

4.10 UTILITIES AND PUBLIC SERVICES

This section identifies the impacts to utilities, public services, and recreation that could result from the development of each alternative described in **Section 2.0**. Impacts are measured against the environmental baseline presented in **Section 3.10**. Indirect and cumulative impacts are identified in **Section 4.14** and **Section 4.15**, respectively. Utilities and public service mitigation measures are presented in **Section 5.2.9**.

SIGNIFICANCE CRITERIA

An impact to utilities and public services from the implementation of one the project alternatives would be significant if it would:

- Exceed wastewater treatment requirements of the San Francisco Bay Area Regional Water Quality Control Board or the United States Environmental Protection Agency (USEPA);
- Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction and operation of which could cause significant environmental effects;
- Have insufficient water supplies available to serve the project from existing entitlements and resources;
- Result in a determination by the wastewater treatment provider, which serves or may serve the project that it has inadequate capacity to serve the project's projected demand in addition to the provider's existing commitments;
- Not be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs;
- Not comply with federal, state, and local statutes and regulations related to solid waste;
- Result in substantial adverse impacts associated with the need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for fire protection, police protection, schools, parks, or other public facilities;
- Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration or the facility would occur or be accelerated; or
- Include recreational facilities or require the construction or expansion or recreational facilities, which might have an adverse physical effect on the environment.

ANALYSIS METHODOLOGY

Impacts to utilities and public services were analyzed based on an examination of the project site, published information regarding utility and service systems existing capacities, and field studies. Where it was concluded that impacts to utilities and/or public services resulting from the project alternatives would exceed the significance thresholds listed above, mitigation measures have been recommended to reduce impacts to *less-than-significant* levels.

4.10.1 ALTERNATIVE A – MIXED-USE TRIBAL DESTINATION RESORT AND CASINO

IMPACTS OF ALTERNATIVE A

Water Supply

4.10.1 Development of Alternative A would result in an increased demand on the regional water supply. This would be a potentially significant impact.

Significance After Mitigation

Implementation of **Mitigation Measure 9-1** would reduce impacts to regional water supply to a *less-than-significant* level.

Impact Discussion

As described in **Section 2.2.2**, Alternative A would require approximately 460 gallons per minute (gpm) to meet anticipated average water demand and 732 gpm to meet anticipated peak day demands during the irrigation season. In accordance with the Municipal Services Agreement (MSA) between the Tribe and the City of Richmond (City), potable water demand would be met through connection to the East Bay Municipal Utilities District (EBMUD), the local water purveyor in the project area (**Appendix C**). A will-serve letter sent by EBMUD (included in **Appendix C**) acknowledges EBMUD willingness and availability to serve the project site, contingent with project compliance with EBMUD regulations and fees.

The recommended water supply would provide 590 gpm, with on-site storage developed to meet peak demands. As stated in **Section 3.10**, approximately 90 percent of EBMUD's water supply comes from diversions from the Mokelumne River, for which EBMUD maintains an entitlement for 243,000 gpm (350 million gallons per day (mgd)). Based on the 2005 average day total system water demand on the EBMUD water supply, implementation of Alternative A would reduce the remaining water supply capacity of EBMUD's Mokelumne River entitlement (entitlement minus 2005 total system demands) by 0.7 percent. This capacity does not include recovered runoff from the protected watershed in the East Bay.

In accordance with Urban Water Management Planning Act (SB 610), EBMUD prepared a

Water Supply Assessment (WSA) to compare the water demand of Alternative A with the 2005 Urban Water Management Plan. The WSA is included in **Appendix C**. EBMUD maintains senior water rights to the Mokelumne River and maintains a contract under the Central Valley Project (CVP) for additional water supply during dry years. According to EBMUD, the water demands of Alternative A are accounted for in the 2005 Urban Water Management Plan. Based on the existing land use and the potential for redevelopment, EBMUD anticipated both the densification and land use class changes throughout the service area. Alternative A meets the anticipated densification and land use changes anticipated in the 2005 Urban Water Management Plan. Although EBMUD has anticipated drought conditions through the contracting for CVP water, water conservation will be required for Alternative A. With the inclusion of the water conservation measures outlined in the WSA (Appendix C), which are included as **Mitigation Measure 9-1**, the additional water demand proposed by this alternative would have a *less-than-significant* impact on the EBMUD water supply source, and would not result in an exceedance of EBMUD water supply capacity.

4.10.2 Development of Alternative A would not result in expansion of existing water treatment facilities, but would result in the need for upgrades to the water system delivery infrastructure. This would be a potentially significant impact.

Significance After Mitigation

Implementation of **Mitigation Measure 9-2** would reduce impacts on the water supply distribution system to a *less-than-significant* level.

Impact Discussion

The Orinda Water Treatment Plant (OWTP) has excess capacity ranging from 70 mgd during the winter and 60 mgd excess capacity during the summer. The water demand for Alternative A would account for approximately one percent of the average remaining capacity and approximately 8.5 percent during peak hours. The water demand of Alternative A would have a *less-than-significant* impact to the treatment capacity of the OWTP.

The project site is currently connected to EBMUD's water distribution system. In accordance with the Municipal Service Agreement (MSA), the Tribe would comply with all EBMUD provisions for water system delivery infrastructure on-site (**Appendix C**), including having EBMUD perform a hydraulic analysis of the distribution system to determine specific upgrades needed to provide adequate pressure to the project site. The impact on EBMUD's water supply infrastructure is *potentially significant* and mitigation is proposed in **Section 5.2** to reduce potential impacts.

Wastewater Service

4.10.3 Development of Alternative A would result in an increased demand on wastewater collection and treatment services. This would be a potentially significant impact.

Significance After Mitigation

Implementation of **Mitigation Measure 9-3** would reduce impacts to Richmond Municipal Sewer District's (RMSD) municipal wastewater collection and treatment capacity to a *less-than-significant* level.

Impact Discussion

As discussed in **Section 2.2.2**, Alternative A would result in the generation of approximately 519,000 gallons per day (gpd) of wastewater, with a peak demand of 777,000 gpd.

Wastewater generated at the project site would be conveyed to the RMSD Wastewater Treatment Plant (WWTP) by connecting to the existing off-site wastewater collection system. During dry weather conditions, the increased demand for wastewater treatment from Alternative A (with or without the use of grey water to meet irrigation demands) would utilize approximately three percent of the available primary and secondary treatment capacity of the RMSD WWTP on average, and would utilize approximately four percent during peak-day conditions. Therefore, Alternative A would not adversely impact the RMSD WWTP capacity during dry weather conditions.

During wet weather events, peak wet weather flow into the RMSD WWTP can reach levels of 39 percent over the secondary-only treatment capacity. Infiltration and inflow (I&I) would account for the drastic increase in flows to the RMSD WWTP during wet weather events. The increase in flows to the off-site RMSD sewer collection system from Alternative A during wet weather conditions would further increase flows over secondary-only treatment capacity by one and two percent for average- and peak-day flows, respectively. Although both routes of the wastewater conveyance lines for Alternative A were selected to by-pass the areas with high I&I, this would be a *potentially significant* impact.

According to the existing City of Richmond General Plan (1994) and supporting documents of the current draft update of the General Plan, the City recognizes that the sewage collection system is aged and requires capital expenditures to increase capacity to provide for existing needs and future development. **Table 4.10-1** provides a breakdown of capital expenditures estimated to complete necessary improvements to the RMSD collection and treatment systems. As identified in the **Table 4.10-1**, a I&I Rehabilitation Program is recommended to increase available capacity at the RMSD WWTP during wet weather events.

TABLE 4.10-1
RICHMOND MUNICIPAL SEWER DISTRICT
RECOMMENDED CAPITAL IMPROVEMENTS

Recommended Improvement	Estimated Construction Cost	Period
Inflow/ Infiltration (I&I) Rehabilitation Program	\$ 550,000	2006 onward
Immediate Improvements to Existing System	\$ 2,700,000	2006-2008
Long-Term Improvements to Existing System	\$ 3,400,000	2010-2020
Expansion Improvements	\$ 5,800,000	2020
Total	\$ 12,450,000	

Source: City of Richmond, 2006a.

The impact of Alternative A on wastewater collection and treatment services is *potentially significant*; therefore, mitigation is proposed in **Section 5.2** to reduce these potential impacts.

4.10.4 Implementation of Alternative A would not exceed wastewater treatment requirements of the San Francisco Bay Area Regional Water Quality Control Board or the USEPA. No impact would occur.

Wastewater generated by Alternative A would not result in violation of wastewater treatment requirements at the RMSD WWTP. As the Proposed Project is commercial/retail in nature, the quality of wastewater generated would comply with RWQCB standards. As described in the Water and Wastewater Feasibility Study (**Appendix G**), Alternative A would generate wastewater with an estimated 400-550 mg/L of BOD and 400-550 mg/L of TSS. No significant industrial or chemical waste would be discharged by Alternative A, and no exceedences of the requirements of the RWQCB or the USEPA would occur. Therefore, *no impact* would occur.

Solid Waste Service

4.10.5 Construction and operation of Alternative A would result in additional demand for solid waste disposal. This impact would be less than significant.

