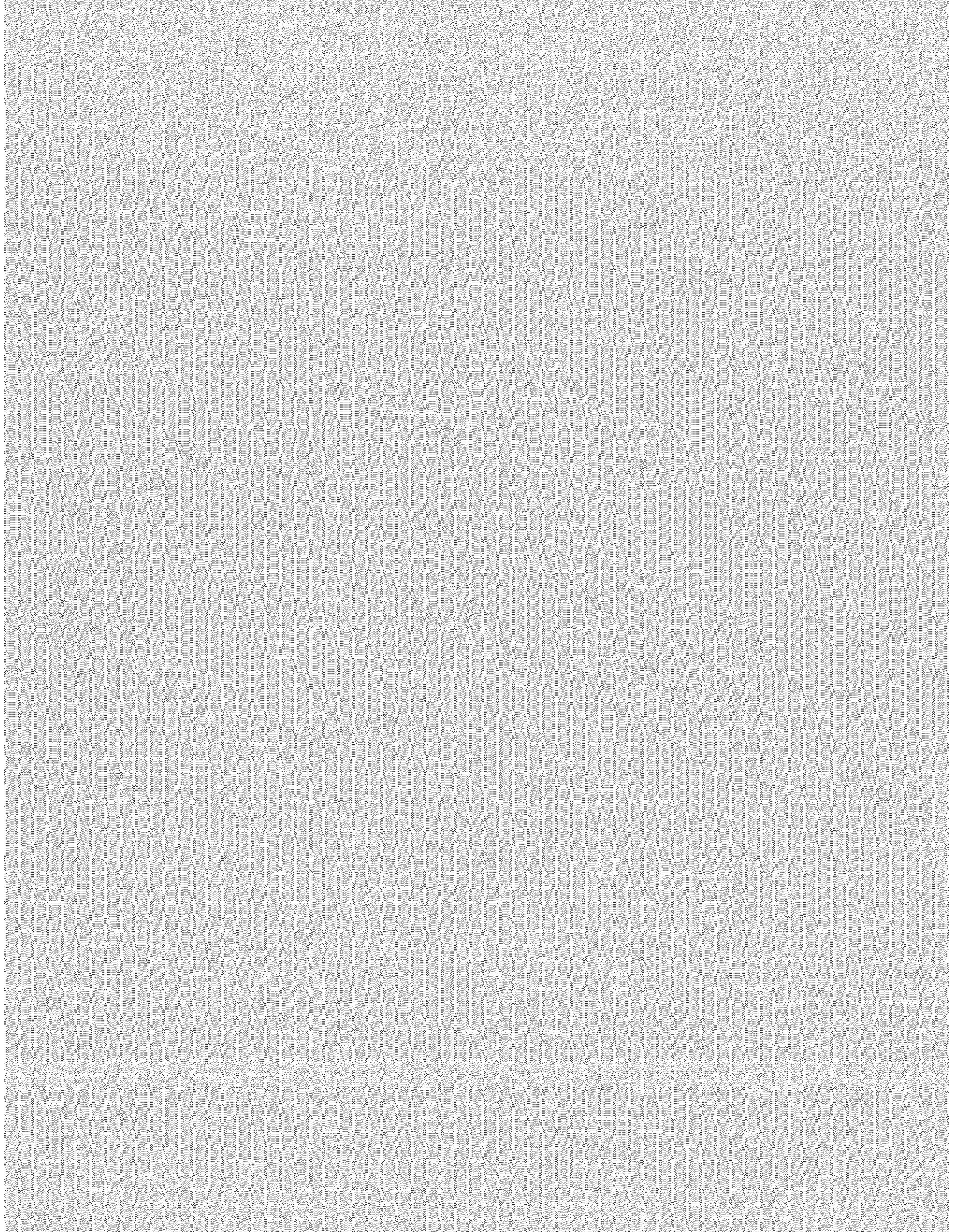


INITIAL STUDY



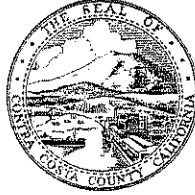
Department of
Conservation &
Development

Community Development Division

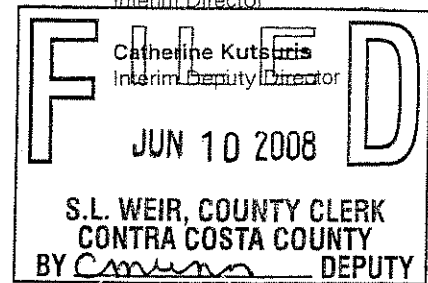
County Administration Building
651 Pine Street
North Wing, Fourth Floor
Martinez, CA 94553-1229
(925) 335-1210

Phone:

Contra
Costa
County



Dennis M. Barry, AICP
Interim Director



DATE: June 10, 2008

NOTICE OF PUBLIC REVIEW AND INTENT TO ADOPT A PROPOSED
MITIGATED NEGATIVE DECLARATION

County Files GP05-0006, MS06-0011 and DP06-3026

Pursuant to the State of California Public Resources Code and the "Guidelines for Implementation of the California Environmental Quality Act of 1970" as amended to date, this is to advise you that the Community Development Department of Contra Costa County has prepared an initial study on the following project:

Andrew Woolman (Applicant) The Circle Partnership (Owners). The 401 Colusa Avenue Mixed-Use Development Project consists of three applications:

- A. County File GP05-0006 – A request for approval of a General Plan Amendment to change the General Plan land use designation from Commercial (CO) to Mixed-Use (M-);
- B. County File MS06-0011 – A request for a vesting tentative map approval to subdivide 4,792 square feet in to three residential condominium units;
- C. County File DP0-63026 – A request for approval of a modification to the final development plan, County File DP82-3056, to establish a mixed-use building consisting of three residential dwelling units and two separate street front retail/office spaces.

The subject site is located at 401 Colusa Avenue in the Kensington area. (Zoning: Planned Unit District, P-1) (Assessor Parcel Number: 571-311-001).

The initial study for the proposed development identified potentially significant impacts in the following environmental areas: Air Quality, Cultural Resources and Recreation. Environmental analysis determined that measures are available to mitigate potential adverse impacts to insignificant levels. As a result, a Mitigated Negative Declaration (MND) has been prepared pursuant to Public Resources Code Section 21080(c)(2), 21064.5 and Article 6 of the California Environmental Quality Act (CEQA) Guidelines.

Pursuant to the requirements of CEQA (CEQA Guidelines Section 15071), the MND describes the proposed project; identifies, analyzes and evaluates the potential significant environmental impacts that may result from the proposed project; and identifies measures to mitigate the adverse environmental impacts.

With the inclusion of the mitigation measures the project will not have a significant adverse effect on the environment. The applicant has agreed to all of the required mitigation measures.

A copy of the mitigated negative declaration and all documents referenced in the mitigated negative declaration may be reviewed in the offices of the Department of Conservation and Development and Application and Permit Center at the McBrien Administration Building, North Wing, Second Floor, 651 Pine Street, Martinez, during normal business hours.

Public Comment Period - The period for accepting comments on the adequacy of the environmental documents extends to **5:00 P.M., Monday, June 30, 2008**. Any comments should be in writing and submitted to the following address:

Community Development Department
Contra Costa County
651 Pine Street, North Wing, 2nd Floor
Martinez, CA 94553
Attn: Ryan Hernandez

It is anticipated that the proposed Mitigated Negative Declaration will be considered for adoption at a meeting of the County Planning Commission on July 8, 2008. It is anticipated that the hearing will be held at the McBrien Administration Building, Room 107, Pine and Escobar Streets, Martinez.

