

EXHIBIT B

California Environmental Quality Act
(CEQA)

CALIFORNIA ENVIRONMENTAL QUALITY ACT

Notice of Exemption

CONTRA COSTA COUNTY DEPARTMENT OF CONSERVATION AND DEVELOPMENT
651 PINE STREET 2ND FLOOR NORTH WING MARTINEZ, CALIFORNIA 94553

Telephone: (925) 313-2022

Contact Person: Hillary P Heard - Public Works Dept.

Project Description, Common Name (if any) and Location: **Tri-Valley Transportation Development Fee (TVTDF) Adoption of Ordinance 2009-29**, Project No. **0676-6P4032**, County File #**CP 09-76**

Project Description: In 1991, Contra Costa County entered into a Joint Powers Exercise Agreement (JEPA) with Alameda County, the cities of Pleasanton, Dublin, Livermore, San Ramon, and the Town of Danville, establishing the Tri-Valley Transportation Council (TVTC). In 1998, Contra Costa County Board of Supervisors passed an ordinance (98-35) to collect transportation mitigation fees from developments within the TVTC AOB fee area. In 2003, the ordinance was amended to revise the fee schedule.

The Tri-Valley Transportation development area of which the TVTC AOB is a part has experienced growth in the area's traffic circulation needs, development potential, and project list. The purpose of this activity is to adopt County Ord. No. 2009-29, which serves to repeal County Ord. No. 2008-37, readopt County Ord. No. 98-35 (as amended by County Ord. No. 2003-21) and include amendments increasing the fee rate for developments in the "Other" category and allowing for waivers of fees for affordable housing and inclusionary housing units.

Fees will be collected from new development within the mitigation fee area (Figure 1). All of the roadways proposed for improvement under this program are contained in or are in the process of being incorporated into the circulation element of each City's and/or County's general plan and regional planning documents for the fee area. Each project funded either wholly or in part by this fee will be analyzed under a project-specific CEQA document.

The activity is covered by the general rule that CEQA applies only to projects that have the potential to cause a significant effect on the environment. It can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, because the implementation and imposition of fees has no associated environmental impacts; therefore, this activity is not subject to CEQA per Section 15061(b)(3) of the CEQA Guidelines. The future implementation of the projects to be funded with these fees, however, may have associated project-specific impacts, and such impacts will be addressed individually as each project is planned and implemented by the responsible member jurisdiction.

LOCATION: The activity is located in the area between Alamo and San Ramon in the southern portion of Contra Costa County, as well as portions of Alameda County.

This activity is not subject to the California Environmental Quality Act (CEQA) Guidelines, as a:

<input type="checkbox"/> Ministerial Project (Sec. 15268)	<input type="checkbox"/> Categorical Exemption, <u>Class</u> _____
<input type="checkbox"/> Declared Emergency (Sec. 15269(a))	<input type="checkbox"/> Other Statutory Exemption, Section _____
<input type="checkbox"/> Emergency Project (Sec. 15269(b) or (c))	<input checked="" type="checkbox"/> General Rule of Applicability [Section 15061 (b) (3)]

for the following reason(s): It can be seen with certainty that there is no possibility the activity may have a significant effect on the environment.

Date: Oct. 28, 2009 By: [Signature]

Contra Costa County approved this project on : _____

AFFIDAVIT OF FILING AND POSTING	
I declare that on _____ I received and posted this notice as required by California Public Resources Code Section 21152(c). Said notice will remain posted for 30 days from the filing date.	
_____ Signature	_____ Title

Applicant: Public Works Department 255 Glacier Drive Martinez, CA 94553 Attn: <u>Hillary P Heard</u> Environmental Section	Department of Fish and Game Fees Due <input type="checkbox"/> EIR - \$2,606. ⁷⁵ <input type="checkbox"/> Neg. Dec. - \$1,876. ⁷⁵ <input checked="" type="checkbox"/> County Clerk - \$50 <input checked="" type="checkbox"/> Department of Conservation and Development - \$25	Total Due: \$ 75.⁰⁰ Total Paid \$ _____ Receipt #: _____
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