Construction

Solid waste would be generated during construction of Alternative A. Solid waste streams from construction would include the following:

- Debris such as concrete, wood posts, fiberglass from the demolition of existing structures at the project site;

- Paper, wood, glass, and plastics from packing materials, waste lumber, insulation, and empty non-hazardous chemical containers;
- Excess concrete from construction practices; and
- Excess metal, including steel from welding/cutting operations, packing materials, and empty non-hazardous chemical containers, and aluminum from packing materials and electrical wiring.

Demolition debris from the existing on-site buildings, and construction materials associated with the construction of Alternative A would result in a temporary increase in waste generation. Materials would be transported to the Golden Bear Transfer Station, and then all non-recyclable materials would be redirected to the Potrero Hills Landfill located in Solano County.

Construction-waste generation rates to the regional waste transportation and disposal facilities would be temporary and would not result in daily capacity exceedences. Construction-related impacts to solid waste disposal are *less-than-significant* and mitigation presented in **Section 5.2.9** would further reduce any solid waste impacts.

Operation

The California Integrated Waste Management Board (CIWMB) has established waste generation rates for the operation of different business types and residences. The rate is expressed as tons per employees per year. Estimated waste generation for Alternative A is summarized in **Table 4.10-2**. The waste generation, including recyclable waste resulting from Alternative A's various components, is estimated to be approximately 13.02 tons per day. According to the most recent data summarized in **Section 3.10**, the solid waste generated by Alternative A would account for approximately 0.5 percent of the remaining daily landfill capacity. Since waste generation is well within the landfill's available capacity, implementation of Alternative A would have a *less-than-significant* impact on solid waste services. Although potential impacts from Alternative A are considered *less-than-significant*, implementation of **Improvement Measure 9-4** would further reduce the on-site operational waste stream and limit the total amount of solid waste disposed at regional landfills.

TABLE 4.10-2
ALTERNATIVE A – SOLID WASTE GENERATION

Employment Category	Jobs	CIWMB Business Type	Rate (Tons/employees/year)	Tons per year	Tons per day
Casino	2,500	38 ^a	0.9	2250	6.16
Hotel	750	32 ^b	2.1	1575	4.32
Business Services	100	33 ^c	1.7	170	0.47
Retail	250	33	1.7	425	1.16
Park	25	1	0.9	22.5	0.06
Tribal Government	75	33	1.7	127.5	0.35
Police Department	31	38	0.9	27.9	0.08
Fire Department	10	104	1.2	12	0.03
Maintenance / Other	70	33	1.7	119	0.33
Parking	20	73	1.3	26	0.07
Total waste generation				4754.9	13.02

Notes: a Includes SIC code 79 Amusement and Recreation Services

b Includes SIC code 70 Hotels

c Includes SIC code 73 Business Services

Source: CIWMB, 2007b; PTM Business Plan, 2007

4.10.6 Solid waste from the construction and operation of Alternative A would comply with federal, State, and local statutes and regulations related to solid waste. This is a less-than-significant impact.

Impact Discussion

The California Integrated Waste Management Act (AB 939) was enacted by the California State Legislature with the goal to reduce the total amount of waste disposed in California landfills by the year 2000. AB 939 required that all counties and cities within the State divert 50 percent of their total solid waste stream away from landfills, as well as creating the requirement that these local jurisdictions prepare a Source Reduction and Recycling Element (SRRE) report. This report describes the characteristics of waste, programs and specific rates of diversion, and future plans for diversion, reduction, and recycling.

In 2005, when the latest diversion data was summarized, West Contra Costa County diverted 38 percent of its solid waste away from local landfills. The project would not affect County diversion goals as Tribal land is classified as out-of-state waste and is not calculated in local waste diversion statistics (CIWMB, 2006). With implementation of **Improvement Measures 9-5** and **9-6**, the *less-than-significant* impacts to solid waste services would be further reduced.

Electricity, Natural Gas, and Telecommunications

- 4.10.7 Alternative A would result in additional demand for energy and telecommunications services. This impact would be less-than-significant.**

Significance After Mitigation

The implementation of **Improvement Measure 9-22** would further reduce impacts to electrical service providers, currently at a *less-than-significant* level.

Impact Discussion

Electricity would be obtained from Pacific Gas and Electric Company (PG&E), and telecommunications from AT&T, which both currently provide services to the project site. In accordance with the provisions outlined in the MSA, the Tribe would pay fees, obtain required easements, and construct necessary infrastructure to supply the project with connection to existing utility service lines (**Appendix C**). A will-serve letter sent by PG&E (included in **Appendix C**) acknowledges PG&E willingness and availability to serve the project site. The impacts to energy and telecommunications services would be *less-than-significant*. However, **Improvement Measure 9-22** is proposed to further reduce these *less-than-significant* impacts to public energy systems.

Fire Protection and Emergency Medical Services

- 4.10.8 Alternative A could result in the need for new or expanded fire stations or medical facilities to maintain acceptable service ratios, response times, or other performance objectives. This would be a potentially significant impact.**

Significance After Mitigation

With implementation of **Mitigation Measures 9-7** through **9-12**, impacts to fire protection and emergency medical services would be reduced to a *less-than-significant* level. **Improvement Measure 9-13** would further reduce potential impacts to fire protection and emergency medical services.

*Impact Discussion**Construction*

Construction of Alternative A would introduce potential sources of fire to the project site. During construction, equipment and vehicles may come in contact with vegetation, which could spark and ignite. This risk, which is similar to those found at other construction sites, constitutes a *potentially significant* impact, and mitigation is proposed in **Section 5.2.9**.

Operation

Alternative A would increase the number of employees, residents, and visitors in the area, which would result in the need for increased fire protection and emergency medical services. Most service calls generated from Alternative A would likely be for emergency medical assistance, but could also include car and structure fires or hazardous materials response. This would be a *potentially significant* impact, and mitigation is proposed in **Section 5.2.9**.

Fire Protection

Fire protection for Alternative A would be provided by the Richmond Fire Department, which provides fire protection and emergency response to the City. In accordance with Section 4.1 of the MSA between the Tribe and the City (**Appendix C**), the Tribe would make semi-annual payments to the City to compensate for the costs that would be incurred by the City by providing fire protective services to the project site. The provision for the compensation of fire protection services is allocated by an unspecified percentage from the annual MSA fee of \$8 million (**Appendix C**).

Additionally, in accordance with Section 2.3 of the MSA, “The Tribe shall provide a fire station meeting the City’s requirements, including all of the necessary fire apparatus and equipment, of adequate size to reasonably address fire and emergency response needs of the Property, to be located on or near the existing fire station on the Property”, and “the City shall provide one (1) fire captain and three (3) firefighter position(s) per shift on a 24-hour per day basis to meet the additional burdens undertaken by the Fire Department to serve the Property. Any increase in City expenses for providing this service or other mutually agreed upon aid services in responding to an on Property fire or other emergency shall not be chargeable to the Tribe.” The provisions identified in the MSA would adequately provide the Richmond Fire Department with infrastructure and staffing to provide sufficient fire protection for the project site and surrounding area and impacts would be *less-than-significant*. **Improvement Measure 9-13** details the amenities to be included in fire station.

Emergency Medical Services

Ambulance services for Alternative A would be provided by contract with an emergency medical transportation service, as specified in the MSA. The nearest emergency room is located at the Kaiser Richmond Medical Center, which is five miles southeast of the project site at 901 Nevin Avenue in the City of Richmond. Ambulance transportation provided by a private company is typically paid for by the person receiving the emergency medical care or their insurance company. Therefore, a *less-than-significant* impact would occur. Moreover, in accordance with Section 2.3 of the MSA (**Appendix C**), the Tribe shall contract with a private

company for emergency ambulance services, thus, further reducing impacts to emergency medical services.

Law Enforcement

4.10.9 Alternative A could result in substantial adverse impacts associated with the need for a new or expanded police station, in order to maintain acceptable service ratios, response times, or other performance objectives. This would be a potentially significant impact.

Significance After Mitigation

The implementation of **Mitigation Measures 9-14** through **9-18** would reduce potential impacts to police protection to *less-than-significant* levels. **Improvement Measures 9-19** through **9-21** would further reduce potential impacts to law enforcement.

Impact Discussion

Construction and operation of Alternative A would increase demands on police services potentially leading to a decrease in acceptable service ratios, larger response times and problems meeting other service objectives. This risk constitutes a *potentially significant* impact.

Under Public Law 280, the State of California and other local law enforcement agencies (City Police Department) have enforcement authority over criminal activities on Tribal land. State law reinforces that a city or county may enter into a contract for law enforcement services with a Tribe; California Government Code 54981.7 states that “[a] city or county may enter into a contract with an Indian tribe for the city or county to provide fire protection services and police or sheriff protection services for the Indian tribe either solely on Indian lands, or on the lands and territory adjacent to those Indian lands.” The Tribe has recognized and acknowledged the authority of the City in such matters within Section 2.1 of the MSA (**Appendix C**).

