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December 1, 2014

Via Email and U.S. Mail

Mr. John Kopchik
Director Department of Conservation and Development
Contra Costa County
30 Muir Road
Martinez, CA 94553
Email: john.kopchik@dcd.cccounty.us

Ms. Tiffany Lennear
Chief Clerk of the Board
Contra Costa County
651 Pine Street, 1st Floor, Rm. 106
Martinez, CA 94553
Email: tlenn@cob.cccounty.us

Via Email Only

Lashun Cross, Principal Planner, lashun.cross@dcd.cccounty.us

Re: Request for Extension of the Comment Deadline for Phillips 66 Propane Recovery Project Recirculated Draft Environmental Impact Report (County File #LP12-2073 and SCH #2012072046)

Dear Mr. Kopchik, Ms. Lennear and Ms. Cross:

We are writing on behalf of **Safe Fuel and Energy Resources California ("SAFER California")** to request an extension of the December 5, 2014 comment deadline for the Recirculated Draft Environmental Impact Report ("RDEIR") prepared for the Phillips 66 Propane Recovery Project. The California Environmental Quality Act ("CEQA") requires that all documents referenced in an environmental review document be made available to the public for the entire

DEPARTMENT OF
CONSERVATION
AND DEVELOPMENT
CONTRA COSTA
COUNTY
MIN DEC - 2 A 7 54

B1-1

December 1, 2014

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comment period.¹ Once materials are properly made available, CEQA requires a minimum of 45 days for public review and comment.²

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B1-1

The County issued a Revised Notice of Completion and Availability of the RDEIR on October 21, 2014. On October 28, 2014, we sent a letter to the County requesting immediate access to all documents referenced or relied upon in the RDEIR. We received some documents from the County in response to our request. However, there are several documents referenced or relied on in the RDEIR which were not provided, including:

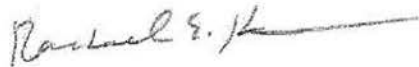
- Phillips 66, 2014. Data Response #8, July 29, 2014;
- Phillips 66, 2012. Ambient Monitoring Data for 2009 through 2011;
- Supporting data for Table 4.1-1 (heat rate and NOx CEMS data in an Excel spreadsheet);
- All materials related to Marine Terminal II (cited on RDEIR pages 4.1-32, 33, 34); and
- All materials related to Marine Terminal III (cited on RDEIR pages 4.1-32, 33, 34).

B1-2

The County has not made all documents referenced or relied on in the RDEIR available for public review during the entire public review period, as required by CEQA. Without access to all documents referenced in the RDEIR, the public cannot meaningfully review the RDEIR's analyses, conclusions and mitigation measures. Therefore, we request that the comment deadline be extended 45 days from the date that all documents referenced in the RDEIR are made available for public review.

Thank you for your attention to this matter. Please feel free to contact me at (650) 589-1660 to discuss further.

Sincerely,



Rachael E. Koss

REK:clv

¹ See Pub. Resources Code, § 21092(b)(1); 14 Cal. Code Reg., § 15073.

² Pub. Resources Code, § 21091(a).

3105-012cv

Lashun Cross

From: Charissa L. Villanueva <cvillanueva@adamsbroadwell.com>
Sent: Monday, December 01, 2014 4:52 PM
To: John Kopchik; Tiffany Lennear; Lashun Cross
Cc: Rachael E. Koss
Subject: Request for Extension of the Comment Deadline for Phillips 66 Propane Recovery Project RDEIR (County File #LP12-2073 and SCH# 2012072046)
Attachments: 3105-012cv - Request for Extension of Comment Deadline.pdf

Attached is our request regarding the above referenced project. Please contact Ms. Koss to discuss further.

Thank you.

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