Signature: 
RYAN HERNANDEZ

Title: Senior Planner,
Contra Costa County
Community Development Department
Current Planning Division
651 Pine Street, 4th Floor – North Wing
Martinez, CA 94553-0095
rahern@cd.cccounty.us

**INITIAL STUDY FOR THE
401 COLUSA AVENUE MIXED-USE
DEVELOPMENT PROJECT,
CONTRA COSTA COUNTY, CALIFORNIA**

*Prepared by:
Contra Costa County
Community Development Department
651 Pine Street
Martinez, CA 94553
(925) 335-1210*

June 10, 2008

TABLE OF CONTENTS

INTRODUCTION.....	1
PURPOSE OF THE INITIAL STUDY	1
DECISION TO PREPARE A NEGATIVE DECLARATION OR MITIGATED NEGATIVE DECLARATION.....	2
PROJECT OVERVIEW	2
AGENCY OVERSIGHT AND PERMITS.....	2
PROJECT DESCRIPTION.....	3
INTRODUCTION	3
SITE LOCATION AND ACCESS.....	3
PROJECT FEATURES	7
RESPONSES TO INITIAL STUDY CHECKLIST	22
I. AESTHETICS.....	22
II. AGRICULTURAL RESOURCES.....	23
III. AIR QUALITY.....	23
IV. BIOLOGICAL RESOURCES.....	26
V. CULTURAL RESOURCES	27
VI. GEOLOGY AND SOILS	28
VII. HAZARDS AND HAZARDOUS MATERIALS.....	30
VIII. HYDROLOGY AND WATER QUALITY.....	32
IX. LAND USE AND PLANNING	34
X. MINERAL RESOURCES	35
XI. NOISE.....	36
XII. POPULATION AND HOUSING	37
XIII. PUBLIC SERVICES	37
XIV. RECREATION	38
XV. TRANSPORTATION/TRAFFIC	39
XVI. UTILITIES AND SERVICE SYSTEMS	41
XVII. MANDATORY FINDINGS OF SIGNIFICANCE.....	42
REFERENCES, PERSONS CONTACTED AND REPORT PREPARERS	44

FIGURES

3	
PROJECT VICINITY	5
AERIAL OF PROJECT SITE	6
DEVELOPMENT PLAN	8

TABLES

TABLE 1. FEASIBLE CONTROL MEASURES FOR CONSTRUCTION EMISSIONS OF PM ₁₀	25
-----------------------------------------------------------------------------------------	----

APPENDICES

Parking and Traffic Analysis - 401 Colusa Avenue, Prepared by Abrams Associates. October 2007.

INTRODUCTION

This section describes the purpose of an Initial Study (IS), the decision process to prepare a Negative Declaration (ND) or a Mitigated Negative Declaration (MND), a brief description and objectives of the 401 Colusa Avenue Mixed-Use Development Project in Contra Costa County, California, and a short discussion about other public agencies whose approval is required through the permitting process or which have an interest in the project.

PURPOSE OF THE INITIAL STUDY

This Initial Study has been prepared by Contra Costa County, which is also the Lead Agency under CEQA for the project. The IS has been prepared pursuant to the California Environmental Quality Act (CEQA) for the Mixed-Use Retail/Residential Development Project. CEQA lists seven purposes of an IS [CEQA Guidelines 15063(c)]:

1. Provide the Lead Agency with information to use as the basis for deciding whether to prepare an Environmental Impact Report (EIR) or a Negative Declaration (ND).
2. Enable a Lead Agency to modify a project; mitigating adverse impacts before an EIR is prepared, thereby enabling the project to qualify for a ND.
3. Assist in the preparation of an EIR, if one is required.
4. Facilitate environmental assessment early in the design of a project.
5. Provide documentation of the factual basis for the finding in a ND that a project will not have a significant effect on the environment.
6. Eliminate unnecessary EIRs.
7. Determine whether a previously prepared EIR could be used with the project.

DECISION TO PREPARE A NEGATIVE DECLARATION OR MITIGATED NEGATIVE DECLARATION

According to CEQA Guidelines Section 15070, a public agency shall prepare a proposed ND or a Mitigated ND when:

1. The IS shows that there is no substantial evidence, in light of the whole record before the agency, that the project may have a significant effect on the environment, or
2. The IS identifies potentially significant effects, but:
Revisions in the project plans made before a proposed Mitigated ND and IS are released for public review would avoid the effects or mitigate the effects to a point where clearly no significant effects would occur, and there is no substantial evidence, in light of the whole record before the agency, that the project as described may have a significant effect on the environment.

PROJECT OVERVIEW

Andrew Woolman, Architect (Applicant) is proposing to construct a mixed-use (residential/retail/office) building on approximately 4,792 square feet in Kensington, an unincorporated area of Contra Costa County, California (Assessor Parcel Number 571-311-001).

The application is to modify a previously approved Final Development Plan, County File DP82-3056, that includes the construction of a mixed-use building of 8,111 square feet, consisting of three residential units and two separate street-front retail/office spaces, parking and associated landscaping.

AGENCY OVERSIGHT AND PERMITS

Contra Costa County is the Lead Agency under the California Environmental Quality Act (CEQA). Under CEQA Guidelines (Sections 15050, 15051) the Lead Agency is the public agency with the primary responsibility for carrying out or approving the project and is responsible for the preparation of the appropriate environmental review documents.

County approvals necessary for the proposed project include: Variance, Modification to the Final Development Plan, Vesting Tentative Map and General Plan Amendment.

At this time, no other responsible agency, or agency with permitting or regulatory authority over the project has been identified.

PROJECT DESCRIPTION

INTRODUCTION

A development application has been submitted for approval of a mixed-use (residential/retail) building with associated parking and landscaping, to be located on an unimproved property at 401 Colusa Avenue in the Kensington area (APN 571-311-001). The new mixed-use building would house three separate residential units and two separate street-front retail/office spaces, which would provide additional housing and retail/office opportunities within Kensington, an unincorporated area of Contra Costa County, California.

The project site is zoned Planned Unit District, P-1, with a General Plan designation of Commercial - CO, and is owned by The Circle Partnership. The size of the property is 4,792 square feet. The project includes a development of a new 8,111 square foot mixed-use building and associated parking and landscaping, all on undeveloped property.

The applicant seeks approval of three entitlements, Subdivision, modification to the Final Development Plan and a General Plan Amendment.

SITE LOCATION AND ACCESS

The project site is located within the unincorporated area of Contra Costa County, north of the City of Berkeley and east of the City of El Cerrito. The street address is 401 Colusa Avenue and the site is located 370 feet south of the Sunset Cemetery. Access to the project site is from Oakview Avenue and Colusa Avenue with a portion of the site fronting on Colusa Circle. Colusa Circle is a roundabout that is a distinct feature of the project location.

SITE AND VICINITY LAND USES

Existing Site Conditions

The residential project site is one parcel with an area of 4,792 square feet. The site is vacant, currently paved and has a relatively small slope. There is an existing A/C Transit bus stop that will remain located on the south side of the property on Colusa Avenue. Currently, two curb cuts allow entry onto the site; one from Oakview Avenue and the other from Colusa Avenue, with the Colusa curb cut to be eliminated and replaced by curb, gutter and sidewalk.

The project site was previously approved with a group of four other properties in the early 1980's (Development Plan 82-3056) for a multi-phased project that had multiple uses. This property included the adjacent property to the east and was approved as a three-story restaurant, retail space and a parking garage known as Phase II of the previous approval.

Vicinity Land Uses

Kensington is a residential community that is tucked in the hills between Berkeley and El Cerrito. The proposed project is surrounded by suburban land use on all sides, portions of these two cities and the remainder of Kensington. Across Colusa Circle to the west are two additional development applications.

Adjacent Projects

- County File DP03-3047 is a project that too was associated with original 1983 Colusa Circle Final Development Plan approval. This project was approved by the Board of Supervisors on January 22, 2008 to construct a new 8360 square foot, three-story building at 370 Colusa Avenue plus improvements to existing buildings addressed 372-380 Colusa Avenue, 13 off-street parking spaces and associated street/landscaping improvements.
- County File DP07-3041 and LP07-2067 is located at 385-389 Colusa Avenue consists of the renovation of an existing 11,839 square foot building and the addition of one 662 square foot apartment. This project is not a part of the approved 1983 Colusa Circle Final Development Plan. This project was approved by the Zoning Administrator on June 2, 2008.

PROJECT FEATURES

Residential Development. The residential portion of the project proposes the construction of three individual condominiums. Condominium One is 1600 square feet in size and is contained on one level (second story) with a living, dining/kitchen, three bedrooms and two bathrooms that also has the use of small balconies. Condominium Two is the largest of the three with 1,812 square feet and two levels (second and third story) with a living, dining, kitchen, three bedrooms and three baths with a roof top deck (shared with condo three). Condominium Three is a one-bedroom condo of 914 square feet that has a great room that includes a kitchen and one-bathroom, it does share the roof top deck with Condominium Two. Each condo would have access to two off-street parking spaces. There is a bi-level automobile lift (stacked parking) that will provide two parking spaces per unit.

