit for the owners and stockholders who do not

reside in the small rural towns where these businesses are situated. The commenter reproduces portion of an article from Fast Company.

It is noted that an Urban Decay Study (ALH Urban & Regional Economics, 2023) was completed for the proposed Project. The Urban Decay Study was incorporated into the Land Use section of the Draft EIR. See Chapter 3.0, Revisions, of this Final EIR for the revisions to Section 3.5 of the Draft EIR. As discussed, pursuant to the existing market conditions, projected retail supply and demand conditions, and Grocery Outlet project orientation, the Urban Decay Study concludes that there is no reason to consider that development of the proposed Grocery Outlet store would cause or contribute to urban decay.

While the comment does not address the adequacy of the Draft EIR, or compliance with CEQA, this comment is noted and will be forwarded to the decision makers for their consideration of topics beyond the adequacy of the Draft EIR.

Mikael Blaisdell
810 S. Franklin St.
Fort Bragg, CA 95437
(707) 961-6282
mikael@mblaisdell.com

Fort Bragg Planning Commission
Community Development
416 North Franklin St
Fort Bragg, CA 95437

**Subject: Opposition to Draft EIR for Grocery Outlet Project to be located
in the 800 block of South Franklin St.**

This letter is intended to document my opposition to acceptance of the draft EIR. The key points of my objection are that:

- A) such a use would generate entirely inappropriate levels of traffic around the intersection of Highway 1 and North Harbor Drive, creating delays and increasing the dangers of the section of North Harbor Drive from SH 1 to South Franklin St, and
- B) the proposed use would also significantly impact traffic on SH 1 at the intersection with South St.
- C) the suggested traffic expectations are arbitrary and likely understated. Assumptions are being made without supporting data

T-1

In the *Initial Study and Environmental Checklist for Best Development Grocery Outlet. Dated December 2020, and prepared by LACO Associates of Ukiah, CA (LACO Project # 8135.14*, on Page 10, it was admitted that “**The project is expected to generate a total of 1,709-weekday trips and 2,842 daily trips on a Saturday.** Roughly 6 percent (165 trips) of the Saturday traffic occurs in the midday peak hour and 9 percent (148 trips) of the weekday trips occur during the weekday p.m. peak hour.” The authors of the study claimed that this data represents a “less than significant impact” without substantiating that outlandish claim in any way.

T-2

In the current draft EIR, the claimed volume estimate is repeated. ““On a daily basis, a 16,000 sf Grocery Outlet Store could generate 1,709 weekday daily trips, with 2,842 trips on Saturday. After discounting for “passby trips”, the proposed project may generate 1,094 new daily trips (½ inbound and ½ outbound) on a weekday and 1,818 on a Saturday.”

RE: draft EIR for proposed Grocery Outlet

Page 1 of 3

The City goes on to claim “As indicated, based on the layout of the site and these assumptions we anticipate that the Franklin Street driveway will be the primary access to the site, and 70% of the project’s total traffic in and out is shown to use that driveway.”

T-2
cont'd

The assumptions being made about the level of traffic and where the impacts will occur are not substantiated in the draft EIR, and appear to me to be significantly flawed. I live in the neighborhood, and regularly drive through the roads and intersections in the area and also observe the traffic flows.

In my view, the most significantly impacted road will be northbound SH 1/Main St on the approach to the intersection with North Harbor Drive, and immediately after that intersection as it continues east to intersect with S. Franklin St. By the City’s estimate, the opening of a Grocery Outlet store in the proposed location will create an increase of 855 trips each weekday and 904 on Saturday coming from the south that will turn right onto North Harbor Drive — *and then attempt to make an immediate left turn into the Grocery Outlet parking lot.* In the process, these drivers will have to contend with entering and exiting cars from a gas station, a pizza restaurant, and two hotels, as well as oncoming traffic westbound on North Harbor Drive. The result will be significant delays at best, stretching back to cause slowdowns on northbound SH 1. The EIR’s claim that 70% of the Grocery Outlet traffic will use the South Franklin street entrance is unsupported by their own estimates and is therefore clearly suspect.

The impact of the significantly increased traffic from northbound State Highway 1 turning onto North Harbor Drive at this point to access the Grocery Outlet store alone is sufficient reason to deny the application. But there is unfortunately even more dangers to be considered.

T-3

Coming Southbound along Main St. / State Highway 1, the closest two potential access points for the proposed Grocery Outlet store are South Street and North Harbor Drive — neither of which have any kind of traffic control aids (stoplights, etc.) other than a shared turn lane to ensure the making of safe left turns across two lanes of oncoming traffic moving at 40 miles per hour or more.

Prospective Grocery Outlet customers trying to turn left *into* South St. from Highway 1 will be competing with traffic coming *-out-* of South Street trying to turn left onto Highway 1. Incoming traffic will also be contending with two lanes of oncoming northbound traffic on Highway 1. (If the proposed permit is granted, and the Grocery Outlet goes into operation at the site, the projected traffic delay at the corner of Main St. / Highway 1 and North Harbor Drive will undoubtedly result in frustrated drivers rapidly accelerating past the jam, which will further complicate and increase the hazards for left-turners at the South St. intersection.

While some percentage of Grocery Outlet bound drivers may elect to take advantage of the stoplight at Cypress St. to turn off of SH 1, there is no evidence to suggest that this will be in any way a significant portion of the total traffic to the store.

