

West County Detention Facility Expansion Project

Written Findings of Significant Effects

In accordance with State CEQA Guidelines Sections 15091, the following findings and supporting facts address each significant environmental effect that has been changed (including adoption of mitigation measures) to avoid or substantially reduce the magnitude of the effect, as identified in the Final EIR. The findings described below are organized by resource issue, in the same order as the effects are discussed in the EIR. The County's findings regarding the project alternatives follow the individual effect findings. The findings reference the Final EIR (part of the record upon which the County bases its decision) and mitigation measures in support of the findings. For specific resource mitigation measures, the section and page number where the full text of the mitigation measure occurs is noted in the finding.

Introduction

The project site is located at 5555 Giant Highway in north Richmond, California, north of San Pablo and west of Pinole and encompasses approximately 2.3 acres of an approximately 50-acre County-owned property within the city limits of the City of Richmond that is developed and fenced consistent with its institutional use as a detention facility.

The proposed project entails constructing and operating the West County Detention Facility (WCDF) Re-Entry and Treatment Expansion at the WCDF for a high-security detention facility with supporting reentry program facilities, and a mental health treatment facility. The new facilities would provide high-security housing, and educational and vocational facilities and programs to help prepare inmates for reentry into society.

The proposed project would result in essentially no net increase of California Department of Corrections rated beds in Contra Costa County as a whole. The proposed project would increase the number of beds within the City of Richmond, although external operations are expected to be similar to existing operations at the facility. The 240 cells at the Martinez Detention Facility (MDF) that do not meet security and safety requirements would be repurposed for short-term housing of inmates for purposes of in-processing and release. This project does not include physical changes to the MDF facility. The MDF would continue to be the booking facility for law enforcement agencies in the County.

The County's objectives for this project are listed below.

1. Reduce overcrowding of high-security inmates.
2. Replace non-secure housing with high-security housing.
3. Provide facilities to support re-entry programming for high-security inmates.
4. Provide facilities to support mental healthcare for high-security inmates.
5. Expand facilities as cost-efficiently as possible with the support of state grant funding.

Record of Proceedings and Custodian of Record

The record upon which all findings and determinations related to the approval of the project are based comprises the items listed below.

- The EIR and all documents referenced in or relied upon by the EIR.
- All information (including written evidence and testimony) provided by County staff to the Board of Supervisors relating to the EIR, the approvals, and the project.
- All information (including written evidence and testimony) presented to the Board of Supervisors by the environmental consultants who prepared the EIR or incorporated into reports presented to the Board of Supervisors.
- All information (including written evidence and testimony) presented to the County from other public agencies related to the project or the EIR.
- All applications, letters, testimony, and presentations relating to the project.
- All information (including written evidence and testimony) presented at any County hearing related to the project and the EIR.
- All County-adopted or County-prepared land use plans, ordinances, including without limitation general plans, specific plans, and ordinances, together with environmental review documents, findings, mitigation monitoring programs, and other documents relevant to land use within the area.
- The Mitigation Monitoring and Reporting Program for the project.
- All other documents composing the record pursuant to Public Resources Code Section 21167.6(e).

The custodian of the documents and other materials that constitute the record of the proceedings upon which the County's decisions are based is Hillary Heard, Planner II or her designee. Such documents and other material are located at 255 Glacier Drive Martinez, CA 94553.

Consideration and Certification of the EIR

In accordance with CEQA, the Board of Supervisors certifies that the EIR has been completed in compliance with CEQA. The Board of Supervisors has independently reviewed the record and the EIR prior to certifying the EIR and approving the project. By these findings, the Board of Supervisors confirms, ratifies, and adopts the findings and conclusions of the EIR as supplemented and modified by these findings. The EIR and these findings represent the independent judgment and analysis of the County and the Board of Supervisors. The Board of Supervisors recognizes that the EIR may contain clerical errors. The Board of Supervisors reviewed the entirety of the EIR and bases its determination on the substance of the information it contains. The Board of Supervisors certifies that the EIR is adequate to support the approval of the action that is the subject of the Resolution to which these CEQA findings are attached.