Retail Business. There are two separate street-front retail/office spaces of 784 square feet and 848 square feet. There are no known tenants at this time. Hours of operation are estimated to be from 9:00 am to 6:00 pm with a maximum of two employees for each space at any given time. The two retail/office spaces will have access to two of the eight stacked off-street parking spaces. It is proposed that the private parking/entry courtyard will be the primary loading zone for the retail/office spaces.

Landscaping. The applicant proposes to plant eight street trees, four along Oakview Avenue and four along Colusa Avenue. The trees will be consistent with the water conservation Ordinance of Contra Costa County.

Parking. The applicant proposes eight off-street parking spaces and two on street parking spaces for a total of 10 parking spaces. The proposed project requires a total of 15 off-street parking spaces. The off-street parking spaces (8) are stacked or bi-level and contained within the proposed garage. Access to the garage will be off of Oakview Avenue. The two on street spaces are created by eliminating the curb cut on Colusa Avenue.

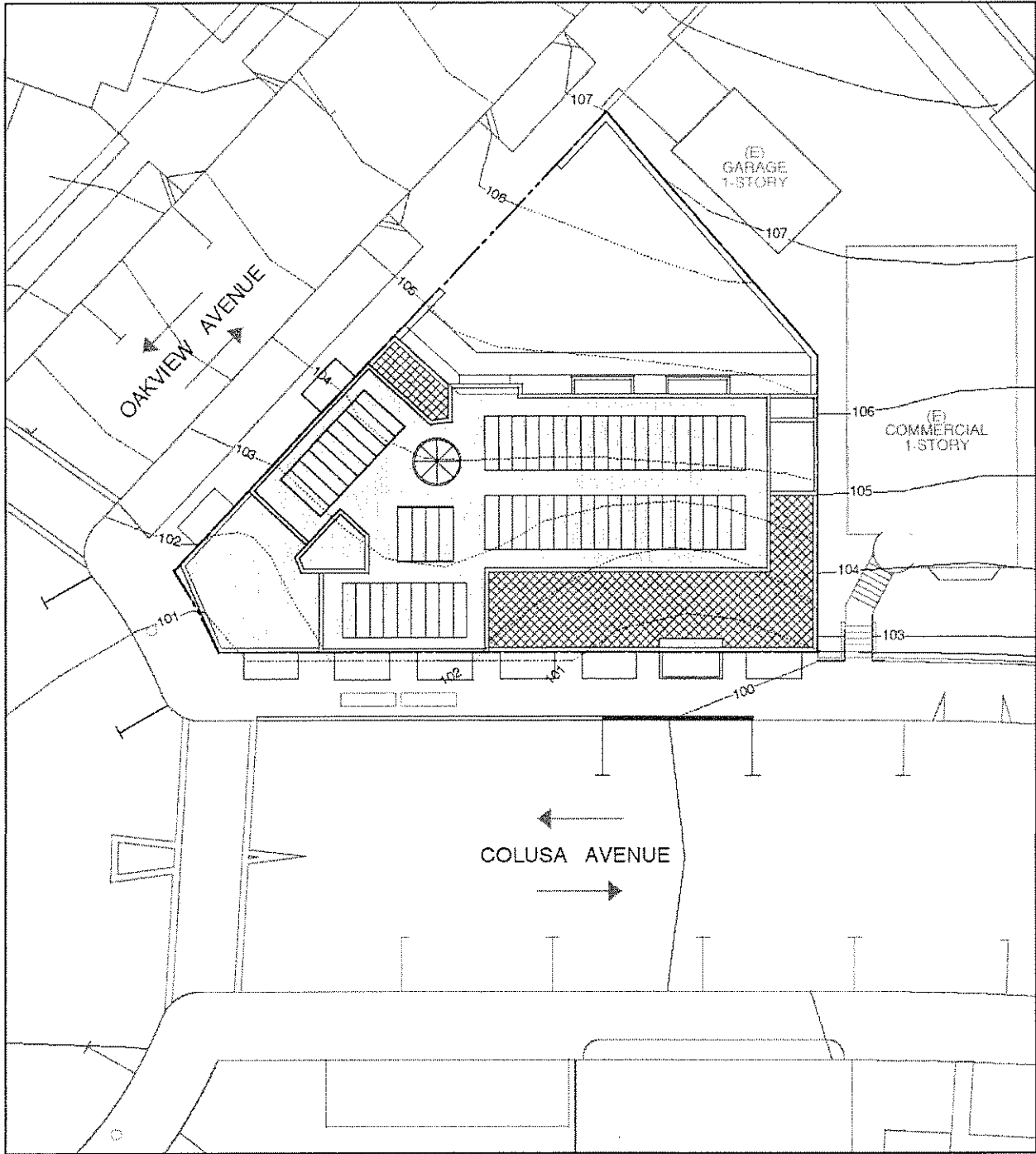
General Plan. The General Plan designation for the project site is Commercial. However, the applicant is proposing a Mixed Use General Plan designation, which will accommodate the three dwelling units and retail/office spaces that will be consistent with the General Plan and Zoning limitations for the property.

Site Preparation. It is not anticipated that the site will require extensive preparation. The building, landscaping, parking spaces and access would replace the existing pavement.

Construction and Phasing. Details of the construction and phasing are not known at this time. For purposes of this analysis it is assumed that construction would take 15 to 18 months.

Approvals. County approvals necessary for the proposed project include: Modification to the Final Development Plan, Vesting Tentative Map and General Plan Amendment.

Development Plan



DEVELOPMENT PLAN

ENVIRONMENTAL CHECKLIST FORM

1. **Project title:** 401 Colusa Avenue Mixed-Use Development Project
2. **Lead agency name and address:** Contra Costa County
Community Development Department
Administrative Building
651 Pine Street
2nd Floor – North Wing
Martinez, CA 94553-1295
3. **Contact person and phone number:** Ryan Hernandez, Senior Planner
Community Development Department
Administrative Building
651 Pine Street
2nd Floor – North Wing
Martinez, CA 94553-1295
4. **Project location:** The project site is located within the unincorporated area of Contra Costa County, known as Kensington, and just north of the City of Berkeley. The street address is 401 Colusa Avenue. APN: 571-311-001.
5. **Project sponsor's name and address:** The Circle Partnership
625 Santa Fe Avenue
Albany, CA 94706
6. **General Plan designation:** The project site has a current General Plan designation of Commercial (CO). The applicant is applying to change the existing General Plan designation to Mixed Use (M-).
7. **Zoning:** The project site is zoned Planned Unit District, P-1. The proposed project is a major modification to the previously approved Planned Unit District.
8. **Description of project: (Describe the whole action involved, including but not limited to later phases of the project, and any secondary, support, or off-site features necessary for its implementation. Attach additional sheets if necessary.)**

A development application has been submitted for approval of a mixed-use (residential/retail) building with associated parking and landscaping, to be located on an unimproved property at 401 Colusa Avenue in the Kensington area (APN 571-311-001). The new mixed-use building would house three separate residential units and two separate street-front retail/office spaces, which would provide additional housing and retail/office opportunities within Kensington, an unincorporated area of Contra Costa County, California.

The project site is zoned Planned Unit District, P-1, with a General Plan designation of Commercial - CO, and is owned by The Circle Partnership. The size of the property is 4,792 square feet. The project includes a development of a new 8,111 square foot mixed-use building and associated parking and landscaping, all on undeveloped property.

The applicant seeks approval of three entitlements, a Subdivision, modification to the Final Development Plan and a General Plan Amendment.

9. **Surrounding land uses and setting: Briefly describe the project's surroundings:** Colusa Circle is a neighborhood business area within Kensington but the predominant land use in all directions beyond the circle is residential.
10. **Other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement.)**

Other agencies whose approval may be necessary for the proposed project include:

- Bay Area Air Quality Management District (BAAQMD)
- Contra Costa County Public Works

At this time, no other responsible agency, or agency with permitting or regulatory authority over the project has been identified.

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

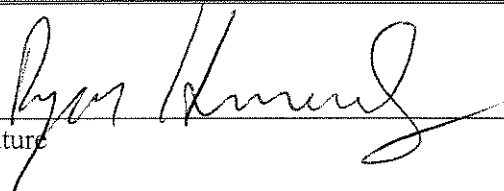
The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a Potentially Significant Impact as indicated by the checklist on the following pages.