RE: draft EIR for proposed Grocery Outlet

Page 2 of 3

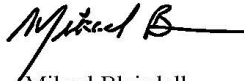
In the permit application and appeals process, we heard many people speak of the need for access to low cost groceries as the Grocery Outlet will provide. That there is a desire for a Grocery Outlet store in Fort Bragg is obvious. That it will be popular is likely. I have no objections to the store per se, it is only the proposed location and its probable effects on traffic on the surrounding streets that is of substantial concern.

Once the store is built, if as I maintain, the assumptions being made about traffic patterns are inaccurate — it will be too late to do anything about the situation. The only possible remediation would be in the form of a traffic light at SH 1 and North harbor Drive, which would have its own impact upon the traffic flow.

T-4

I therefore recommend that permission not be given to Grocery Outlet to build and occupy the proposed location.

Sincerely,



Mikael Blaisdell
Fort Bragg, CA
10/11/2022

RE: draft EIR for proposed Grocery Outlet

Page 3 of 3

Response to Letter T: Mikael Blaisdell

Response T-1: The commentor summarizes three key objections to the Draft EIR.

See Responses T-2 through T-4 which address these specific concerns.

Response T-2: The commentor discusses the trip generation discussed in the 2020 Initial Study completed for the proposed Project by LACO Associates. The commentor also states that “The assumptions being made about the level of traffic and where the impacts will occur are not substantiated in the Draft EIR, and appear to me to be significantly flawed.”

The trip generation and distribution for the proposed Project is discussed on pages 3.7-8 through 3.7-10. Table 3.7-5 displays the Saturday midday and weekday p.m. peak hour trip generation forecasts for the proposed Project. As indicated, the proposed Project would generate 165 Saturday and 148 weekday p.m. peak hour trips at its driveways. A portion of the traffic drawn to these stores would be drawn from the stream of traffic already passing the site. The ITE Trip Generation Handbook, 3rd Edition notes that 36% of the weekday trips generated by supermarkets are typically “passby”, and this rate has been used for both study time periods.

As noted in Table 3.7-5, the proposed Project is expected to generate 105 “primary” trips during the Saturday peak hour, and 95 during the weekday p.m. peak hour. ITE data is also available for daily traffic volumes. On a daily basis, a 16,000 sf Grocery Outlet Store could generate 1,709 weekday daily trips, with 2,842 trips on Saturday. After discounting for “pass-by trips”, the proposed Project may generate 1,094 new daily trips (½ inbound and ½ outbound) on a weekday and 1,818 on a Saturday.

The distribution of Project traffic was determined based on consideration of the demographic distribution of residences and competing stores in this area of Mendocino County, on the typical trade area characteristics of Grocery Outlet Stores, and on assumptions made for other retail projects in previous Fort Bragg traffic studies. Grocery Outlet Stores in rural communities can attract customers from a relatively broad area that extends beyond the limits of the community, particularly on weekends. Based on assumptions made for other traffic studies, the City assumed that 50% of the trips specifically made to visit the Grocery Outlet Store (i.e., primary trips) will have origins / destination south of the Noyo River and use SR 1 and SR 20 to reach the site. The balance will be oriented to the north and to areas of the community east of Franklin Street. Table 3.7-6 summarizes the assumed distribution of new trips.

Response T-3: The commentor states that in their view, the most significantly impacted road will be northbound Highway 1/Main Street on the approach to the intersection with North Harbor Drive, and immediately after that intersection as it continues east to intersect with S. Franklin Street. The commentor also states that the “EIR’s claim that 70% of the Grocery Outlet traffic will use the South Franklin Street entrance is unsupported by their own estimates and is therefore clearly suspect.” The commentor concludes by stating that

“While some percentage of Grocery Outlet bound drivers may elect to take advantage of the stoplight at Cypress St. to turn off of SH 1, there is no evidence to suggest that this will be in any way a significant portion of the total traffic to the store.”

See Response T-2 regarding trip distribution.

Response T-4: The commentor discusses access to low-cost groceries and states they do not have objections to the store per se. The commenter expresses concerns regarding traffic on the surrounding streets.

The commenter provides introductory comments regarding their review of the Draft EIR. While the comment does not address the adequacy of the Draft EIR, or compliance with CEQA, this comment is noted and will be forwarded to the decision makers for their consideration of topics beyond the adequacy of the Draft EIR.

From: Morgan Shook <mshookamoto@gmail.com>

Sent: Monday, October 31, 2022 10:11 AM

To: Gurewitz, Heather <hgurewitz@fortbragg.com>

Subject: Grocery Outlet in FB

I'm a SPED teacher who was born in Fort Bragg but I couldn't afford living on the coast and moved to Willits. Having the Grocery Outlet here saves me so much money and I bring my parents' deliveries every weekend because things are so EXPENSIVE on the coast. I beg you to help out the people first, and then worry about the business politics after. The cost of living is so high and letting the Grocery Outlet in would save people money. Please, do this because parents have to decide between rent and food and I don't want to see hungry children. Thank you,

U-1

Morgan

Response to Letter U: Morgan Shook

Response U-1: The commentor expresses support for the proposed Project.

While the comment does not address the adequacy of the Draft EIR, or compliance with CEQA, this comment is noted and will be forwarded to the decision makers for their consideration of topics beyond the adequacy of the Draft EIR.