In accordance with Section 2.1 of the MSA, the Tribe, through the Tribal Police Department, would be primarily responsible for law enforcement on the land and in the facilities that comprise Alternative A. Staffing levels of the Tribal Police would exceed the City Police Department’s target protection ratio of 1:1000 (officers to citizens). The Tribal Police Department would operate in cooperation with the City Police Department and other law enforcement agencies with jurisdiction over federal land held in trust for the Tribe. City Police and jurisdictional agencies would be responsible for the apprehension and arrest of suspected criminals pursuant to Public Law 280.

The MSA states that, prior to operation of Alternative A, “the Tribe and the City Police Department shall develop a mutually agreeable written protocol for transferring detainees and for other operational matters.” The City Police Department would provide both marked and unmarked vehicles and law enforcement equipment, and the Tribe would provide City police officers temporary use of space within the security offices at the proposed casino.

According to Section 2.2 of the MSA (**Appendix C**), potential impacts of Alternative A on the City Police Department would include enforcement of state criminal laws occurring on-site, issues associated with gambling that could be experienced throughout the community, traffic-related enforcement, and the investigation of any state criminal laws. The MSA states that the potential impacts of Alternative A would require the following additional police staff and associated equipment: one police lieutenant, seven police officers (five for round-the-clock uniformed patrol beat and two for investigations), one secretary, one marked patrol car, and two unmarked patrol cars. The estimated total annual cost for staff and equipment is \$1,500,000.

In accordance with Section 4.1 of the MSA (**Appendix C**), the Tribe would make semi-annual payments to the City to compensate for the potential costs that could be incurred by the City Police Department for providing law enforcement services.

Provisions within the MSA plus the incorporation of mitigation would reduce potential impacts to law enforcement, including acceptable service ratios, response times and other police protection objectives, to *less-than-significant* levels. **Improvement Measures 9-19** through **9-21** would further reduce potential impacts to law enforcement.

Schools

4.10.10 Alternative A would not result in the need for new or expanded schools in order to maintain acceptable service ratios or other performance objectives. This would be a less-than-significant impact.

Approximately 569 new employees would relocate to Contra Costa County and require housing (see **Section 4.7**). A portion of these employees would be from households with school-age children and increase in the number of kindergarten through 12th grade (K-12) students in the County. The majority of these students would likely enroll in the West Contra Costa Unified School District (WCCUSD), dispersed among the 62 K-12 schools in the district. Using the WCCUSD measurement of 0.431 students per household, the potential for 245 new students could occur (WCCUSD, 2008). At existing enrollment levels described in **Section 3.10**, new students resulting from the development of Alternative A would have a

nominal effect on the ability of WCCUSD to provide services at current levels. Therefore, a *less-than-significant* impact would occur.

Parks and Recreation

4.10.11 Alternative A would include the creation of new on-site park and recreational facilities, which would not substantially deteriorate existing recreational or regional parks. A less-than-significant impact would occur.

As described in **Section 2.2.2**, Alternative A would create an additional 35-acre Shoreline Park and 145-acre Hillside Open Space area. The 35-acre Shoreline Park would incorporate Segment 5038 and a portion of Segment 5040 of the San Francisco Bay Trail (Bay Trail), which is designed to ultimately encircle both the San Francisco and San Pablo Bays, and connect the shoreline of all nine Bay Area counties. The creation of new on-site recreational facilities would have a minimal adverse impact on the environment during construction activities.

In accordance with Section 5.7 of the MSA, the Tribe would be responsible for the maintenance of the Hillside Open Space with its trail system and the Shoreline Park, including the Bay Trail (**Appendix C**). The MSA specifies that the Tribe shall adopt guidelines and standards for the operation and maintenance “substantially similar to the guidelines and standards of the State of California Department of Parks and Recreation.” As the Shoreline Park, including the segment of the Bay Trail contained therein, and the Hillside Open Space would be operated and maintained by the Tribe, there would be no deterioration of regional parks.

As discussed in **Section 3.10**, the off-site parks nearest to the project site are Judge Carroll Park and the Miller/Knox Regional Shoreline. It is not anticipated that a substantial number of patrons or employees of Alternative A would visit these parks. Therefore, as Alternative A would create a recreation facility and not deteriorate surrounding facilities a *less-than-significant* impact would occur.

4.10.2 ALTERNATIVE B – MIXED-USE TRIBAL DESTINATION RESORT AND CASINO WITH RESIDENTIAL COMPONENT

IMPACTS OF ALTERNATIVE B

Water Supply

4.10.12 Development of Alternative B would result in an increased demand on the regional water supply, to a greater extent than Alternative A. This would be a potentially significant impact.

Significance After Mitigation

Implementation of the **Mitigation Measure 9-1** would reduce impacts on the water supply to a *less-than-significant* level.

Impact Discussion

As described in **Section 2.3.2**, Alternative B would require approximately 600 gpm to meet anticipated average day water demand and 933 gpm to meet anticipated peak day demands during the irrigation season, approximately 27 percent greater than Alternative A. Demand would be met through connection to EBMUD. **Appendix C** includes an EBMUD will-serve letter for the project site, which acknowledges EBMUD willingness and availability to serve the project site, with project compliance with EBMUD regulations and fees.

The recommended water supply would provide 760 gpm, with on-site storage developed to meet peak demands. As stated in **Section 3.10**, approximately 90 percent of EBMUD's water supply comes from diversions from the Mokelumne River, for which EBMUD maintains an entitlement for 243,000 gpm (350 mgd). Based on the 2005 average day total system water demand on the EBMUD water supply, implementation of Alternative B would reduce the remaining water supply capacity of EBMUD's Mokelumne River entitlement by 0.9 percent. This capacity does not include recovered runoff from the protected watershed in the East Bay.

As discussed under Alternative A, EBMUD maintains senior water rights to the Mokelumne River and has made provisions for additional water supply during dry years. According to EBMUD, the water demands of Alternative B are accounted for in the 2005 Urban Water Management Plan. Based on the existing land use and the potential for redevelopment, EBMUD anticipated both the densification and land use class changes throughout the service area. Alternative B meets the anticipated densification and land use changes anticipated in the 2005 Urban Water Management Plan. Water conservation measures also be required for Alternative B. With the inclusion of the water conservation measures outlined in the WSA (**Appendix C**), which are included as **Mitigation Measure 9-1**, the additional water demand proposed by this alternative would have a *less-than-significant* impact on the EBMUD water supply source, and would not result in an exceedance of EBMUD water supply capacity.

- 4.10.13 Development of Alternative B would not result in expansion of existing water treatment facilities, but would result in the need for upgrades to the water system delivery infrastructure. This would be a potentially significant impact.**

Significance After Mitigation

Implementation of **Mitigation Measure 9-2** would reduce impacts on the water supply distribution system to a *less-than-significant* level.

Impact Discussion

The water demand for Alternative B would account for approximately two percent of average remaining treatment capacity and approximately 11 percent of the remaining capacity during peak treatment demands at the OWTP. The water demand of Alternative B would result in a *less-than-significant* impact to the treatment capacity of the OWTP.

In accordance with the MSA (**Appendix C**), the Tribe would comply with all EBMUD provisions for water system delivery infrastructure on-site; including having EBMUD perform a hydraulic analysis to determine specific upgrades needed to provide adequate pressure to the project site. The impacts to EBMUD's water supply infrastructure are *potentially significant* and are anticipated to be greater than those associated with the development of Alternative A; therefore, mitigation is proposed in **Section 5.2.9** to reduce potential impacts.

Wastewater Service

4.10.14 Development of Alternative B would result in an increased demand on wastewater collection and treatment services, to a greater extent than Alternative A. This would be a potentially significant impact.

Significance After Mitigation

Implementation of **Mitigation Measure 9-3** would reduce impacts to municipal wastewater collection and treatment capacity to a *less-than-significant* level

Impact Discussion

As discussed in **Section 2.2.2**, Alternative B would result in the generation of approximately 679,000 gpd of wastewater, with a peak demand of 964,000 gpd, approximately 20 percent greater than Alternative A. During dry weather conditions, the increased demand for wastewater treatment from Alternative B (with or without the use of grey water to meet irrigation demands) would utilize four percent of the available primary and secondary treatment capacity of the RMSD WWTP on average, and would utilize five percent during peak-day conditions. Therefore, Alternative B would not adversely impact the RMSD WWTP capacity during dry weather conditions.

As with Alternative A, the increase in flows from Alternative B during wet weather conditions would further increase flows over secondary-only treatment capacity for average- and peak-

day flows, respectively. Although both routes of the wastewater conveyance lines for Alternative B were selected to by-pass the areas with high I&I, this would be a *potentially significant* impact and mitigation is proposed in **Section 5.2.9** to reduce potential impacts.

4.10.15 Implementation of Alternative B would not exceed wastewater treatment requirements of the San Francisco Bay Area Regional Water Quality Control Board or the USEPA. No impact would occur.