<input type="checkbox"/>	Aesthetics	<input type="checkbox"/>	Agriculture Resources	<input checked="" type="checkbox"/>	Air Quality
<input type="checkbox"/>	Biological Resources	<input checked="" type="checkbox"/>	Cultural Resources	<input type="checkbox"/>	Geology /Soils
<input type="checkbox"/>	Hazards & Hazardous Materials	<input type="checkbox"/>	Hydrology / Water Quality	<input type="checkbox"/>	Land Use / Planning
<input type="checkbox"/>	Mineral Resources	<input type="checkbox"/>	Noise	<input type="checkbox"/>	Population / Housing
<input type="checkbox"/>	Public Services	<input checked="" type="checkbox"/>	Recreation	<input type="checkbox"/>	Transportation/Traffic
<input type="checkbox"/>	Utilities / Service Systems	<input type="checkbox"/>	Mandatory Findings of Significance		

DETERMINATION: (To be completed by the Lead Agency)

On the basis of this initial evaluation:

<input type="checkbox"/>	I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
<input checked="" type="checkbox"/>	I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
<input type="checkbox"/>	I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
<input type="checkbox"/>	I find that the proposed project MAY have a potentially significant impact or potentially significant unless mitigated impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
<input type="checkbox"/>	I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Signature 

Date June 10, 2008

Signature _____

Date _____

EVALUATION OF ENVIRONMENTAL IMPACTS:

- 1) A brief explanation is required for all answers except “No Impact” answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A “No Impact” answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A “No Impact” answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
- 2) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.

- 3) Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. “Potentially Significant Impact” is appropriate if there is substantial evidence that an effect may be significant. If there are one or more “Potentially Significant Impact” entries when the determination is made, an EIR is required.
- 4) “Negative Declaration: Less Than Significant With Mitigation Incorporated” applies where the incorporation of mitigation measures has reduced an effect from “Potentially Significant Impact” to a “Less Than Significant Impact.” The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from Section XVII, Earlier Analyses, may be cross-referenced).
- 5) Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:
 - a) Earlier Analysis Used. Identify and state where they are available for review.
 - b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
 - c) Mitigation Measures. For effects that are “Less than Significant with Mitigation Measures Incorporated,” describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
- 6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
- 7) Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
- 8) This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.
- 9) The explanation of each issue should identify:
 - a) the significance criteria or threshold, if any, used to evaluate each question; and
 - b) the mitigation measure identified, if any, to reduce the impact to less than significance.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
I. AESTHETICS -- Would the project:				
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
II. AGRICULTURE RESOURCES -- In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the project:				
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
III. AIR QUALITY -- Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:				
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
IV. BIOLOGICAL RESOURCES -- Would the project:				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
V. CULTURAL RESOURCES -- Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource as defined in '15064.5?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to '15064.5?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
VI. GEOLOGY AND SOILS – Would the project:				
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
VII. HAZARDS AND HAZARDOUS MATERIALS – Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
HAZARDS AND HAZARDOUS MATERIALS (Continued) -- Would the project:				
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
VIII. HYDROLOGY AND WATER QUALITY -- Would the project:				
a) Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
HYDROLOGY AND WATER QUALITY (Continued) – Would the project:				
f) Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
j) Inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
IX. LAND USE AND PLANNING - Would the project:				
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
X. MINERAL RESOURCES – Would the project:				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
XI. NOISE – Would the project result in:				
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
NOISE (Continued) -- Would the project result in:				
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
XII. POPULATION AND HOUSING -- Would the project:				
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
XIII. PUBLIC SERVICES -- (a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, 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 any of the public services:				
i) Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii) Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii) Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv) Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
v) Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
XIV. RECREATION –				
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
XV. TRANSPORTATION/TRAFFIC – Would the project:				
a) Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Result in inadequate parking capacity?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
XVI. UTILITIES AND SERVICE SYSTEMS Would the project:				
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
UTILITIES AND SERVICE SYSTEMS (Continued) -- Would the project:				
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project=s projected demand in addition to the provider=s existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Be served by a landfill with sufficient permitted capacity to accommodate the project=s solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
XVII. MANDATORY FINDINGS OF SIGNIFICANCE				
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

RESPONSES TO INITIAL STUDY CHECKLIST

I. AESTHETICS

The topography of the project site has a minor slope from Oakview to Colusa Avenue with an elevation of approximately 103-feet above mean sea level (msl). The site is currently paved and has little to no vegetation. This is an infill project that is surrounded by urban developed or disturbed land on all sides.

Would the project:

a. Have a substantial adverse effect on a scenic vista?

Less Than Significant Impact. According to Figure 9-1 of the Contra Costa County General Plan, which identifies scenic resources in the County, including major ridges and waterways, the project site is not in an area identified for scenic resources. The project site is not part of a scenic vista. The building is proposed to be 38-feet in height and has the potential to partially obstruct views of the Bay and/or city skylines to a limited amount of neighbors.

b. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?

No Impact. The project site does not contain scenic resources such as rock outcroppings, trees, historic buildings, nor is it within a state scenic highway. This is a paved, vacant property surrounded by urban uses.

c. Substantially degrade the existing visual character or quality of the site and its surroundings?

Less Than Significant Impact. The project would not substantially degrade the existing visual character or quality of the site or surrounding areas. The proposed project would be consistent with surrounding land uses. There are no visually unique or distinctive features of the project site that would be affected by the project. Refer to response (b) above.

d. Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?

Less than Significant Impact. The project site is located in an urban environment where exterior lighting associated with residential and public uses is common. Adjacent roadways also provide street lighting. New exterior lighting would contribute incrementally to light and glare in this existing urban setting. Lighting would not be in excess of that commonly found in urban areas, and new lighting would utilize fixtures designed to minimize light spillage. Given that the project site is surrounded by areas already developed with on-site light sources, the proposed project would not be considered a new source of substantial light or glare. Further, the project would be required to conform with Section 76-2.1014, *Public Nuisance Lighting*, of the County

Code, which states, “Lighting fixtures shall be so installed, controlled or directed that the light will not glare or be blinding to pedestrians or vehicular traffic or on adjoining property. With compliance of the aforementioned county code, the project would not result in significant new light or glare impacts.

II. AGRICULTURAL RESOURCES

Would the project:

- a. **Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?**

No Impact. According to figure 8-2, Important Agricultural Lands, of the County’s General Plan, the project site is not located within an area of agricultural importance.

- b. **Conflict with existing zoning for agricultural use, or a Williamson Act contract?**

No Impact. Refer to the previous response II (a).

- c. **Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?**

No impact. Refer to the previous response II (a). The project site is not currently used for agricultural uses.

III. AIR QUALITY

The project site is within the San Francisco Bay Area Air Basin (BAAB), which comprises the nine-county Bay Area. Air quality in the BAAB is regulated primarily by the Bay Area Air Quality Management District (BAAQMD). The BAAQMD monitors and enforces District, State of California and Federal air quality standards. The San Francisco Bay Area Air Basin does not meet the State ambient Air Quality Standards for ozone and inhalable particulate matter (PM₁₀). The state standards for these pollutants are more stringent than the national standards. The Basin does not meet the National ambient Air Quality Standards for ozone and is unclassified for PM₁₀. All other pollutants are designated as “attainment” or “unclassified” for federal standards and as an “attainment” area for the state standard.¹

¹ California Air Resources Board Website. <http://www.arb.ca.gov/research/aaqs/aaqs2.pdf>.

Would the project:

a. Conflict with or obstruct implementation of the applicable air quality plan?

Less than Significant Impact. The project would not conflict with or obstruct implementation of the 2001 Ozone Attainment Plan (Plan) prepared by BAAQMD.

The main objective of the 2001 Plan is to attain the state air quality standard for ozone. The 2001 Plan includes current air quality data, updated emission inventory and emission factors, a description of the District's photochemical modeling results, updated analysis of emission reductions needed to meet and maintain the state ozone standard, discussion of potential air quality impacts to the energy crisis, and recommended adoption of three specific control measures.