From: City of Fort Bragg <helpdesk@fortbragg.com>
Sent: Monday, September 19, 2022 12:35 PM
To: Gurewitz, Heather <hgurewitz@fortbragg.com>
Subject: EmailGrocery Outlet Project contact from Fort Bragg, CA

Message submitted from the <Fort Bragg, CA> website.

Site Visitor Name: Rebecca McDaniel
Site Visitor Email: mizbecky@comcast.net

Ms. Gurewitz, We are in favor of the Grocery Outlet project . To many times we have seen projects that would be favorable for this community not get passed. If we do not let new blood in to our community we will coagulate. Please move forward to a better future for our town. Sincerely, Rebecca McDaniel

V-1

<https://mail.google.com/mail/u/1/?ik=802be77d6b&view=pt&search=all&permthid=thread-f%3A1744434618063522956&simpl=msg-f%3A1744434618...> 1/1

Response to Letter V: Rebecca McDaniel

Response V-1: The commentor expresses support for the proposed Project.

While the comment does not address the adequacy of the Draft EIR, or compliance with CEQA, this comment is noted and will be forwarded to the decision makers for their consideration of topics beyond the adequacy of the Draft EIR.

From: Robert Ross <rross@mcn.org>
Sent: Friday, October 28, 2022 8:03 AM
To: Gurewitz, Heather <hgurewitz@fortbragg.com>
Subject: Re: Grocery Outlet

To the City of Fort Bragg Officers.....

I've read about the proposed Grocery Outlet, at present planned for the site of the Social Services complex. I've shopped at Grocery Outlet in the past, at the Ukiah location, and found there wasn't much of real (that is, healthful and unprocessed) food or desirable, durable household items. It was good for a bag of flavored potato chips, though. Definitely less "practical" than the Dollar Store.

W-1

I do understand that outlets for cheap products can serve a community. However, I also understand that a business like this could seriously impact a smaller business like Purity Market, which has served central Fort Bragg since before I moved to the coast in 1965. Although I live outside the city limits, on Pudding Creek Road, the town Fort Bragg is my shopping and business center, my basic health services, and the community I've participated in for most of my life.

And I am particularly concerned about the traffic which will increase considerably in a section of Fort Bragg that is given over to so many public services: the Police Station, the Courthouse, Social Services, and particularly the profusion of medical establishments including the Clinic, dental offices, the hospital, the pharmacy, and numerous individual medical offices. Will big box store traffic impact ambulance access? Will traffic congestion spill over to Highway One? Will a new stop signal on the highway be required, and if so how will this affect major north-south traffic?

W-2

Is the town aiming to become more corporatized at the expense of small local business? If indeed Grocery Outlet is deemed desirable for the benefit of Fort Bragg, which I know is suffering from many empty small-business store-fronts, perhaps it would be better located at some distance from major traffic areas, and away from our fundamental medical infrastructure.

Please reconsider the long term effects of this plan. Who benefits? The local population, or a major real-estate developer? This is a constant dilemma for the City Council, I know, and requires cautious deliberation. We, as a town, want to improve and prosper, but at what cost to ourselves, to our community, in terms of safe *and enjoyable* daily life? Who really profits here? And what do we mean by "profit".....is it monetary income, or is it thoughtful, planned, gracious, livable neighborhoods?

W-3

I urge you to look more deeply into the long-term consequences of your decisions, for myself and my family, and for yourselves and for your families.

Thanks for considering this request.

Best,

Robert Ross
[30500 Pudding Creek Road](#)
[Fort Bragg](#)

Response to Letter W: Robert Ross

Response W-1: The commentor expresses disapproval with the Grocery Outlet food quality and states that the proposed Project could seriously impact a smaller business such as Purity Market.

While the comment does not address the adequacy of the Draft EIR, or compliance with CEQA, this comment is noted and will be forwarded to the decision makers for their consideration of topics beyond the adequacy of the Draft EIR.

Response W-2: The commentor expresses concerns regarding traffic in the area as a result of the various public services in the area. The commenter questions if big box store traffic will impact ambulance access, if traffic congestion will spill over to Highway 1, if a stop signal on the highway will be required, and what the effects of a stop signal would be to north-south traffic on the highway. The commenter provides statements regarding small businesses, and suggests that the proposed Project be located at some distance from major traffic areas, and away from fundamental medical infrastructure.

See Section 3.7, Transportation and Circulation, of the Draft EIR for discussions of impacts related to transportation and emergency access. The analysis presents trip generation, vehicle miles traveled, and levels of service. The analysis also discussed operational characteristics of the circulation system. The analysis in the Draft EIR is technically accurate. This comment is noted and will be forwarded to the decision makers for their consideration of topics beyond the adequacy of the Draft EIR.

Response W-3: The commenter requests reconsideration of the long-term effects of the proposed Project, and questions who would benefit and profit from the proposed Project.

The comment does not specifically address the adequacy of the Draft EIR, or compliance with CEQA, rather, it is a presentation of social concerns about growth in the City. This comment is noted and will be forwarded to the decision makers for their consideration of topics beyond the adequacy of the Draft EIR.

From: Robert Zimmer <rz@mcn.org>
Sent: Friday, October 28, 2022 11:15 AM
To: Gurewitz, Heather <hgurewitz@fortbragg.com>
Subject: Gricery outlet store

This chain store offers prices much cheaper than other corporate stores.

X-1

It would be good for us to have cheaper prices because with the cost of items these days it would help us.