Wastewater generated by Alternative B would not result in violation of wastewater treatment requirements at the RMSD WWTP. As the Proposed Project is resort/mixed-use residential in nature, and the quality of wastewater generated would comply with RWQCB standards. As described in the Water and Wastewater Feasibility Study (**Appendix G**), Alternative B would generate wastewater with an estimated 300-450 mg/L of BOD and 300-450 mg/L of TSS. No significant industrial or chemical waste would be discharged by Alternative B, and no exceedences of the requirements of the RWQCB or USEPA would occur. Therefore, *no impact* would occur.

Solid Waste Service

4.10.16 Construction and operation of Alternative B would result in additional demand for solid waste disposal. This would be a less than significant impact.

Construction

Construction of Alternative B would generate solid waste stream similar to those described for Alternative A. Demolition debris from the existing on-site buildings and construction materials associated with the construction of Alternative B would result in a greater waste generation rate than Alternative A due to the larger project footprint. Materials would be transported to the Golden Bear Transfer Station, with non-recyclables redirected to the Potrero Hills Landfill in Solano County.

Though greater than Alternative A, waste generation rates during construction activities of Alternative B are temporary and would not result in significant impacts to regional waste transportation and disposal facilities. Construction-related impacts are *less-than-significant* and **Improvement Measure 9-4** would further reduce impacts and solid waste-related impacts.

Operation

Estimated waste generation for Alternative B is summarized in **Table 4.10-3**. Solid waste

generation from the operation of the various components of Alternative B is estimated to be approximately 13.48 tons per day. According to the most recent data summarized in **Section 3.10**, the solid generated by Alternative B would account for approximately one percent of the remaining daily landfill capacity. Assuming solid waste transportation to the Potrero Hills Landfill has not drastically increased since 2006 (an increase of 100 percent would have to occur to result in inadequate capacity for Alternative B), solid waste produced during operation of Alternative B would be well within the landfill capacity, and Alternative B would have a *less-than-significant* impact on solid waste services.

Although solid waste impacts associated with Alternative B are considered to be *less-than-significant*, **Improvement Measures 9-4** and **9-5** are recommended to further reduce on-site operational waste streams and limit the total amount of solid waste disposed of at regional landfills.

TABLE 4.10-3
ALTERNATIVE B – SOLID WASTE GENERATION

Employment Category	Jobs	CIWMB Business Type	Rate (Tons/employees/year)	Tons per year	Tons per day
Casino	2,500	38 ^a	0.9	2250	6.16
Hotel	750	32 ^b	2.1	1575	4.32
Business Service	100	33 ^d	1.7	170	0.47
Retail	250	33 ^c	1.7	425	1.16
Park	25	1	0.9	22.5	0.06
Tribal Government	75	33	1.7	127.5	0.35
Police Department	31	38	0.9	27.9	0.08
Fire Department	8	104	1.2	9.6	0.03
Maintenance / Other	95	33	1.7	161.5	0.44
Parking	20	73	1.3	26	0.07
Residents	340 Units	N/A	0.13 ^e	126.8 ^f	0.35
Total waste generation				4924.8	13.48

- Notes: ^a Includes SIC code 79 Amusement and Recreation Services
^b Includes SIC code 70 Hotels
^c Includes SIC code 58 Eating and Drinking Places
^d Includes SIC code 73 Business Services
^e Residential disposal rates per person/ per day for Contra Costa County
^f 2.87 average City of Richmond household size

Source: CIWMB, 2007b; US Census, 2008; PTM Business Plan, 2007

4.10.17 Solid waste from the construction and operation of Alternative B would comply with federal, State, and local statutes and regulations related to solid waste. This would be a less-than-significant impact.

As described for Alternative A, the development of Alternative B would not affect County diversion goals as Tribal land is classified as out-of-state waste and is not calculated in local waste diversion statistics (CIWMB, 2006). With implementation of **Improvement Measures 9-5** and **9-6**, the *less-than-significant* impacts to solid waste services would be further reduced.

Electricity, Natural Gas, and Telecommunications

4.10.18 Alternative B would result in additional demand for energy and telecommunications services, to a greater extent than Alternative A. This would be a less-than-significant impact.

Significance After Mitigation

The implementation of **Improvement Measure 9-22** would further reduce impacts to electrical service providers, currently at a *less-than-significant* level.

Impact Discussion

As described under Alternative A, electricity and telecommunications would be obtained from PG&E and AT&T, respectively. A will-serve letter sent by PG&E (included in **Appendix C**) acknowledges PG&E willingness and availability to serve the project site. The Tribe would pay fees, obtain required easements, and construct necessary infrastructure to supply the project with connection to existing utility service lines. Potential impacts to energy and telecommunications services would be *less-than-significant*. However, **Improvement Measure 9-22** is proposed to further reduce these *less-than-significant* impacts to public energy systems.

Fire Protection and Emergency Medical Services

4.10.19 Alternative B could result in the need for new or expanded fire stations or medical facilities to maintain acceptable service ratios, response times or other performance objectives. This would be a potentially significant impact.

Significance After Mitigation

With implementation of **Mitigation Measure 9-7** through **9-12**, impacts to fire protection and emergency medical services to a *less-than-significant* level. **Improvement Measure 9-13** would further reduce potential impacts to fire protection and emergency medical services.

Impact Discussion

Operation

Alternative B would increase the number of visitors, employees, and residents in the area and would also bring residents to the project site, which would result in the need for increased fire protection and emergency medical services. Most service calls generated from Alternative B would likely be for emergency medical assistance, but could also include car and structure fires or hazardous materials response.

Fire Protection

Fire protection for Alternative B would be provided by the Richmond Fire Department, which provides fire protection and emergency response to the City. In accordance with Section 4.1 of the MSA, the Tribe would make semi-annual payments to the City to compensate for the costs incurred by the City for providing fire protection services to the project site (**Appendix C**). Payments and MSA provisions are similar to those described for Alternative A.

As provided for in the MSA, the Tribe would provide an on-site fire station and staffing to meet the City's requirements for providing fire protection services. The provisions identified in the MSA would adequately provide the Richmond Fire Department with infrastructure and staffing to provide sufficient fire protection for the project site and surrounding area and impacts would be *less-than-significant*. **Improvement Measure 9-13** details the amenities to be included in fire station.

Emergency Medical Services

Ambulance services for Alternative B would be provided through contract with an emergency medical transportation service, as specified in the MSA. The nearest emergency room is located at the Kaiser Richmond Medical Center, which is five miles southeast of the project site at 901 Nevin Avenue in the City of Richmond. Ambulance transportation provided is typically paid for by the person requiring emergency medical care or their insurance company. Therefore, a *less-than-significant* impact would occur. Moreover, in accordance with Section 2.3 of the MSA (**Appendix C**), the Tribe shall contract with a private company for emergency ambulance services, thus, further reducing impacts to emergency medical services.

Law Enforcement

4.10.20 Alternative B could result in substantial adverse impacts associated with the need for new or expanded police stations, in order to maintain acceptable service ratios, response times or other performance objectives. This would be a potentially significant impact.

Significance After Mitigation

The implementation of **Mitigation Measures 9-14** through **9-18** would reduce potential impacts to police protection to *less-than-significant* levels. **Improvement Measures 9-19** through **9-21** would further reduce potential impacts to law enforcement.

Impact Discussion

Construction and Operation of Alternative B would introduce an increase in demands on police service, potentially leading to a decrease in acceptable service ratios, longer response times and problems meeting other service objectives. This risk constitutes a *potentially significant* impact.

As described under Alternative A, under Public Law 280, the State of California and other local law enforcement agencies (City Police Department) have enforcement authority over criminal activities on Tribal land. The Tribe has recognized and acknowledged the authority of the City in such matters in Section 2.1 of the MSA (**Appendix C**).

In accordance with Section 2.1 of the MSA, the Tribe, through the Tribal Police Department, would be primarily responsible for law enforcement on the land and resort facilities that comprise Alternative B. Staffing levels of the Tribal Police would exceed the City Police Department's target protection ratio of 1:1000 (officers to citizens). The Tribal Police Department would operate in cooperation with the City Police Department and other law enforcement agencies with jurisdiction over federal land held in trust for the Tribe. City Police and jurisdictional agencies would be responsible for the apprehension and arrest of suspected criminals pursuant to Public Law 280.

Provisions within the MSA plus the incorporation of mitigation would reduce potential impacts to law enforcement, including acceptable service ratios, response times and other police protection objectives, to *less-than-significant* levels. **Improvement Measures 9-19** through **9-21** would further reduce potential impacts to law enforcement.

Schools

4.10.21 Alternative B could result in the need for new or expanded schools, in order to maintain acceptable service ratios or other performance objectives. However, this impact is less-than-significant.

Alternative B would include a residential component consisting of 340 homes and include the relocation of approximately 776 new employees to Contra Costa County (see **Section 4.7**). A portion of these employees and residents would create households with school-age children

and increase the number of kindergarten through 12th grade (K-12) students in the County. The majority of these students would likely enroll in the West Contra Costa Unified School District (WCCUSD), dispersed among the 62 K-12 schools in the district. Using the WCCUSD measurement of 0.431 students per household, the potential for 480 new students could occur (WCCUSD, 2008). At existing enrollment levels described in **Section 3.10**, new students resulting from the development of Alternative B would have a nominal effect on the ability of WCCUSD to provide services at current levels. New residential construction within Alternative B is subject to development fees imposed by California school districts to finance the construction of new schools. Therefore, a *less-than-significant* impact would occur.