The air quality plans use the assumptions and projections of local planning agencies to determine control strategies for regional compliance status. Since the plans are based on local General Plans, projects that are deemed consistent with the applicable General Plan are usually found to be consistent with the air quality plans. Development of the proposed project would not significantly change the overall buildout scenario for Contra Costa County envisioned in the County's General Plan.

b. Violate any air quality standard or contribute substantially to an existing or projected air quality violation?

Less than Significant Impact with Mitigation Incorporation. The proposed project would generate short-term construction emissions and long-term vehicle emissions associated with the increased vehicle trips to the site.

Short-Term Construction Emissions

Ozone Emissions During Construction: According to the BAAQMD CEQA Guidelines, construction projects using typical construction equipment such as dump trucks, scrapers, bulldozers, backhoes which temporarily emit precursors of ozone (*i.e.*, volatile organic compounds or oxides of nitrogen), are accommodated in the emission inventories of state and federally required air plans and would not have a significant impact on the attainment and maintenance of ozone ambient air quality standards (page 13 of the Guidelines). Thus, the project would not individually or cumulatively contribute to the non-attainment of ozone standards.

Particulate Matter Emissions During Construction: The project construction phase would generate PM₁₀ emissions in the form of fugitive dust and vehicle exhaust from construction equipment. Construction activities for the proposed project would consist of excavating the project site and other construction related activities. Emissions from construction equipment engines also can contribute to high, localized concentrations of PM₁₀, as well as increased emissions of ozone precursors and carbon monoxide.

The BAAQMD has prepared a document, BAAQMD CEQA Guidelines, Revised 1999 that provides guidelines for assessing construction related air emissions. According to

Section 2.3, of the BAAQMD CEQA Guidelines the BAAQMD’s approach to CEQA analyses of construction impacts is to emphasize implementation of effective and comprehensive control measures rather than detailed quantification of emissions. The BAAQMD has identified a set of feasible PM₁₀ control measures for construction activities. These control measures are listed in Table 2 of the BAAQMD CEQA Guidelines and in Table 2, *Feasible Control Measures for Construction Emissions of PM₁₀*, below. As noted in Table 2 below, some measures (“Basic Measures”) should be implemented at all construction sites, regardless of size.

Table 1. Feasible Control Measures for Construction Emissions of PM₁₀

<p>Basic Control Measures. - The following controls should be implemented at all construction sites.</p>
<ul style="list-style-type: none"> • Water all active construction areas at least twice daily. • Cover all trucks hauling soil, sand, and other loose materials or require all trucks to maintain at least two feet of freeboard. • Pave, apply water three times daily, or apply (non-toxic) soil stabilizers on all unpaved access roads, parking areas and staging areas at construction sites. • Sweep daily (with water sweepers) all paved access roads, parking areas and staging areas at construction sites. • Sweep streets daily (with water sweepers) if visible soil material is carried onto adjacent public streets.

Long-Term Vehicle Emissions:

The BAAQMD CEQA Guidelines provide thresholds of significance for operational impacts by pollutant. An exceedance of any threshold would represent a significant impact on local or regional air quality. The three homes would add approximately 3 daily trips and 3 peak hour trips to the local roadways. The net increase in long-term vehicular emissions generated by the proposed project is not anticipated to exceed the BAAQMD’s operation thresholds and would have a less-than-significant impact on local or regional air quality.

- c. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?**

Less than Significant Impact with Mitigation Incorporation. As previously indicated, the BAAQMD is in non-attainment status for Ozone and PM₁₀. Based on the guidelines provided by the County and information provided in the BAAQMD’s CEQA Guidelines document, the project would not generate significant PM₁₀ emissions during construction, nor would the project result in a cumulatively considerable net increase of any air pollutants. The project construction would not contribute substantially to cumulative Ozone or PM₁₀ emissions. However, because the project is located in an air basin that is

in non-attainment for particulate matter, Mitigation Measure Air-1, incorporating Feasible Control Measures above for controlling dust emissions during construction is recommended.

Mitigation Measure Air-1 The “Basic Measures” listed in Table 2 shall be incorporated into the construction plans for the proposed project. The County shall review these construction plans to ensure these measures have been incorporated.

d. Expose sensitive receptors to substantial pollutant concentrations?

Less Than Significant Impact. Sensitive receptors around the project site include all existing residential areas. The project’s primary pollutant emissions would be dust during construction. The residences would not be significantly affected by dust during construction, as mitigation measure Air-1 would reduce construction dust emissions during the length of construction.

e. Create objectionable odors affecting a substantial number of people?

Less than Significant Impact. Some objectionable odors may be generated from the operation of diesel-powered construction equipment and/or asphalt paving during the project construction period. However, these odors would be short term in nature and would not result in permanent impacts to surrounding land uses, including sensitive receptors in the vicinity of the project site. Therefore, no significant impacts related to objectionable odors would result from the proposed project.

IV. BIOLOGICAL RESOURCES

Would the project:

- a. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?**

No Impact. This infill project is located in an urbanized area. The existing site is devoid of any vegetation, creeks/streams, wetlands or any other biological resource and is currently paved. The construction of a building within an area like this atop existing pavement would have no impact either directly or through habitat modifications on any species identified as a candidate, sensitive, or special status special in local regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Services.

- b. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?**

No Impact. Refer to response IV (a).

- c. Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?**

No Impact. Refer to response IV (a).

- d. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?**

No Impact. Refer to response IV (a).

- e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?**

No Impact. Refer to response IV (a).

- f. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?**

No impact. The project would have no impact on an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan.

V. CULTURAL RESOURCES

Would the project:

- a. Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?**
- b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?**
- c. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?**
- d. Disturb any human remains, including those interred outside of formal cemeteries?**

Less than Significant with Mitigation Incorporation. Responses (a) through (d); the project is located within an existing urbanized area. The project is not anticipated to expose cultural or paleontological resources since the area is disturbed and currently paved. However, there is a

possibility that cultural resources may become visible once pavement is removed or during construction excavation. As such, the proposed project could have a potentially significant impact to historic and/or archaeological resources. Should any previously undiscovered cultural remains, historic artifacts, or paleontological resources be discovered, the implementation of the following mitigation measure would reduce impacts to a less than significant level.

Mitigation Measure Cul-1: In the event that previously unknown archaeological resources are discovered during any land alterations, the construction crew shall cease work immediately in the discovery area (i.e., within 100 feet). A qualified archaeologist approved by Contra Costa County shall be consulted to evaluate the resource in accordance with state and Federal guidelines. If prehistoric Native American remains are discovered, the State Native American Heritage Commission and affected Native American groups shall be notified according to state regulations. All archaeological activities shall be conducted in accordance with prevailing professional standards, as outlined in CEQA, and shall be implemented before recommencement of work within the area of the resource discovery.

VI. GEOLOGY AND SOILS

Environmental Setting

Alan Krop & Associates prepared a Geotechnical Investigation for the proposed project in April 1985.² The following discussion is largely based on the findings and background information provided in the report. This geotechnical investigation is fully referenced in the last section, *References, Persons Contacted and Report Preparers*, of this document and is available for public review at the Contra Costa County Community Development Department.

The region is located in California's geologically active Coast Ranges Geomorphic Province. The province is characterized by a series of northwest trending mountain ranges, valleys, and faults. The dominant geologic processes that have shaped the San Francisco Bay region are active faulting along the San Andreas, Hayward, and other faults; uplift and erosion of the east bay and peninsular hills; and subsidence of the San Francisco Bay basin.

The primary geological units that underlie a large part of the San Francisco Bay region are the Alameda Formation, Old Bay Mud, San Antonio Formation, Young Bay Mud, and the Temescal Formation. On the eastern portion of the San Francisco Bay, bedrock geology consists of sedimentary and metamorphic rocks ranging from Cretaceous through Quaternary periods (up to 144 million years to present).

The project site is underlain by fine grained alluvium deposited during the Holocene epoch (the last 10,000 years). No known landslides are mapped on-site.

The closest active fault to the project site is the Hayward Fault, situated approximately 2800 feet west of the project site.

² Geotechnical Investigation on Colusa Circle Mixed Use Project, 401 Colusa Avenue, Kensington, California. Alan Krop & Associates, April 1985.

Would the project:

a. Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:

i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault?

Less than Significant Impact. As previously indicated, the project site is not located within an Alquist-Priolo Fault Zone. Further, according to the County's General Plan, Figure 10-4, *Estimated Seismic Ground Response*, the project site is located in an area with the lowest damage susceptibility.

ii) Strong seismic ground shaking?