Robert Zimmer

rz@mcn.org

"I take a journey out (to nature) so that I may take a journey in."

John Muir

Response to Letter X: Robert Zimmer

Response X-1: The commenter expresses support for the proposed Project and provides statements regarding grocery affordability.

While the comment does not address the adequacy of the Draft EIR, or compliance with CEQA, this comment is noted and will be forwarded to the decision makers for their consideration of topics beyond the adequacy of the Draft EIR.

-----Original Message-----

From: Suzi Long <suzilongonart@yahoo.com>

Sent: Friday, October 28, 2022 2:03 PM

To: Gurewitz, Heather <hgurewitz@fortbragg.com>

Subject: Groc out

Please bring GrocOut to the coast. You can work out logistics but for the budgeted consumer they have the best bang for the buck. Yes Purity is nice but a bit pricey and Harvest is WAAAY Over the top. Safeway not my favorite place.? GO has deals and organic produce and most everything I need and can afford. Please make this happen!

Y-1

Suzi Long 🌸

www.suzilongonart.com

18601 N. Hwy 1 #213

Fort Bragg CA 95437

707/779-8713

<https://mail.google.com/mail/u/1/?ik=802be77d6b&view=pt&search=all&permthid=thread-f%3A1747968639740967562&simpl=msg-f%3A1747968639...> 1/1

Response to Letter Y: Suzi Long

Response Y-1: The commenter expresses support for the proposed Project and provides statements regarding grocery affordability.

While the comment does not address the adequacy of the Draft EIR, or compliance with CEQA, this comment is noted and will be forwarded to the decision makers for their consideration of topics beyond the adequacy of the Draft EIR.

Heather Gurewitz, Associate Planner
 City of Fort Bragg
 416 N Franklin St.
 Fort Bragg, CA 95437
 hgurewitz@fortbragg.com

Re: NOP of the EIR for the
 Best Development Grocery Outlet (SC#: 2022050308)

October 28, 2022

Dear Heather:

Over the last four years, I have participated in numerous Cal Trans and MCOG presentations regarding traffic and traffic studies, problems, with proposed future solutions involving Mendocino County and the City of Fort Bragg.

Z-1

I think two future traffic projects under consideration for Fort Bragg will be exacerbated by construction of a Grocery Outlet at the proposed location, causing unmitigated cumulative impacts not addressed in this EIR:

1. **Highway Crossing:** The Cypress Street highway access to the Coastal Trail, which needs a center island or roundabout or other solution because it is dangerous for pedestrians to cross the highway.

City residents to the north and east would have to access the proposed Grocery Outlet from Franklin Street, coming from in-town or the highway. From the highway, the only controlled highway intersection is at Cypress, otherwise one has to wait for oncoming traffic to turn left onto South Street or North Harbor Drive. Therefore, the Cypress Street intersection would get a lot more traffic from town, creating a cumulative impact to the already problematic crossing.

Z-2

2. **Harbor Access:** There is only one access to Noyo Harbor—North Harbor Drive. This is a narrow road, leading from the northeast down to many new restaurants and attractions in the harbor area. Lack of parking in the harbor has created a traffic congestion nightmare during the tourist season, weekends, and holidays. Any access or egress necessitated by a fire or medical or other emergency is now a very serious safety concern. A new access road leading from the Mill Site down from Cypress on the northwest side has been proposed to make a loop. But nothing is decided yet.

Z-3

So while we already have a serious hazard with just one road (North Harbor Dr.) for hundreds of cars daily leading into and out of the harbor, egress and access to the grocery parking lot will greatly add to that problem. The grocery parking lot is also accessed by northbound shoppers onto the same small road. This will create a cumulative impact to the safety hazard already discussed.

Z-3
cont'd

15130 of the CEQA Guidelines states:

An EIR shall discuss cumulative impacts of a project when the project's incremental effects are "cumulatively considerable"

This section applies when the incremental effects of an individual project are considerable when viewed in combination with the effects of past, current, and probable future projects, including those outside the control of the agency, if necessary.

Z-4

For the reasons stated above, there are cumulative considerable negative impacts that are not mitigated in the draft EIR.

I don't like to complain without a solution: I think a potential mitigation is requiring the proposed project pay for the new alternate preferred access road from Cypress St. west into the harbor. It should be a two lane road, and could be advertised from the highway. This would discourage thru traffic on North Harbor Dr. and eliminate most of the hazards.



Tess Albin-Smith
804 N Harrison St.
Fort Bragg, CA 95437

Response to Letter Z: Tess Albin Smith

Response Z-1: The commentor states that they have participated in numerous Caltrans and MCOG presentations regarding traffic over the last four years. The commenter further states that they believe two future traffic projects under consideration for Fort Bragg will be exacerbated by construction of a Grocery Outlet at the proposed location, causing unmitigated cumulative impacts not addressed in this EIR. The two projects are discussed separately in Comments Z-1 and Z-2.

The commenter provides introductory comments regarding their review of the Draft EIR. See Responses Z-2 and Z-3.

Response Z-2: The commentor states that the Cypress Street highway access to the Coastal Trail needs a center island or roundabout or other solution because it is dangerous for pedestrians to cross the highway. The commenter also states that the City residents to the north and east would have to access the proposed Grocery Outlet from Franklin Street, coming from in-town or the highway. Further, the commenter states that, from the highway, the only controlled highway intersection is at Cypress, otherwise one has to wait for oncoming traffic to turn left onto South Street or North Harbor Drive. The commenter concludes that the Cypress Street intersection would get a lot more traffic from town, creating a cumulative impact to the already problematic crossing.