Parks and Recreation

- 4.10.22 Alternative B would include the creation of new on-site park and recreational facilities, which would not substantially deteriorate existing recreational or regional parks. A less-than-significant impact would occur.**

The Shoreline and Open Space parks within Alternative B are similar to those described within Alternative A. The implementation of Alternative B would not adversely affect any governmental agency's ability to provide or maintain parks and recreation facilities, as Alternative B would create an additional 35-acre Shoreline Park and 145-acre Hillside Open Space area. The Tribe would be responsible for the maintenance of these areas as described in Section 5.7 of the MSA. No off-site facilities would be impacted. A *less-than-significant* impact would occur.

4.10.3 ALTERNATIVE C – REDUCED INTENSITY MIXED-USE TRIBAL DESTINATION RESORT AND CASINO

IMPACTS OF ALTERNATIVE C

Water Supply

- 4.10.23 Development of Alternative C would result in an increased demand on the regional water supply, although to a lesser extent than Alternative A. This would be a potentially significant impact.**

Significance After Mitigation

Implementation of the **Mitigation Measure 9-1** would reduce impacts on the water supply to a *less-than-significant* level.

Impact Discussion

As described in **Section 2.3.2**, Alternative C would require approximately 320 gpm to meet anticipated average day water demand and 594 gpm to meet anticipated peak day demands

during the irrigation season, approximately 19 percent less than Alternative A. Demand would be met through connection to EBMUD. **Appendix C** includes an EBMUD will-serve letter for the project site, which acknowledges EBMUD availability to serve the project site, with compliance with EBMUD regulations and fees.

The recommended water supply would provide 460 gpm, with on-site storage developed to meet peak demands. Based on the 2005 average day total system water demand on the EBMUD water supply, implementation of Alternative C would reduce the remaining water supply capacity of EBMUD's Mokelumne River entitlement by 0.5 percent. This capacity does not include recovered runoff from the protected watershed in the East Bay.

As discussed under Alternative A, EBMUD maintains senior water rights to the Mokelumne River and has made provisions for additional water supply during dry years. As previously discussed, the WSA concluded that demands of Alternatives A and B were included within the 2005 Urban Water Management Plan; therefore the decreased demand of Alternative C (relative to Alternatives A and B) would also be accounted for. With the inclusion of the water conservation measures outlined in the WSA (Appendix C), which are included as **Mitigation Measure 9-1**, the additional water demand proposed by this alternative would have a *less-than-significant* impact on the EBMUD water supply source, and would not result in an exceedance of EBMUD water supply capacity.

4.10.24 Development of Alternative C would not result in expansion of existing water treatment facilities, but would result in the need for upgrades to the water system delivery infrastructure. This would be a potentially significant impact.

Significance After Mitigation

Implementation of **Mitigation Measure 9-2** would reduce impacts on the water supply distribution system to a *less-than-significant* level.

Impact Discussion

The water demand for Alternative C would account for approximately one percent of average remaining treatment capacity and approximately seven percent of the remaining capacity during peak treatment demands at the OWTP, which is less than Alternative A. The water demand of Alternative C would result in a *less-than-significant* impact to the treatment capacity of the OWTP.

In accordance with the MSA (**Appendix C**), the Tribe would comply with all EBMUD provisions for water system delivery infrastructure on-site; including having EBMUD perform a hydraulic analysis to determine specific upgrades needed to provide adequate

pressure to the project site. The impacts to EBMUD's water supply infrastructure are *potentially significant*, although they are anticipated to be less than those associated with the implementation of Alternative A.

Wastewater Service

4.10.25 Development of Alternative C would result in an increased demand on wastewater collection and treatment services. This would be a potentially significant impact.

Significance After Mitigation

Implementation of **Mitigation Measure 9-3** would reduce impacts to RMSD municipal wastewater collection and treatment capacity to a *less-than-significant* level.

Impact Discussion

As discussed in **Section 2.2.2**, Alternative C would result in the generation of approximately 361,000 gpd of wastewater, with a peak demand of 559,000 gpd, approximately 28 percent less than Alternative A. During dry weather conditions, the increased demand for wastewater treatment from Alternative C (with or without the use of grey water to meet irrigation demands) would utilize two percent of the available primary and secondary treatment capacity of the RMSD WWTP on average, and would utilize three percent during peak-day conditions. Therefore, Alternative C would not adversely impact the RMSD WWTP capacity during dry weather conditions.

As with Alternative A, the increase in flows from Alternative C during wet weather conditions would further increase flows over secondary-only treatment capacity for average- and peak-day flows, respectively. Although both routes of the wastewater conveyance lines for Alternative C were selected to by-pass the areas with high I&I, this would be a *potentially significant* impact of the implementation of Alternative C. Therefore, mitigation has is proposed to reduce these potential impacts.

4.10.26 Implementation of Alternative C would not exceed wastewater treatment requirements of the San Francisco Bay Area Regional Water Quality Control Board or the USEPA. No impact would occur.

Wastewater generated by Alternative C would not result in violation of wastewater treatment requirements at the RMSD WWTP. As the Proposed Project is commercial/retail in nature, and the quality of wastewater generated would comply with RWQCB standards. As described in the Water and Wastewater Feasibility Study (**Appendix G**), Alternative C would generate wastewater with an estimated 400-600 mg/L of BOD and 400-600 mg/L of TSS. No

significant industrial or chemical waste would be discharged by Alternative C, and no exceedences of the requirements of the RWQCB or USEPA would occur. Therefore, *no impact* would occur.

Solid Waste Service

4.10.27 Construction and operation of Alternative C would result in additional demand for solid waste disposal. This would be a less than significant impact.

Construction

Construction of Alternative C would generate solid waste stream similar to those described for Alternative A. Demolition debris from the existing on-site buildings and construction materials associated with the construction of Alternative C would result in a lower waste generation rate than Alternative A due to the smaller project footprint. Materials would be sorted on-site into recyclable materials and materials that would require disposal, which would be transported to the Golden Bear Transfer Station (located at the closed West Contra Costa Landfill) that would then redirect waste to the Potrero Hills Landfill located in Solano County.

Waste generation rates during construction of Alternative C would be temporary and less than those from Alternative A and would not result in significant impacts to regional waste transportation and disposal facilities. Construction-related impacts are *less-than-significant*; however, implementation of **Improvement Measure 9-4** would further reduce any solid waste-related impacts.

Operation

Estimated waste generation for Alternative C is summarized in **Table 4.10-4**. Solid waste generation from the operation of the various components of Alternative C is estimated to be approximately 8.55 tons per day. According to the most recent data summarized in **Section 3.10**, the solid waste generated by Alternative C would account for approximately 0.6 percent of the remaining daily landfill capacity. Assuming solid waste transportation to the Potrero Hills Landfill has not drastically increased since 2006 (and increase of 100 percent would have to of occurred to result in inadequate capacity for Alternative C), implementation of Alternative C would have a *less-than-significant* impact on solid waste services.

Solid waste impacts associated with Alternative C are considered to be *less-than-significant*, nonetheless, **Improvement Measures 9-5** and **9-6** are recommended to further reduce the on-site operational waste streams and limit the total amount of solid waste disposed of at regional landfills.

TABLE 4.10-4
ALTERNATIVE C – SOLID WASTE GENERATION

Employment Category	Jobs	CIWMB Business Type	Rate (Tons/employees/year)	Tons per year	Tons per day
Casino	2,500	38 ^a	0.9	2250	6.16
Casino Hotel	250	32 ^b	2.1	525	1.44
Business Services	30	33 ^d	1.7	51	0.14
Retail	40	33 ^c	1.7	68	0.19
Park	25	1	0.9	22.5	0.06
Tribal Government	75	33	1.7	127.5	0.35
Police Department	16	38	0.9	14.4	0.04
Maintenance / Other	25	33	1.7	42.5	0.12
Parking	15	73	1.3	19.5	0.05
Total waste generation				3120.4	8.55

Notes: ^a Includes SIC code 79 Amusement and Recreation Services

^b Includes SIC code 70 Hotels

^c Includes SIC code 58 Eating and Drinking Places

^d Includes SIC code 73 Business Services

Source: CIWMB, 2007b

4.10.28 Solid waste from the construction and operation of Alternative C would comply with federal, State, and local statutes and regulations related to solid waste. This would be a less-than-significant impact.

Impact Discussion

As with Alternative A, the development of Alternative C would not affect County diversion goals as Tribal land is classified as out-of-state waste and is not calculated in local waste diversion statistics (CIWMB, 2006). With implementation of **Improvement Measures 9-5** and **9-6**, the *less-than-significant* impacts to solid waste services would be further reduced.

Electricity, Natural Gas, and Telecommunications

4.10.29 Alternative C would result in additional demand for energy and telecommunications services, although to a lesser extent than Alternative A. This would be a less-than-significant impact.

Significance After Mitigation

The implementation of **Improvement Measure 9-22** would further reduce impacts to electrical service providers, currently at a *less-than-significant* level.