Less than Significant Impact. Because the project site is located in a seismically active region, it would be subject to potentially severe ground shaking during a major earthquake on an active fault in the region. A significant seismic event could potentially damage the proposed project; however, due to the nature of the project and the distance from the nearest active fault, impacts are anticipated to be less than significant. Further, the risk of structural damage from ground shaking is regulated by the building codes and County Grading Ordinance. The UBC requires use of seismic parameters which allow the structural engineering analysis for buildings to be based on soil profile types (see UBC, 1997, Volume 2, Div. 5, page 2-23). Compliance with building and grading regulations would further reduce impacts to a less than significant level.

iii) Seismic-related ground failure including liquefaction?

Less than Significant Impact. Seismically induced liquefaction is a potential problem where saturated, loose sands are present within approximately 50 feet of the ground surface. According to the County's General Plan Figure 10-5, *Estimated Liquefaction Potential Map*, the project site is in an area with "Generally Low" liquefaction potential. Compliance with building and grading regulations would further reduce impacts to a less than significant level.

iv) Landslides?

Less than Significant Impact. Due to the shallow depth to bedrock and the flat terrain, the potential of landsliding or ground lurching is low. Due to the nature of these subsurface materials, the site is not susceptible to liquefaction but is susceptible to differential compaction along the western portion of the site. Since the subject site is not located near an ocean or lakefront, the secondary hazards of tsunamis or seiches are not probable.

b. Result in substantial soil erosion or the loss of topsoil?

Less than Significant Impact. It is not anticipated that the 4,792 square feet of project site will result in substantial soil erosion or loss of top soil since the site is paved and construction and grading activities will be monitored.

c. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?

Less than Significant Impact. The geotechnical investigation prepared by Alan Krop & Associates has concluded that the proposed mixed use (residential/retail) development is feasible for construction on the project site provided the recommendations presented in the report are incorporated into the project plans and specifications. The report shall be updated prior to the issuance of building permits.

d. Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?

Less than Significant Impact. Refer to previous response VI (c).

e. Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?

No Impact. The proposed project does not involve the use of septic tanks.

VII. HAZARDS AND HAZARDOUS MATERIALS

Environmental Setting: The existing site is vacant and currently paved but in 1965 there is record of a zoning investigation on an existing gas station, (Mohawk Petroleum) with no violation found. In 1970 the gas station was converted into an automobile repair station with an approved land use permit, County File 318-70. In 1983 this property was included in the Colusa Circle Final Development Plan approval and the then owner had a foundation investigation prepared by Alan Kropp & Associates in 1985. This report described a backfilled area that previously stored gasoline and oil tanks. In 1999 the Regional Water Quality Control Board opened a case #07-0782 and it was determined that there was less than 50 ppb of MTBE (Methyl-Tert-Butyl-Ether) in the soil. This case was then closed.

Would the project:

a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?

No Impact. The proposed project would not create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials. The project would not require the use of such materials.

- b. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?**

No Impact. Refer to response VII (a) and (c).

- c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or hazardous waste within one-quarter mile of an existing or proposed school?**

No Impact. The retail/office and residential uses proposed to be established are not approved to emit hazardous emissions or handle hazardous materials or substances; though the proposed project is within one quarter mile from an existing private elementary school. Refer to the previous response (a).

- d. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?**

No Impact. The site is not on the list of hazardous materials sites compiled pursuant to Government Code Section 65962.5.

- e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?**

No Impact. The project site is not located within an Airport Influence Area.

- f. For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?**

No Impact. Refer to the previous response VII (e).

- g. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?**

No Impact. The project will not physically interfere with an adopted emergency response plan or emergency evacuation plan.

- h. Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?**

No Impact. The project site is located within an area surrounded by development. According to the County's General Plan, Figure 10-10, *Fire Hazard Areas*, the project is not located within or adjacent to a fire hazard zone, or wildland area.

VIII. HYDROLOGY AND WATER QUALITY

Environmental Setting

The existing site's surface is composed of asphalt, concrete and some small areas of hard-packed soil with gravel. Existing hydrology consists predominantly of surface sheet flow to the sidewalk and gutter along Colusa Avenue. There are also two small area drains from which water is conducted under the sidewalk and through the curb to the street gutter at the Circle. Once in the gutter, storm water flows 320 feet eastward to storm sewer inlet in the north gutter of Colusa Avenue, at Cerrito Creek.

Proposed development employs porous pavement over approximately thirty percent of the site to absorb some of the tributary rainfall, but otherwise directs surface and roof water via underground piping directly to the street gutters on Oakview and Colusa Avenue.

Would the project:

- a. Violate any water quality standards or waste discharge requirements?**

Less than Significant Impact. The United States Environmental Protection Agency (USEPA) administers the National Pollutant Discharge Elimination System (NPDES) Permit Application regulations for Storm Water Discharges under the Clean Water Act (CWA). The CWA uses the NPDES permitting program to monitor and control pollutants in industrial process wastewater, municipal sewage, and industrial stormwater runoff and runoff from construction-sites 10,000 square feet or larger. Since this site is 4,792 square feet the project is not considered to exceed the acceptable threshold and will not violate any water quality standards or waste discharge requirements. The project will be required to use Best Management Practices (BMPs) required by the County's Stormwater Management and Discharge Control Ordinance (Ordinance 2005-1).

- b. Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?**

No Impact. The project would not use groundwater supplies or interfere with groundwater recharge. The project site is within the East Bay Municipal Utilities District (EBMUD) and water will be provided through this agency.

- c. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?**

No Impact: The proposed project would not change the drainage pattern on-site and would not increase impermeable surfaces because the site is paved. The project does not propose to substantially alter any stream or river.

- d. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?**

No Impact: Refer to response VIII (a).

- e. Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?**

No Impact. The project site is 4,792 square feet in size and located in an existing urban area. The project site is paved and it is not anticipated that the project's runoff will provide substantial additional sources of polluted runoff.

- f. Otherwise substantially degrade water quality?**

No Impact. Refer to response VIII (a).

- g. Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?**

No Impact: According to the Flood Insurance Rate Map, the project site is outside a 100-Year Flood Hazard Area.³

- h. Place within a 100-year flood hazard area structures which would impede or redirect flood flows?**

No Impact. The site is not within a 100-year flood hazard area.

³ Contra Costa County Mapping Information Center - Website <http://ccmap.us/gis/> - March 20, 2008.

- i. **Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?**

No Impact. According to ABAG's Dam Failure Inundation Areas map, the project site is not located within an area designated as such.⁴ The proposed project would not expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam.

- j. **Inundation by seiche, tsunami, or mudflow?**

No Impact. Since the subject site is not located near an ocean or lakefront, the secondary hazards of tsunamis or seiches are not probable.

IX. LAND USE AND PLANNING

- a. **Physically divide an established community?**

No Impact. The project would not divide or disrupt an established community, as it is an infill mixed-use project surrounded by commercial/residential/suburban uses.

- b. **Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?**

Less Than Significant Impact. The project is subject to various plans and policies at the county, regional and state level. This project is a modification to the previously approved.

Contra Costa County General Plan 2005 – 2020

The County's General Plan was certified in January 2005.⁵ The General Plan is used by the County and the Planning Commission in considering land use and planning-related decisions. County staff uses the General Plan on a daily basis administering and regulating land use and development activity. The purpose of the Contra Costa County General Plan is to express the broad goals and policies, and specific implementation measures, which will guide decisions on future growth, development, and the conservation of resources through the year 2020. The goals, policies and implementation programs contained in the General Plan represent the hopes and concerns of the residents of the County in terms of defining and preserving a "quality of life."⁶ The General Plan

⁴ ABAG website: Dam Failure Inundation Areas: <http://www.abag.ca.gov/cgi-bin/pickdamx.pl>. October 22, 2007.

⁵ Contra Costa County 2005 – 2020 General Plan. Certified January 18, 2005. Prepared by CCC Community Development Department.

⁶Ibid. Page 1-1.

policies identified below are most relevant to the proposed project. The project's conformance with these policies is also discussed.

The proposed modification to the Final Development plan, as conditioned, will be substantially consistent with the General Plan Policies outlined in the Land Use Element.