It is noted that the Cypress Street highway access will not be the only controlled highway intersection in the long-term. As discussed in the Draft EIR, there will be a traffic control at the SR 1 (Main Street) / North Harbor Drive intersection in the future. As discussed on pages 3.7-21 and 3.7-22 of Section 3.7, Transportation and Circulation, of the Draft EIR:

Based on General Plan policy, the proposed Project's cumulative impact is significant for purposes of compliance with the Coastal General Plan Circulation Element at the SR 1 (Main Street) / South Street intersection since the proposed Project will cause the intersection to operate at LOS E, which exceeds the LOS D minimum, and peak hour traffic signal warrants are met. The proposed Project's impact is significant for purposes of compliance with the Coastal General Plan Circulation Element, and Conditions of Approval are required based on LOS.

To address future conditions at this location it would be necessary to consider alternatives such as:

Prohibit westbound left turns, as is the case at the SR 1 (Main Street) / North Harbor Drive intersection.

Install traffic controls that stop the flow of traffic on SR 1 in order to allow side street traffic to enter, such as an **all-way stop**, a **traffic signal** or a **roundabout**.

Pursuant to a Condition of Approval for the proposed Project, the Project applicant would be required to pay their fair share fee for the traffic control at the SR 1 (Main Street) / North Harbor Drive intersection.

Table 3.7-12 also presents the Levels of Service occurring during the weekday p.m. peak hour with the Grocery Outlet Store as these treatments are pursued. As indicated, prohibiting left turns would result in LOS C at the intersection. While traffic diverted will likely make a right turn before making a U-turn at Cypress Street, the SR 1 (Main Street) / Cypress Street intersection would still operate at LOS C with this additional traffic. The cost to sign and stripe the intersection for these new controls would be minimal. Either a traffic signal or roundabout would yield LOS A, a Level of Service that satisfies the City's minimum standard, but the feasibility of either option at an intersection that is only 700 feet from the Cypress Street traffic signal will need to be confirmed. The cost of a traffic signal on the state highway would likely be about \$500,000, depending on the extent of ancillary intersection improvements required under Caltrans standards. The cost to retrofit an existing intersection to a two-lane roundabout would likely be in the range of \$1.5 to \$2.5 million.

Because any improvements within the state right of way require Caltrans approval, it is important to consider the steps needed to gain approval for any mitigation. Caltrans policy regarding applicable traffic controls has recently been expanded based on ***Traffic Operations Policy Directive 13-02***. This directive requires that Caltrans consider the relative merits of alternative traffic controls when it becomes necessary to stop traffic on state highways. Roundabouts are the default intersection control, but all-way stops and traffic signals are to be considered. The policy directive requires preparation of an ***Intersection Control Evaluation (ICE)*** to determine the preferred traffic control. A preliminary ICE report would consider issues such as comparative traffic operations, right of way requirements, effects on adjoining access, etc. City of Fort Bragg preferences amongst feasible alternatives can also be considered. After an applicable solution is identified and funded, work would be completed in the Caltrans right of way under an encroachment permit from Caltrans.

Mitigations. The Grocery Outlet Store project proponents should contribute their fair share to the cost of regional circulation improvements by paying adopted fees and making frontage improvements. In addition, the proposed Project should contribute its fair share to the cost of cumulatively needed improvements to the SR 1 (Main Street) / South Street intersection.

While the comment does not address the adequacy of the Draft EIR or compliance with CEQA, (as it mainly pertains to an unrelated highway access and level of service), this

comment is noted and will be forwarded to the decision makers for their consideration of topics beyond the adequacy of the Draft EIR.

Response Z-3: The commentor discusses access to Noyo Harbor and states that a new access road leading from the Mill Site down from Cypress on the northwest side has been proposed to make a loop, but nothing is decided yet. The commenter concludes that egress and access to the grocery parking lot will greatly add to that problem which will create a cumulative impact to the safety hazard already discussed.

It is noted that the Project site plan includes two site access points – one along S. Franklin Street and one along N. Harbor Drive. As discussed in Impact 3.7-45 of Section 3.7 of the Draft EIR, access to the site is proposed via driveways on S. Franklin Street and on North Harbor Drive. The S. Franklin Street driveway is 30 feet wide, and the main parking aisle is separated from the street by about 40 feet of throat. Two waiting vehicles can queue in this area prior to blocking inbound access to those parking spaces. Because the background traffic volume on Franklin Street is low, HCM Level of Service calculations completed for the access indicate that the 95th percentile queue at the exit will be one (1) vehicle or less during peak periods, and this queue can be accommodated. Thus, the access is adequate from this standpoint. Further, implementation 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.

Please also see Response Z-4.

Response Z-4: The commenter discusses Section 15130 of the CEQA Guidelines and states that there are cumulative considerable negative impacts that are not mitigated in the Draft EIR. The commenter further states that a potential mitigation is requiring the proposed Project pay for the new alternate preferred access road from Cypress Street west into the harbor. The commenter concludes that the roadway should be a two lane road and be advertised from the highway to discourage thru traffic on North Harbor Drive and eliminate most of the hazards.

Requiring such a road as a condition of Project approval would not be proportional mitigation to the impacts from the proposed Project, and would therefore be unconstitutional.