Impact Discussion

As described under Alternative A, electricity and telecommunications would be obtained from PG&E and AT&T, respectively. In accordance with the provisions outlined in the MSA, the Tribe would pay fees, obtain required easements, and construct necessary infrastructure to supply the project with utility service (**Appendix C**). A will-serve letter sent by PG&E (included in **Appendix C**) acknowledges PG&E willingness and availability to serve the project site. The potential impacts to energy and telecommunications services would be *less than significant*. However, **Improvement Measure 9-22** is proposed to further reduce these *less-than-significant* impacts to public energy systems.

Fire Protection and Emergency Medical Services

4.10.30 Alternative C could result in the need for new or expanded fire stations or medical facilities, to maintain acceptable service ratios, response times or other performance objectives. This would be a potentially significant impact.

Significance After Mitigation

Implementation of **Mitigation Measures 9-7** through **9-12** would impacts to fire protection and emergency medical services would be *less-than-significant* level. **Improvement Measure 9-13** would further reduce potential impacts to fire protection and emergency medical services.

Impact Discussion

Operation

Alternative C would increase the number of employees, residents, and visitors in the area, though to a lesser degree than Alternative A as there would be fewer amenities offered, which would result in the need for increased fire protection and emergency medical services. Most service calls generated from Alternative C would likely be for emergency medical assistance but could also include car and structure fires or hazardous materials response.

Fire Protection

Fire protection for Alternative C would be provided by the Richmond Fire Department, which provides fire protection and emergency response to the City. In accordance with Section 4.1 of the MSA, the Tribe would make semi-annual payments to the City to compensate for the costs that would be incurred by the City by providing fire protection services to the project site (**Appendix C**). Payments and MSA provisions are similar to those described for Alternative A.

As provided for in the MSA, the Tribe would provide an on-site fire station and staffing to meet the City's requirements for providing fire protection services. The provisions identified in the MSA would adequately provide the Richmond Fire Department with infrastructure and staffing to provide sufficient fire protection for the project site and surrounding area and impacts would be *less-than-significant*. **Improvement Measure 9-13** details the amenities to be included in fire station.

Emergency Medical Services

Ambulance services for Alternative C would be provided by contract with an emergency medical transportation service, as specified in the MSA. The nearest emergency room is located at the Kaiser Richmond Medical Center, which is five miles southeast of the project site at 901 Nevin Avenue in the City of Richmond. Ambulance transportation is typically paid for by the person requiring emergency medical care or their insurance company. Therefore, a *less-than-significant* impact would occur. Moreover, in accordance with Section 2.3 of the MSA (**Appendix C**), the Tribe shall contract with a private company for emergency ambulance services, thus, further reducing impacts to emergency medical services.

Law Enforcement

4.10.31 Alternative C could result in substantial adverse impacts associated with the need for new or expanded police stations, in order to maintain acceptable service ratios, response times or other performance objectives. This would be a potentially significant impact.

Significance After Mitigation

The implementation of **Mitigation Measures 9-14** through **9-18** would reduce potential impacts to police protection to *less-than-significant* levels. **Improvement Measures 9-19** through **9-21** would further reduce potential impacts to law enforcement.

Impact Discussion

As described under Alternative A and in accordance with Section 2.1 of the MSA, the Tribe, through the Tribal Police Department, would be primarily responsible for law enforcement on the land and in the facilities that comprise Alternative C. The Tribal Police Department would operate in cooperation with the City Police Department and other law enforcement agencies with jurisdiction over federal land held in trust for the Tribe. Staffing levels of the Tribal Police would exceed the City Police Department's target protection ratio of 1:1000 (officers to citizens). The City of Richmond Police Department and jurisdictional agencies would be responsible for the apprehension and arrest of suspected criminals pursuant to Public Law 280.

Provisions within the MSA plus the incorporation of mitigation would reduce potential impacts to law enforcement, including acceptable service ratios, response times and other police protection objectives, to *less-than-significant* levels. **Improvement Measures 9-19 through 9-21** would further reduce potential impacts to law enforcement.

Schools

4.10.32 Alternative C would not result in the need for new or expanded schools, in order to maintain acceptable service ratios or other performance objectives. This is a less-than-significant impact.

Approximately 443 new employees would relocate to Contra Costa County and require housing (see **Section 4.7**). A portion of these employees would be from households with school-age children and increase the number of kindergarten through 12th grade (K-12) students in the County. The majority of these students would likely enroll in the West Contra Costa Unified School District (WCCUSD), dispersed among the 62 K-12 schools in the district. Using the WCCUSD measurement of 0.431 students per household, the potential for 191 new students could occur (WCCUSD, 2008). At existing enrollment levels described in **Section 3.10**, new students resulting from the development of Alternative C would have a nominal effect on the ability of WCCUSD to provide services at current levels. Therefore, a *less-than-significant* impact would occur.

Parks and Recreation

4.10.33 Alternative C would include the creation of new on-site park and recreation facilities, which would not substantially deteriorate existing recreational or regional parks in the area. A less-than-significant impact would occur.

The Shoreline Park and Hillside Open Space proposed for Alternative C are similar to those described under Alternative A. The implementation of Alternative C would not adversely affect any governmental agency's ability to provide or maintain parks and recreation facilities, as Alternative C would create an additional 45-acre Shoreline Park and 191-acre Hillside Open Space area. The Tribe would be responsible for the maintenance of these areas as described in Section 5.7 of the MSA. No off-site facilities would be impacted. A *less-than-significant* impact would occur and no mitigation is proposed.

4.10.4 ALTERNATIVE D – NON-TRUST ACQUISITION WITH NON-GAMING MIXED-USE DEVELOPMENT

IMPACTS OF ALTERNATIVE D

Water Supply

- 4.10.34 Development of Alternative D would result in an increased demand on the regional water supply. This would be a potentially significant impact.**

Significance After Mitigation

Implementation of the **Mitigation Measure 9-1** would reduce impacts on the water supply to a *less-than-significant* level.

Impact Discussion

As described in **Section 2.5.2**, Alternative D would require approximately 540 gpm to meet anticipated average day water demand and 852 gpm to meet anticipated peak day demands during the irrigation season, approximately 16 percent greater than Alternative A. Demand would be met through connection to EBMUD. **Appendix C** includes an EBMUD will-serve letter for the project site, which acknowledges EBMUD availability and willingness to serve the project site, with project compliance with EBMUD regulations and fees.

The recommended water supply would provide 540 gpm, with on-site storage developed to meet peak demands. Based on the 2005 average day total system water demand on the EBMUD water supply, implementation of Alternative D would reduce the remaining water supply capacity of EBMUD's Mokelumne River entitlement by 0.9 percent. This capacity does not include recovered runoff from the protected watershed in the East Bay.

As discussed under Alternative A, EBMUD maintains senior water rights to the Mokelumne River and has made provisions for additional water supply during dry years. As previously discussed, the WSA concluded that demands of Alternatives A and B were included within the 2005 Urban Water Management Plan; therefore the decreased demand of Alternative D (relative to Alternatives A and B) would also be accounted for. With the inclusion of the water conservation measures outlined in the WSA (Appendix C), which are included as **Mitigation Measure 9-1**, the additional water demand proposed by this alternative would have a *less-than-significant* impact on the EBMUD water supply source, and would not result in an exceedance of EBMUD water supply capacity.

- 4.10.35 Development of Alternative D would not result in expansion of existing water treatment facilities, but would result in the need for upgrades to the water system delivery infrastructure. This would be a potentially significant impact.**

Significance After Mitigation

Implementation of the **Mitigation Measure 9-2** would reduce impacts on the water supply distribution system to a *less-than-significant* level.

Impact Discussion

The water demand for Alternative D would account for approximately two percent of average remaining treatment capacity and approximately 11 percent of the remaining capacity during peak treatment demands at the OWTP. The water demand of Alternative D would result in a *less-than-significant* impact to the treatment capacity of the OWTP.

The Tribe and Upstream would be required to comply with all EBMUD provisions for water system delivery infrastructure on-site; including having EBMUD perform a hydraulic analysis to determine specific upgrades needed to provide adequate pressure to the project site. The impacts to EBMUD's water supply infrastructure are *potentially significant*, although they are anticipated to be greater than those associated with the implementation of Alternative A; therefore, mitigation is proposed to reduce potential impacts to a *less-than-significant* level.

Wastewater Service

4.10.36 Development of Alternative D would result in an increased demand on wastewater collection and treatment services. This would be a potentially significant impact.

Significance After Mitigation

Implementation of **Mitigation Measure 9-3** would reduce impacts to RMSD municipal wastewater collection and treatment capacity to a *less-than-significant* level.

Impact Discussion

As discussed in **Section 2.5.2**, Alternative D would result in the generation of approximately 637,000 gpd of wastewater, with a peak demand of 796,000 gpd, approximately 17 percent less than Alternative B (2 percent greater than Alternative A). During dry weather conditions, the increased demand for wastewater treatment from Alternative D would utilize four percent of the available primary and secondary treatment capacity of the RMSD WWTP on average, and would utilize five percent during peak-day conditions. Alternative D would not adversely impact RMSD WWTP capacity during dry weather conditions.