General Plan Designation

The project site has a General Plan designation of Commercial this designation allows for a broad range of commercial uses typically found in smaller scale neighborhood, community and thoroughfare commercial districts but does not allow for the establishment of residential uses. This project proposes to include three residential units and therefore the applicant is proposing to amend the current General Plan designation from Commercial (CO) to Mixed-Use (M-). The purpose of the mixed use designation provides for the integration in a single project of both residential and commercial/office use. The project's approval is contingent upon the Board of Supervisors approving the requested General Plan Amendment to the Mixed Use designation.

Contra Costa County Zoning Ordinance

The project site is zoned P-1, Planned Unit District. Contra Costa County's Zoning Ordinance states that the P-1 district classification is intended to allow diversification in the relationship of various uses, buildings, structures, lot sizes and open spaces while insuring substantial compliance with the general plan and the intent of the county code in requiring adequate standards necessary to satisfy the requirements of the public health, safety and general welfare.

The following uses are allowed in the P-1 planned unit district:

- (1) Any land uses permitted by an approved final development plan which are in harmony with each other, serve to fulfill the function of the planned unit development, and are consistent with the general plan.

The project complies with all of the zoning code standards and Ordinances that apply to the Project.

c. Conflict with any applicable habitat conservation plan or natural community conservation plan?

No Impact. According to Figure 8-1, *Significant Ecological Areas and Selected Locations of Protected Wildlife and Plant Species Areas*, map of the County's General Plan, the project site is not located within such an area.

X. MINERAL RESOURCES

- a. **Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?**
- b. **Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?**

No Impact. Items a - b. Construction of the proposed project would not result in the loss of availability of known mineral resources of regional or local importance. According to the General Plan, Figure 8-4, *Mineral Resource Areas*, the project site is not located in an area known for such mineral resources; therefore, no impact would occur in this regard.

XI. NOISE

Would the project:

- a. **Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?**

No Impact. This property is not within the noise impacted contours as outlined by the Contra Costa County General Plan, Figure 11-5 G of the Noise Element. The proposed infill project consists of construction of a mixed use building that will have residential and retail/office uses.

- b. **Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?**

No Impact. The proposed uses do not create excessive groundborne vibration or groundborne noise.

- c. **A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?**

No Impact. The long-term use of the project site in the County's 2005 General Plan is commercial. The existing land use designation is being modified to mixed-use. The mixed use designation is a combination of residential and neighborhood retail/office as opposed to strict commercial. Conservative estimates of the increase in noise on the project are one to two decibels as result of the expected increase in background traffic levels. No substantial long-term increase in ambient noise levels is expected as a result of the project implementation.

- d. **A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?**

No Impact. Construction activities associated with implementation of the proposed project could temporarily increase ambient noise levels. However, these noise levels would occur in association with minor excavation and earthwork activities, would be intermittent and short term, and would not be considered significant.

- e. **For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?**

No Impact. The project site is not within the County's Airport Plan.

- f. **For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?**

No Impact. The project is not within the vicinity of a private airstrip.

XII. POPULATION AND HOUSING

- a. **Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?**
- b. **Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?**
- c. **Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?**

Less than Significant Impact. Responses (a) through (c); the proposed project would develop the site with three residential units. Contra Costa County has an average household population of 2.72. The proposed project would increase the net population of the site by approximately 8 persons.⁷ The additional 8 residents represent less than one tenth of one percent of Contra Costa County's existing population, which was 948,816 in 2000 according to the US Census. The project would not displace substantial numbers of people or housing.

XIII. PUBLIC SERVICES

- a. **Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could**

⁷ 3 units x 2.81 persons = 8 total persons.

cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

- i) Fire protection?**
- ii) Police protection?**
- iii) Schools?**
- iv) Parks?**
- v) Other public facilities?**

Less than Significant Impact. Responses (i) through (v); the proposed project would construct three residential units in an area surrounded by development and is infill in nature. This would create an incremental increase in the level of public services required for the site than the level currently demanded. As part of the building permit review process, all departments and agencies responsible for providing services are consulted to determine their ability to provide services to proposed development projects. Such services within the project area may include, but are not limited to fire and police protection, schools, maintenance of public facilities including roads, and other governmental services as anticipated by the County's General Plan. Where required, the payment of in-lieu fees would further reduce potential impacts related to the provision of public services. Implementation of the proposed project would not result in substantial adverse physical impacts associated with the provision, need, or construction of government facilities.

XIV. RECREATION

- a. Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?**
- b. Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?**

Less than Significant Impact with Mitigation Incorporation. Responses (a) and (b); the project would cause an incremental increase in population and the use of surrounding recreational facilities. The project is proposing to pay the in-lieu fees, as assessed by the by the County, would be required as part of the project. Further, as required by County Code, Park Dedication Ordinance (78-5), and as a Condition of Approval for the project, the following Mitigation Measure would further reduce impacts to recreational facilities.

Mitigation Measure Rec-1: The Applicant shall pay in-lieu fees as required by the County and in accordance with Park Dedication Ordinance (78-5).

XV. TRANSPORTATION/TRAFFIC

- a. Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?**
- b. Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?**

Less than Significant Impact. Responses (a) and (b); project traffic impacts have been assessed by Abrams Associates Traffic Engineering⁸ for the 401 Colusa Avenue Mixed Use Development project in October 2007. The project proposes the construction of three residential units and two separate retail/office spaces. A complete copy of the report is available at the Department of Conservation and Development. The report analyzes the potential environmental impacts of the three residential units along with the 1950 square feet of ground floor retail/office space. The plan includes eight off-street parking spaces that are contained in four two-level lifts within the building and two on street parking spaces with the elimination of the curb cut on Colusa Avenue. This totals 10 new parking spaces.

Traffic Operational Conditions on Colusa Avenue: This project, based on standard ITE (Institute of Transportation Engineers) trip generation guidelines, would generate a maximum of four vehicle trips (total of both inbound and outbound trips) during any one hour. This amount of traffic is not measurable on the Contra Costa County scale for roadway capacity and is not a potentially significant impact. Additionally, the project access location and sight distance are adequate and there are no safety concerns or special problems that have been identified.

- c. Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?**

No Impact. The project as designed would not affect air traffic patterns.

- d. Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?**

⁸ Abrams Associates, 401 Colusa Avenue Project, Parking and Traffic Analysis, Contra Costa County. October 2007. This document is available for public review at the Contra Costa County Community Development Department.

Less than Significant Impact. The project site is located on Colusa Circle and is modifying a previously approved project. The site is not creating or altering the existing roadways and is providing compatible uses with the General Plan and zoning districts.

e. Result in inadequate emergency access?

No Impact. The project's emergency access would be via the proposed ingress/egress on Oakview Avenue. Since the project is located on the street the project also could be accessed from Colusa Avenue. The project does not cause any change in the existing roadways that would result in inadequate emergency access.

f. Result in inadequate parking capacity?

Less than Significant Impact.

Analysis of Parking: Based on the County Off-Street Parking Ordinance this project requires 15 parking spaces. The residential portion requires two spaces per unit and one additional visitor space for a total of seven spaces. The retail/office space area requires four spaces per 1,000 square feet, for a total of eight spaces. As planned, the property proposes a total of 10 parking spaces falling short of the County's strict requirement by five spaces. However, the need for variances does not exist since the Planned Unit District zoning allows for flexibility. This report states that the project would increase the demand for on-street parking by 3-4 spaces at the time of maximum demand. However, the project is adding two spaces along the Colusa Avenue frontage and the overall parking availability is not changed as a result of the project and is not considered a significant adverse impact.

Overall Impact: At the time of peak parking demand in the Colusa Circle neighborhood Abrams counted 28 parking spaces available out of 94 total on-street parking spaces (also counted by Abrams). With the addition of this project there will be an average of eight parked vehicles displaced from the site. The project itself will have a maximum demand for 15 spaces, and will provide eight spaces on site. An additional two spaces will be gained along the project frontage on Colusa Avenue. The net result of this combination of actions will be that there will always be at least 15 available parking spaces on-street in and around Colusa Circle. Therefore the project is will not cause a significant impact with regard to traffic and parking.

g. Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?

Less than Significant Impact. The project does not conflict with the policies plans or programs supporting alternative transportation due to the projects limited size.