The CEQA Guidelines describe the constitutional limitations on mitigation measures and the United States and California Supreme Court cases that explain them:

(A) There must be an essential nexus (i.e., connection) between the mitigation measure and a legitimate governmental interest. *Nollan v.*

California Coastal Commission, 438 U.S. 825 (1987) [(*Nollan*)]; and

- (B) The mitigation measure must be “roughly proportional” to the impacts of the project. *Dolan v. City of Tigard*, 512 U.S. 374 (1994) [(*Dolan*)]. Where the mitigation measure is an ad hoc exaction, it must be “roughly proportional” to the impacts of the project. *Ehrlich v. City of Culver City* (1996) 12 Cal.4th 854.

(Guidelines, § 15126.4, subd. (a)(4).)

In *Nollan*, the United States Supreme Court explained that, in order for a condition of project approval to be valid, a “nexus” must exist between the condition and a negative consequence or impact of the proposed Project that would justify denial of the proposed Project. (438 U.S. at pp. 834-837.) In *Dolan*, the high Court considered the next step in the analysis and addressed, once there is a nexus between a project’s impacts and an exaction: just how extensive the burdens of the exaction may be. The Court explained that there must be a “rough proportionality” between the extent of the impacts caused by a project approval and the extent to which the exactions actually mitigate such impacts. “No precise mathematical calculation is required, but the [agency] must make some sort of individualized determination that the required dedication is related both in nature and extent to the impact of the proposed development.” (512 U.S. at p. 391.)

In *Ehrlich v. City of Culver City* (1996) 12 Cal.4th 854 (*Ehrlich*), the California Supreme Court applied the rigorous *Nollan* and *Dolan* standards to an ad-hoc exaction (i.e., an exaction imposed on an individualized basis as part of the environmental review process for a particular project, and not as the result of any generally applicable ordinance). There, the court held that a city acted improperly in assessing a \$280,000 “recreation fee” against a property owner as a condition of approving a residential project requiring a general plan amendment, specific plan amendment, and rezone. The court determined that the fee was unconstitutional because \$280,000 was the amount needed to build new *public* recreational facilities in order to replace the *private* facilities that would be “lost” because of the proposed Project. The city’s approach wrongly assumed that the fee should fund the construction of new facilities that would be open, without further cost, to the public at large. The “lost” facilities, though, were private facilities funded through the marketplace by membership dues. The court explained that the plaintiff was “being asked to pay for something that should be paid for either by the public as a whole, or by a private entrepreneur in business for profit.” (*Id.*, p. 883.)

Here, similarly, requiring construction of a new access road into the harbor as suggested by the commenter would be an unconstitutional ad-hoc exaction. The impacts of the proposed Project do not justify requiring the applicant to bear the very large costs that would be involved. As described in the Draft EIR, the proposed Project will contribute the following percentages to 2040 cumulative weekday PM peak hour traffic: 10.8% at SR 1/Cypress Street; 16.1% at SR 1/South Street; and 14.4% at SR 1/North Harbor Drive. (Draft EIR, p. 3.7-22 [Table 3.7-16].) These percentages are comparatively modest, and certainly cannot justify burdening this Project with the entire cost of constructing a new access road from Cypress Street into the harbor. Such a requirement would not meet the

“roughly proportional” requirement under *Dolan* and *Erhlich*, and would therefore be unconstitutional.

The applicant will be conditioned to pay its true fair share of the costs of needed improvements.

CITY OF FORT BRAGG
BEST DEVELOPMENT GROCERY OUTLET PROJECT
 CITY COUNCIL HEARING FOR DRAFT EIR COMMENTS
 OCTOBER 11, 2022

PUBLIC COMMENTS:

- Richard Garcia: Full support of Grocery Outlet. City needs more grocery stores and the consumers need cheaper prices. The more competition within these businesses, the better for consumers. The City should try to stop limiting people/entities from trying to help the City. The building has been sitting for a while and the applicant will take this on.

AA-1
- Kathryn Hew: Parking lot development should also include bicycle facilities.

AA-2
- Mary Rose Kaczorowski: Will submit a full comment later, but wants to make some comments now. Getting to Noyo Harbor is difficult around Main/South/Cypress streets. These areas contain important accesses (social services, health services, etc.) and are impacted by deliveries and trucks, etc. Area is one of the most trafficked areas in the City, and it's hard to navigate on foot. How many cars will be added to the area as a result of this project? The parking lot is not sufficient. Solid waste impacts and increased alcohol sales, water demand, and public safety are also issues. I don't see how this project is going to mitigate the high traffic that is already in the area; lots of neighbors in the area are concerned about this change in addition to a recent subdivisions project.

AA-3
- Leslie Kashiwada: Hasn't had a chance to review the Draft EIR thoroughly but will provide more detailed comments before October 31. The Bio Resources Study and previous studies were relied on; superficial look at the site. Data sheets done by De Novo are not included. There is no map for the soil sampling that De Novo did, and the previous study avoided sampling in the wettest area of the site. iNaturalist has blue heron photos nearby. Blackbirds are identified as crows in the study; they are ravens. Many will walk to the Grocery Outlet; need careful analysis of flow of traffic and pedestrians.