As with Alternative A, the increase in flows from Alternative D during wet weather conditions would further increase flows over secondary-only treatment capacity for average- and peak-day flows, respectively. Although both routes of the wastewater conveyance lines for

Alternative D were selected to by-pass the areas with high I&I, this would be a *potentially significant* impact and mitigation is proposed in **Section 5.2.9**.

4.10.37 Implementation of Alternative D would not exceed wastewater treatment requirements of the San Francisco Bay Area Regional Water Quality Control Board or the USEPA. No impact would occur.

Wastewater generated by Alternative D would not result in violation of wastewater treatment requirements at the RMSD WWTP. As the Proposed Project is commercial/mixed-use residential in nature, and the quality of wastewater generated would comply with RWQCB standards. As described in the Water and Wastewater Feasibility Study (**Appendix G**), Alternative D would generate wastewater with an estimated 250-350 mg/L of BOD and 250-350 mg/L of TSS. No significant industrial or chemical waste would be discharged by Alternative D, and no exceedences of the requirements of the RWQCB or USEPA would occur. Therefore, *no impact* would occur.

Solid Waste Service

4.10.38 Construction and operation of Alternative D would result in additional demand for solid waste disposal. This would be a less than significant impact.

Construction

Construction of Alternative D would generate solid waste stream similar to those described for Alternative A. Demolition debris from the existing on-site buildings and construction materials associated with the construction of Alternative D would result in a greater waste generation rate than Alternative A due to the larger project footprint. Materials would be sorted on-site into recyclable materials and materials that would require disposal, which would be transported to the Golden Bear Transfer Station (located at the closed West Contra Costa Landfill) that would then redirect waste to the Potrero Hills Landfill located in Solano County.

Though greater than Alternative A, waste generation rates during construction activities of Alternative D are temporary and would not result in significant impacts to regional waste transportation and disposal facilities. Construction-related impacts are *less-than-significant* and the implementation of **Improvement Measure 9-4** would further reduce solid waste-related impacts.

Operation

Estimated waste generation for Alternative D is summarized in **Table 4.10-5**. Solid waste generation from the operation of the various components of Alternative B is estimated to be

approximately 3.06 tons per day. According to the most recent data summarized in **Section 3.10**, the solid waste generated by Alternative D would account for approximately 0.2 percent of the remaining daily landfill capacity. Assuming solid waste transportation to the Potrero Hills Landfill has not drastically increased since 2006 (an increase of 100 percent would have to of occurred to result in inadequate capacity for Alternative D), implementation of Alternative D would have a *less-than-significant* impact on solid waste services.

TABLE 4.10-5
ALTERNATIVE D – SOLID WASTE GENERATION

Employment Category	Jobs	CIWMB Business Type	Rate (Tons/employees/year)	Tons per year	Tons per day
Conference Center Hotel	250	32 ^a	2.1	525	1.44
Business Services	30	33 ^b	1.7	51	0.14
Retail	40	33	1.7	68	0.19
Park	15	1	0.9	13.5	0.04
Maintenance / Other	25	33	1.7	42.5	0.12
Parking	5	73	1.3	6.5	0.02
Residents	1100 Units	N/A	0.13 ^c	410 ^d	1.12
Total waste generation				1116.5	3.06

Notes: ^a Includes SIC code 70 Hotels
^b Includes SIC code 73 Business Services
^c Residential disposal rates per person/per year for Contra Costa County
^d 2.87 average City of Richmond household size
Source: CIWMB, 2007b; US Census, 2008; PTM Business Plan, 2007

Though solid waste impacts associated with Alternative D are considered to be *less-than-significant*, **Improvement Measures 9-5** and **9-6** would further reduce on-site operational waste streams and limit the total amount of solid waste disposed at regional landfills.

4.10.39 Solid waste from the construction and operation of Alternative D would comply with federal, State, and local statutes and regulations related to solid waste. This would be a less-than-significant impact.

As described under Alternative A, the development of Alternative D would not affect County diversion goals as Tribal land is classified as out-of-state waste and is not calculated in local waste diversion statistics (CIWMB, 2006). This is a *less-than-significant* impact; however, **Improvement Measure 9-5** would to further reduce solid waste generation from the project.

Electricity, Natural Gas, and Telecommunications

- 4.10.40** Alternative D would result in additional demand for energy and telecommunications services, to a greater extent than Alternative A. However, this would be a less than significant impact.

As described under Alternative A, electricity and telecommunications would be obtained from PG&E and AT&T, respectively. The Tribe would pay fees, obtain required easements, and construct necessary infrastructure to supply the project with utility service. A will-serve letter sent by PG&E (included in **Appendix C**) acknowledges PG&E willingness and availability to serve the project site. Potential impacts to energy and telecommunications services would be *less-than-significant*.

Fire Protection and Emergency Medical Services

- 4.10.41** Alternative D could result in the need for new or expanded fire stations and medical facilities, to maintain acceptable service ratios, response times or other performance objectives. This would be a less-than-significant impact.

Significance After Mitigation

With implementation of **Mitigation Measure 9-7** through **9-10**, impacts to fire protection would be reduced to *less-than-significant* levels.

*Impact Discussion**Construction*

Construction of Alternative D would introduce potential sources of fire to the project site, to a greater degree than Alternative A due to the increased total square footage of development. During construction, equipment and vehicles may come in contact with vegetation, which could spark and ignite. This risk, which is similar to those found at other construction sites, constitutes a *potentially significant* impact; therefore, mitigation is recommended in **Section 5.2.9**.

Operation

Alternative D would not have a tourism component, but would cause the project site to be occupied by retail, commercial, office, and residential uses, which would result in the need for increased fire protection and emergency medical services. Most service calls generated from Alternative D would likely be for emergency medical assistance, but could also include car and structure fires or hazardous materials response.

Fire Protection

Fire protection for Alternative D would be provided by the Richmond Fire Department, which provides fire protection and emergency response to the City. Costs for fire protection and emergency response would be considered in the City's review of a specific land use permit for a non-gaming project and project approval conditions would include reimbursements to the City to cover these costs. The applicable fees would include the City's Public Facility Impact Fee (RMC 5.12.050, 5.12.070, 6.02.180, 6.36.080 and 12.44.220) for fire facilities (City of Richmond, 2008c). Alternative D would also be subject to the City's required fire protection system permits, development review, and plan review. With issuance of the required permits and payment of the City's Public Facility Impact Fee, Alternative D would result in a less than significant impact to fire protection services. Nevertheless, mitigation is proposed in **Section 5.2.9** to further reduce impacts to fire protection services.

Emergency Medical Services

Ambulance services for Alternative D would be provided primarily by AMR, as called on by the County's EMS dispatcher. The nearest emergency room is located at the Kaiser Richmond Medical Center, which is five miles southeast of the project site at 901 Nevin Avenue in the City of Richmond. Ambulance transportation is typically paid for by the person requiring emergency medical care or their insurance company. Thus, a *less-than-significant* impact would occur.

Law Enforcement

4.10.42 Alternative D could result in substantial adverse impacts associated with the need for new or expanded police stations, in order to maintain acceptable service ratios, response times or other performance objectives. This would be a potentially significant impact.

Significance After Mitigation

Implementation of **Mitigation Measure 9-18** would reduce potential impacts to police protection to a *less-than-significant* level.

Impact Discussion

Potential impacts to law enforcement, including acceptable service ratios, response times and other police protection objectives would be less than significant with the incorporation of specific cost reimbursement measures to the City as part of the project approval conditions. Alternative D would be subject to the City's Public Facility Impact Fee (RMC 5.12.050, 5.12.070, 6.02.180, 6.36.080 and 12.44.220) for police facilities (City of Richmond, 2008c). The Proposed Project would not result in a significant increase in response times that would exceed the standards defined in the City of Richmond General Plan as 3-5 minute response

times for life-threatening service and critical emergency calls. Nevertheless, mitigation is recommended in **Section 5.2.9** to further reduce impacts to law enforcement services.

Schools

4.10.43 Alternative D could result in the need for new or expanded schools, in order to maintain acceptable service ratios, response times or other performance objectives. This is a less-than-significant impact.

Alternative D would include a residential component consisting of 1,100 homes and include the relocation of approximately 21 new employees to Contra Costa County (see **Section 4.7**). These new residents would therefore, require new housing. A portion of these employees and residents would create households with school-age children and increase the number of kindergarten through 12th grade (K-12) students in the County. The majority of these students would likely enroll in the West Contra Costa Unified School District (WCCUSD), dispersed among the 62 K-12 schools in the district. Using the WCCUSD measurement of 0.431 students per household, the potential for 483 new students could occur (WCCUSD, 2008). At existing enrollment levels described in **Section 3.10**, new students resulting from the development of Alternative D would have a nominal effect on the ability of WCCUSD to provide services at current levels. New residential construction within Alternative D is subject to development fees imposed by California school districts to finance the construction of new schools. Therefore, a *less-than-significant* impact would occur.