XVI. UTILITIES AND SERVICE SYSTEMS

- a. **Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?**
- b. **Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?**

Less Than Significant Impact. Responses (a) and (b); the project site is served by the Stege Sanitary District. The project proposes the development of three dwelling units and two separate retail/office spaces. The project site is currently served by utilities and public service systems. According to a letter provided by the District, the District approves of the development providing the project complies with the Districts fees and other requirements outlined in the letter. This letter is fully referenced in the last section, *References, Persons Contacted and Report Preparers*, of this document and is available for public review at the Contra Costa County Community Development Department. Further, the Applicant will pay to the District all in-lieu fees, and other applicable fees prior to obtaining a sewer construction permit and the Applicant will comply with all conditions set forth in the District Approval Letter.

- c. **Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?**

Less than Significant Impact. The project will utilize the existing drainage facilities since the site is currently impervious.

- d. **Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?**

Less than Significant Impact. The site is within the East Bay Municipal Services District (EBMUD) and may be served by the exiting mains located in Colusa Avenue and Oakview Avenue. When the development plans are final, the project applicant will contact EBMUD's New Business Office and require a water service estimate to determine the costs and conditions of providing water service to the development. With the exiting mains located in Colusa and Oakview Avenues there are no expanded entitlements needed.

- e. **Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?**

Less Than Significant Impact. Refer to response XVI (a) above.

- f. **Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?**

Less than Significant Impact. It is anticipated that the proposed project would minimally increase solid waste over the existing levels. At present, the Richmond Landfill has adequate capacity to serve the project site and cumulative development. The project would have less than significant impact on landfill capacity.

- g. **Comply with federal, state, and local statutes and regulations related to solid waste?**

No Impact. The project would comply with federal, state, and local statutes and regulations related to solid waste, per the Contra Costa County standards.

XVII. MANDATORY FINDINGS OF SIGNIFICANCE

- a. **Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?**

Less than Significant Impact with Mitigation Incorporation. Again the project is proposed on an existing paved site that is 4,792 square feet in area within an established urban community. It is an infill project. This site has been previously developed as a service station in 1970. There are no known fish or wildlife species or plant or animal communities on site. Further, in the event that previously unknown archaeological resources are discovered during any land alteration, Mitigation Measure, Cul-1, would require the construction crew to cease work immediately in the discovery area. A qualified archaeologist approved by Contra Costa County would be consulted to evaluate the resource in accordance with the state and federal guidelines. If prehistoric Native American Remains are discovered, the State Native American Heritage Commission and affected Native American groups would be notified according to State regulations. All archaeological activities would be conducted in accordance with prevailing professional standards, as outlined in CEQA, and would be implemented prior to recommencement of work within the area of the resource.

- b. **Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?**

Less than Significant Impact with Mitigation Incorporation. The project would generate dust emissions during construction that would contribute to the non-attainment status of the air basin for PM₁₀ and ozone. Mitigation Measure, Air-1, has been incorporated into the project to further reduce dust emissions. The measures contained in Air-1 are Best Management Practices recommended by the BAAQMD for reducing construction dust impacts.

The impacts of the proposed project are individually limited and not cumulatively considerable. The proposed project would result in the development of three new residential units and less than 2,000 square feet of retail/office in urban Contra Costa County. All environmental impacts that could occur as a result of the proposed project would be reduced to a less than significant level through implementation of the mitigation measures recommended in this Initial Study.

c. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?

Less than Significant Impact with Mitigation Incorporated. The proposed project would result in no environmental effects that would cause substantial direct or indirect adverse effects on human beings.

REFERENCES, PERSONS CONTACTED AND REPORT PREPARERS

References:

Air Quality and Land Use Handbook, A Community Health Perspective. California Air Resources Board. April 2005.

BAAQMD CEQA Guidelines, 1999.

California Air Resources Board Website. <http://www.arb.ca.gov>. 03/18/05.

California Geological Survey Website: <http://www.consrv.ca.gov/CGS/rghm/ap/Map/index/county.htm>

Contra Costa County General Plan 2005 – 2020. Certified January 18, 2005. Prepared by CCC Community Development Department.

Contra Costa County Municipal Code. Current through Ordinance 2005-08 and the April, 2005 code update. LexisNexis Municipal Codes. October 2005.

ESRI and FEMA website: <http://www.esri.com/hazards/makemap.html>. October 13, 2005.

**MITIGATION MONITORING PROGRAM FOR 401 Colusa Avenue Mixed Use Project
COUNTY FILES GP05-00086, MS06-0011 and DP06-3026**

Abbreviations: Community Development Division (CDD)
Contra Costa County Public Works Department (PWD)
Contra Costa County Building Inspection Division (BID)

Potentially Significant Impact	Mitigation Measures	Implementing Action	Timing of Verification	Responsible Department or Agency	Compliance Verification
<p>AIR QUALITY:</p> <p>b) Would the project violate any air quality standard or contribute substantially to an existing or projected air quality violation?</p>	<p>Mitigation Measure Air-1:</p> <p>Basic Control Measures. - The following controls should be implemented at all construction sites.</p> <ul style="list-style-type: none"> • Water all active construction areas at least twice daily. • Cover all trucks hauling soil, sand, and other loose materials or require all trucks to maintain at least two feet of freeboard. • Pave, apply water three times daily, or apply (non-toxic) soil stabilizers on all unpaved access roads, parking areas and staging areas at construction sites. • Sweep daily (with water sweepers) all paved access roads, parking areas and staging areas at construction sites. • Sweep streets daily (with water sweepers) if visible soil material is carried onto adjacent public streets. 	Condition of Project Approval.	Prior to issuance of building permits.	CDD & BID	Note on Building Plans and ongoing throughout the project.

Potentially Significant Impact	Mitigation Measures	Implementing Action	Timing of Verification	Responsible Department or Agency	Compliance Verification
<p>CULTURAL RESOURCES:</p> <p>b) Would the project cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?</p> <p>c) Would the project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?</p> <p>d) Would the project disturb any human remains, including those interred outside of formal cemeteries?</p>	<p>Mitigation Measure Cul-1: In the event that previously unknown archaeological resources are discovered during any land alterations, the construction crew shall cease work immediately in the discovery area (i.e., within 100 feet). A qualified archaeologist approved by Contra Costa County shall be consulted to evaluate the resource in accordance with state and Federal guidelines. If prehistoric Native American remains are discovered, the State Native American Heritage Commission and affected Native American groups shall be notified according to state regulations. All archaeological activities shall be conducted in accordance with prevailing professional standards, as outlined in CEQA, and shall be implemented before commencement of work within the area of the resource discovery.</p>	Condition of Project Approval.	Prior to issuance of a building or grading permit.	CDD	Note on Building Plans and ongoing throughout the project.

Potentially Significant Impact	Mitigation Measures	Implementing Action	Timing of Verification	Responsible Department or Agency	Compliance Verification
<p>RECREATION:</p> <p>b) Does the project include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment?</p>	<p>The applicant shall pay the in-lieu fees as required by the County and in accordance with Park Dedication Ordinance (78-5).</p>	<p>Condition of Approval.</p>	<p>Prior to issuance of a building permit.</p>	<p>CDD</p>	<p>Prior to issuance of a building permit.</p>

Potentially Significant Impact	Mitigation Measures	Implementing Action	Timing of Verification	Responsible Department or Agency	Compliance Verification
<p>MANDATORY FINDINGS OF SIGNIFICANCE:</p> <p>a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?</p>	<p>With the implementation of Mitigation Measures Cul-1 and Air-1, the impact to plant and animal species would be less than significant.</p>	<p>See Cul-1 and Air-1.</p>			



Andrew Woolman
<apwool@pacbell.net>
05/20/2008 09:39 AM

To Ryan A Hernandez <RAHern@cd.cccounty.us>
cc Carol Chisholm <pyewackett20@sbcglobal.net>, Ed Crowley
<ejc2@pacbell.net>, Tim Kraus <thk1@sbcglobal.net>
bcc

Subject Re: 401 Colusa Mitigation Agreement

Ryan,

As architect and representative for The Circle Partners, and as Applicant on the project at 401 Colusa Avenue, I hereby Agree to the mitigations as received May 13 (includes Cul-1, Air-1, Geo-1, and Haz-1), and revised May 19 (includes only Cul-1, Air-1 (Geo-1 and Haz-1 deleted)). It is my understanding that this written Agreement allows you to presently post the MND. Please be so kind as to notify me once the MND is posted.

Thank You Much,
Andrew Woolman.