AA-4
- Annemarie Weibel: Addressing aesthetics, blight, noise, transportation, police, water, and socioeconomic resources. Opposed to the project even at a different location. If the majority of the people want the Grocery Outlet, put it at the north end of town because traffic will be a nightmare. There will be increased noise for current businesses and residents. The hours of operation will also change the neighborhood due to noise. The City concluded that big box retail is consistent with rural character of City. No visual simulations showing what you can see from Highway 1 looking east; would not be visually pleasing. There are lots of empty businesses downtown and this project will not help waste and littering. Could close Purity Supermarkets. There is conflicting information about the trees and removal. Emergency vehicles will have a hard time at this location. Cigarettes and alcohol will attract homeless people.

AA-5
- Andrew Jordan: The Draft EIR should be rejected if invalid or incomplete. Glossing over important issues should not occur. Balancing of the good and bad should occur if the project is built. Personal experience may be a valid resource in making decisions for the project.

AA-6
- Jay McMartin Rosenquist: The traffic discussion in the Draft EIR should be improved and further studied; the intersection of Franklin and Harbor is terrible in the summer and on weekends. Would like to see another entrance to Noyo Harbor.

AA-7

CITY COUNCIL COMMENT:

- Council Member Peters: Bicycle facilities are provided on-site. Comments received mainly pertain to traffic; please ensure that proper analysis is provided.

AA-8

Response to Letter AA: City Council Hearing

Response AA-1: The commenter expresses support for the proposed Project.

This comment is noted and will be forwarded to the decision makers for their consideration of topics beyond the adequacy of the Draft EIR.

Response AA-2: The commentor states that the parking lot should also include bicycle facilities.

The Project includes bicycle parking in the parking lot area. This comment is noted and will be forwarded to the decision makers for their consideration of topics beyond the adequacy of the Draft EIR.

Response AA-3: The commentor states they will submit a full comment, and provides general comments about current traffic issues in the area. The commenter then questions how many cars will be added to the area as a result of the proposed Project. The commenter also expresses general concerns regarding solid waste, alcohol sales, water demand, and public safety. The commenter concludes by stating that they “don’t see how this project is going to mitigate the high traffic that is already in the area; lots of neighbors in the area are concerned about this change in addition to a recent subdivisions project.”

The trip generation and distribution for the proposed Project is discussed on pages 3.7-8 through 3.7-10 of Section 3.7 of the Draft EIR. Table 3.7-5 displays the Saturday midday and weekday p.m. peak hour trip generation forecasts for the proposed Project. As indicated, the proposed Project would generate 165 Saturday and 148 weekday p.m. peak hour trips at its driveways. A portion of the traffic drawn to these stores would be drawn from the stream of traffic already passing the Project site. The ITE Trip Generation Handbook, 3rd Edition notes that 36% of the weekday trips generated by supermarkets are typically “passby”, and this rate has been used for both study time periods.

As noted in Table 3.7-5, the proposed Project is expected to generate 105 “primary” trips during the Saturday peak hour, and 95 during the weekday p.m. peak hour. ITE data is also available for daily traffic volumes. On a daily basis, a 16,000 sf Grocery Outlet Store could generate 1,709 weekday daily trips, with 2,842 trips on Saturday. After discounting for “pass-by trips”, the proposed Project may generate 1,094 new daily trips (½ inbound and ½ outbound) on a weekday and 1,818 on a Saturday.

Solid waste and water demand is discussed in Section 3.8, Utilities, of the Draft EIR. Additionally, public safety and public services are discussed in Section XV, Public Services, of the Initial Study (Appendix A of the Draft EIR).

It is noted that this commenter provided a full comment letter; see Letter S and the associated responses for more detailed information regarding the listed concerns.

Response AA-4: The commentor states that they will provide more detailed comments before October 31. The commenter states that the Biological Resources Study and previous studies were

relied on, and states that the data sheets done by De Novo are not included, nor is there a map for soil sampling that De Novo completed. The commenter further states that the previous study avoided sampling the wettest area of the site, and that iNaturalist shows blue heron photos nearby. The commenter also states that blackbirds are identified as crows in the study but states they are ravens. The commenter concludes by stating that many will walk to the Grocery Outlet, and a careful analysis of the flow of traffic and pedestrians is needed.

The commenter submitted a detailed letter, Letter P, for the proposed Project and Draft EIR. The statements and concerns made in this comment are further expanded on in Letter P. Please see the responses to Letter P (Responses P-1 through P-13).

As discussed on page 3.3-27 of Section 3.3, Biological Resources, of the Draft EIR, great blue herons have been identified on the properties to the north and northwest of the Project site, but not the Project site itself. This species is a mobile species given its ability for flight, however, the Project site is not appropriate habitat for this species.

As discussed on pages 3.3-2 and 3.3-3 of Section 3.3 of the Draft EIR, a systematic survey of the parcel was made following the Army Corp of Engineers (USACE) wetland determination data collection methodology and the definition of wetland boundaries contained in Section 13577 (b) of Title 14 of the California Code of Regulations (see the appendix of Appendix D). To do this, four test locations were selected to represent the general character of the parcel. One test location was placed within each quadrant of the parcel (northeast, northwest, southwest and southeast). At each location, data was collected within a one-meter square sample plot. At each plot the dominant vegetation was identified, soil structure and type were determined, and evidence of hydrology was examined. Soil structure was determined by excavating an 18 inch or greater deep hole and noting the soil profile description and any presence or absence of hydric soil indicators. Data was recorded on the USACE "Wetland Determination Data Form – Arid West Region." Data forms for each test location may be found in the *Wetland Report* contained in Appendix D of the Draft EIR.