Parks and Recreation

4.10.44 Alternative D would include the creation of new park and recreational facilities, which would not substantially deteriorate existing recreational or regional parks in the area. A less-than-significant impact would occur.

Alternative D would create a 35-acre Shoreline Park and 145-acre Hillside Open Space area. The developer/homeowners association would be responsible for the maintenance of these areas; therefore, no new off-site facilities would be impacted. A *less-than-significant* impact would occur.

4.10.5 ALTERNATIVE E – TOTAL PARKLAND

IMPACTS OF ALTERNATIVE E

Water Supply

4.10.45 Development of Alternative E would not result in an increased demand on the regional water supply. No impact would occur.

No substantial development would occur under Alternative E, and the project site would remain largely undeveloped, with the exception of the Bay Trail segment. With only a minor demand from the connection to EBMUD for water fountains and landscape irrigation, Alternative E would have no adverse environmental impacts on regional water supply and *no impact* would occur.

4.10.46 Development of Alternative E would not result in expansion of existing water treatment facilities. No impact would occur.

No new development would occur under Alternative E. Only minimal amounts of upgrades along existing roadways and within existing buildings would occur and the project site would remain largely undeveloped. With only a minor connection to EBMUD, Alternative E would have no adverse environmental impacts on existing water treatment facilities and *no impact* would occur.

Wastewater Service

4.10.47 Development of Alternative E would not result in an increased demand on wastewater collection and treatment services. No impact would occur.

Only minimal amounts of upgrades along existing roadways and within existing buildings would occur and the project site would remain largely undeveloped. Portable toilets would be used to serve the needs of park visitors, and a connection to the RMSD wastewater system would not occur. In turn, this would decrease the fair share funds that the City would receive to develop infrastructure upgrades and repairs to provide sufficient capacity at the RMSD WWTP to accommodate anticipated peak-day flows and wet-weather capacity. Alternative E would not create any adverse environmental impacts, and *no impact* would occur.

4.10.48 Development of Alternative E would not exceed wastewater treatment requirements of the San Francisco Bay Area Regional Water Quality Control Board or the USEPA. No impact would occur.

Only minimal amounts of upgrades along existing roadways and within existing buildings would occur and the project site would remain largely undeveloped. Therefore, *no impact* would occur regarding wastewater treatment requirements.

Solid Waste Service

4.10.49 Alternative E would not result in additional demand for solid waste disposal. A less-than-significant impact would occur.

Only minimal amounts of upgrades along existing roadways and within existing buildings would occur and the project site would remain largely undeveloped. A minimal amount of solid waste would accumulate at waste collection receptacles along proposed trails, existing roadways, and on-site facilities. Therefore, a *less-than-significant* impact to solid waste would occur, and no mitigation is recommended.

4.10.50 Solid waste from the construction and operation of Alternative E would comply with federal, State, and local statutes and regulations related to solid waste. No impact would occur.

Only minimal infrastructure upgrades would occur under Alternative E and the project site would remain largely undeveloped. Minimal levels of solid waste along park trail and roadway waste collection receptacles would accumulate. Therefore, no adverse environmental impact would occur and no mitigation is recommended. *No impact* would occur.

Electricity, Natural Gas, and Telecommunications

4.10.51 Alternative E would not result in additional demand for energy and telecommunications services. No impact would occur.

Only minimal infrastructure upgrades would occur under Alternative E, and the project site would remain largely undeveloped and no additional electrical, natural gas, or telecommunication connections would be installed or operated at the project site. Therefore, *no impact* would occur.

Fire Protection and Emergency Medical Services

4.10.52 Alternative E would not result in the need for new or fire stations or medical facilities in order to maintain acceptable service ratios, response times, or other performance objectives. No impact would occur.

Only minimal infrastructure upgrades would occur under Alternative E, and the project site would remain largely undeveloped. The infrastructure that would be developed and incorporated under Alternatives A through D would not be constructed and emergency medical service and fire protection requirements would not increase to levels that would warrant increased coverage. *No impact* would occur and no mitigation is recommended.

Law Enforcement

4.10.53 Alternative E would not result in the need for new or expanded police stations to maintain acceptable service ratios, response times, or other performance objectives. A less-than-significant impact would occur.

Only minimal infrastructure upgrades would occur under Alternative E, and the project site would remain largely undeveloped. Given that park use would bring people to a remote area, law enforcement needs would increase; however, it is expected that the City would provide the additional funding necessary for increased service if this alternative were developed. Therefore, a *less-than-significant* impact would occur and no mitigation is recommended.

Schools

4.10.54 Alternative E would not result in the need for new or expanded schools in order to maintain acceptable service ratios or other performance objectives for schools. No impact would occur.

Only minimum infrastructure upgrades would occur under Alternative E; therefore, the associated development fees designated for the West Contra Costa Unified School District (WCCUSD) would not be allotted. Therefore, *no impact* would occur.

Parks and Recreation

4.10.55 Alternative E includes the creation of new on-site park and recreational facilities. A beneficial impact would occur.

Open space and shoreline parks would occur under Alternative E, with the majority of the project site remaining undeveloped and in its current state. Assuming an operations and maintenance funding source is identified for Alternative E the implementation of Alternative E would not adversely affect any governmental agency's ability to provide or maintain parks and recreation facilities as beneficial impacts would occur on-site. If no additional funding sources are identified, the development of Alternative E could impact the City's ability to maintain other parks with the City's limited resources. The development of the open space and shoreline parks would be a beneficial impact to the region, including residents, and visitors to the City of Richmond and the East Bay Regional Parks District. A *beneficial impact* would occur.

4.10.6 ALTERNATIVE F – NO-ACTION

IMPACTS OF ALTERNATIVE F

Water Supply

4.10.56 Implementation of Alternative F would not result in an increased demand on the regional water supply. No impact would occur.

No development would occur under Alternative F, and the project site would remain undeveloped. With no planned connection to EBMUD, Alternative F would result in *no impacts* to the regional water supply.

4.10.57 Implementation of Alternative F would not result in expansion of existing water treatment facilities. No impact would occur.

No development would occur under Alternative F, and the project site would remain undeveloped. With no planned connection to EBMUD, Alternative F would result in *no impact* on existing water treatment facilities.

Wastewater Service

4.10.58 Implementation of Alternative F would not result in an increased demand on wastewater collection and treatment services. No impact would occur.

No development would occur under Alternative F, and the project site would remain undeveloped. No connection to the RMSD wastewater system would occur; therefore, decreases the fair share funds that the City would receive to develop infrastructure upgrades and repairs to accommodate anticipated peak-day flows and wet-weather capacity. Alternative F would not create any adverse environmental impacts and *no impact* would occur.

4.10.59 Implementation of Alternative F would not exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board. No impact would occur.

No development would occur under Alternative F, and the project site would remain undeveloped with no connection to the RMSD wastewater system. Therefore, *no impact* would occur regarding wastewater treatment requirements.

Solid Waste Service

4.10.60 Alternative F would not result in additional demand for solid waste disposal. No impact would occur.

No development would occur under Alternative F and the project site would remain undeveloped and not accumulate solid waste. Therefore, Alternative F would result in *no impact* related to solid waste.

4.10.61 Solid waste from the construction and operation of Alternative F would comply with federal, State, and local statutes and regulations related to solid waste. No impact would occur.

No development would occur under Alternative F, and the project site would remain undeveloped and would not accumulate solid waste. Therefore, *no impact* would occur and no mitigation is recommended.

Electricity, Natural Gas, and Telecommunications

4.10.62 Alternative F would not result in additional demand for energy and telecommunications services. No impact would occur.

No development would occur under Alternative F and the project site would remain undeveloped and no additional infrastructure would be installed or operated at the project site. Therefore, *no impact* would occur.

Fire Protection and Emergency Medical Services

4.10.63 Alternative F would not result in the need for new or expanded fire stations or medical facilities, to maintain acceptable service ratios, response times or other performance objectives. No impact would occur.

No development would occur under Alternative F, and the project site would remain undeveloped. The infrastructure that would be developed and incorporated within Alternative A through D would not be constructed, as emergency medical service and fire protection needs would not increase. Therefore, *no impact* would occur.

Law Enforcement

4.10.64 Alternative F would not result the need for new or expanded police stations, to maintain acceptable service ratios, response times or other performance objectives. No impact would occur.

No development would occur under Alternative F and the project site would remain undeveloped. The infrastructure and services that would be developed and incorporated within Alternative A through D would not be constructed, as law enforcement needs would not increase. Therefore, *no impact* would occur.

Schools

4.10.65 Alternative F would not result in the need for new or expanded schools, to maintain acceptable service ratios, or other performance objectives. No impact would occur.

No development would occur under Alternative F; therefore, the associated development fees designated for the City of Richmond School District would not be allotted and *no impact* would occur.

Parks and Recreation

4.10.66 Alternative F would not result in the need for new or expanded parks and recreation facilities, to maintain acceptable service ratios, or other performance objectives. No impact would occur.

No development would occur under Alternative F and the project site would remain undeveloped. The implementation of Alternative F would not adversely affect any governmental agency's ability to provide or maintain parks and recreation facilities. *No impact* would occur.