It is also noted that the biological resources site assessment and observations completed by De Novo Planning Group are incorporated into Section 3.3 of the Draft EIR.

As discussed on page 3.3-6 of Section 3.3 of the Draft EIR, "Sightings and other evidence of wildlife at the Project site was very limited. Gopher mounds were evident in the southern parcel, and two crows were seen perched on the abandoned building and then flew south off-site within a minute after the surveyor's arrival. No other wildlife was seen during the surveys. There were no scat, guano, nests, burrows, whitewash, or trails of any kind found on the site." According to the Nature Mapping Program, the City of Fort Bragg is within the geographic distribution for the American crow species.³ Regardless, the

³ See: http://naturemappingfoundation.org/natmap/maps/ca/birds/CA_american_crow.html

sentence in Section 3.3 on page 3.3-6 of the Draft EIR which discusses wildlife evidence was revised See Chapter 3.0, Revisions, of this Final EIR.

Response AA-5:The commentor lists general topics of the Draft EIR, including aesthetics, blight, noise, transportation, police, water, and socioeconomic resources, and expresses opposition to the proposed Project. The commentor states that traffic will be a nightmare and noise will increase. The commentor further states that no visual simulations showing what you can see from Highway 1 looking east were provided, and the proposed Project will not be visually appealing. The commentor further expresses concerns regarding waste, littering, and emergency vehicles. The commentor concludes by stating that cigarettes and alcohol will attract homeless people.

Please see Section 3.1, Aesthetics and Visual Resources, of the Draft EIR for impacts pertaining to aesthetics, Section 3.5, Land Use, of the Draft EIR for impacts pertaining to blight, Section 3.6, Noise, of the Draft EIR for impacts pertaining to noise, Section 3.7, Transportation and Circulation, of the Draft EIR for impacts pertaining to transportation and emergency access, and Section XV, Public Services, of the Initial Study (Appendix A of the Draft EIR) for impacts pertaining to police. As discussed in each section, all impacts were determined to be less-than-significant or less-than-significant with mitigation.

Response AA-6:The commentor states the Draft EIR should be rejected if invalid or incomplete, and glossing over important issues should not occur. The commentor concludes by stating that balancing of the good and bad should occur if the proposed Project is built, and personal experience may be a valid resource in making decisions for the proposed Project.

The commentor does not provide specific topics or examples of invalid or incomplete Draft EIR analysis. While the majority of this comment does not address the adequacy of the Draft EIR, or compliance with CEQA, this comment is noted and will be forwarded to the decision makers for their consideration of topics beyond the adequacy of the Draft EIR.

Response AA-7:The commentor states that the traffic discussion in the Draft EIR should be improved and further studied, and states that the intersection of Franklin and Harbor is terrible in the summer and on weekends. The commentor concludes by stating that they would like to see another entrance to Noyo Harbor.

The commentor does not provide specific topics or examples of invalid or incomplete Draft EIR analysis. According to the City, the Noyo Harbor Access Planning Project is in its infancy. The City is working with other regional agencies and intends to apply for a planning grant in 2023 that will provide funds to address the need for an alternate egress out of the Noyo Harbor.

It is also noted that additional traffic impact analysis (TIA) was completed in September 15, 2022 by the original traffic impact analysis consultant for the proposed Project, KD Anderson & Associates. Subsequent to the original TIA (KD Anderson & Associates, Inc., 2019) preparation, Caltrans District 1 elected to remove the left turn prohibition on N.

Harbor Drive at its intersection with State Route 1 (SR 1). That change allows motorist to turn left directly onto the state highway at this location instead of making the turn at the SR 1 / South Street intersection further north. The change would also provide a route for Project customers headed south. The additional (2022) analysis has been incorporated into Section 3.7 of the Draft EIR. See Chapter 3.0, Revisions, of this Final EIR for the changes. In summary, the changed traffic prohibition did not result in increased impacts to this intersection.

While the majority of this comment does not address the adequacy of the Draft EIR, or compliance with CEQA, this comment is noted and will be forwarded to the decision makers for their consideration of topics beyond the adequacy of the Draft EIR.

Response AA-8: The commentor states that bicycle facilities are provided on-site. The commenter concludes by stating that comments received mainly pertain to traffic, and to ensure that proper analysis is provided.

This comment is noted. The Draft EIR includes a vehicle-miles-traveled (VMT) analysis in Appendix H, a Traffic Impact Analysis (TIA) in Appendix F, and an addendum to the TIA in Appendix G. Proper traffic analysis was provided.

It is also noted that additional traffic impact analysis (TIA) was completed in September 15, 2022 by the original traffic impact analysis consultant for the proposed Project, KD Anderson & Associates. Subsequent to the original TIA (KD Anderson & Associates, Inc., 2019) preparation, Caltrans District 1 elected to remove the left turn prohibition on N. Harbor Drive at its intersection with State Route 1 (SR 1). That change allows motorist to turn left directly onto the state highway at this location instead of making the turn at the SR 1 / South Street intersection further north. The change would also provide a route for Project customers headed south. The additional (2022) analysis has been incorporated into Section 3.7 of the Draft EIR. See Chapter 3.0, Revisions, of this Final EIR for the changes. In summary, the changed traffic prohibition did not result in increased impacts to this intersection.

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