The Board of Supervisors certifies that the EIR is adequate to support approval of the proposed WCDF Project described in the staff report, each component and phase of the project described in the EIR, any variant of the project described in the EIR, any minor modifications to the project or variants of the project described in the EIR, and the components of the project.

Absence of Significant New Information

The Board of Supervisors recognizes that the Final EIR incorporates information obtained and produced after the Draft EIR was completed, and that the Final EIR contains additions, clarifications, and modifications. The Board of Supervisors has reviewed and considered the Final EIR and all of this information. The Final EIR does not add significant new information to the Draft EIR that would require recirculation of the EIR under CEQA. The new information added to the EIR does not involve a new significant environmental impact, a substantial increase in the severity of an environmental impact, or a feasible mitigation measure or alternative considerably different from others previously analyzed that the project sponsor declines to adopt and that would clearly lessen the significant environmental impacts of the project. No information indicates that the Draft EIR was inadequate or conclusory or that the public was deprived of a meaningful opportunity to review and comment on the Draft EIR. Thus, recirculation of the EIR is not required. The Board of Supervisors finds that the changes and modifications made to the EIR after the Draft EIR was circulated for public review and comment do not individually or collectively constitute significant new information within the meaning of Public Resources Code Section 21092.1 or Section 15088.5 of the State CEQA Guidelines.

Severability

If any term, provision, or portion of these Findings or the application of these Findings to a particular situation is held by a court of competent jurisdiction to be invalid, void or unenforceable, the remaining provisions of these Findings, or their application to other actions related to the project, shall continue in full force and effect unless amended or modified by the County.

Findings and Recommendations Regarding Significant and Unavoidable Impacts

The EIR did not identify any significant and unavoidable impacts resulting from the proposed project.

Findings and Recommendations Regarding Significant Impacts that are Mitigated to a Less-Than-Significant Level

Air Quality, Greenhouse Gas Emissions, and Energy

Impact AQ-2: Violation of any air quality standard or substantial contribution to an existing or projected air quality violation (less than significant with mitigation)

Potential Impact: Construction of the proposed project has the potential to create air quality impacts through the use of heavy-duty construction equipment, construction worker vehicle trips, and truck hauling trips. In addition, fugitive dust emissions would result from site preparation and grading. Criteria pollutant emissions generated by these sources were quantified using CalEEMod (version 2013.2.2). Please refer to Appendix A for model outputs.

As discussed in Section 3.2.3.1, *Methods*, several construction activities would occur concurrently. The combination of phases that produced the highest daily emissions in each construction year was selected as the peak day for impact analysis purposes. This approach is meant to convey a worst-case scenario, and is, therefore, not necessarily representative of actual emissions that would be generated on a daily basis throughout the construction period.

Estimated construction emissions are summarized in Table 3.2-6 of the DEIR. An exceedance of BAAQMD thresholds is shown in bold.

As shown in Table 3.2-6, construction of the project would generate NO_x emissions in 2017 that exceed BAAQMD's numeric threshold of 54 pounds per day. This would be a potentially significant impact. BAAQMD's CEQA Guidelines outline basic and additional emissions controls to reduce project-level impacts when emissions exceed applicable thresholds. Implementation of Mitigation Measures AQ-1 and AQ-2 are therefore required to address NO_x emissions. BAAQMD considers dust impacts to be less than significant through the application of best management practices (BMPs).

Mitigation Measures: The following mitigation measures, discussed in Section 3.2.3.3 of the EIR, are hereby adopted and will be implemented as provided in the Mitigation Monitoring and Reporting Program.

Mitigation Measure AQ-1: Implement Measures to Reduce Construction-Related Dust and Equipment Exhaust Emissions

Mitigation Measure AQ-2: Implement Measures to Reduce Construction-Related Equipment Exhaust Emissions

Findings: Based on the EIR and the entire record before the County, the County finds the following.

Effects of Mitigation: Estimated construction emissions with implementation of Mitigation Measures AQ-1 and AQ-2 are summarized in Table 3.2-7 of the DEIR. With implementation of these measures, emissions would not exceed BAAQMD thresholds and this impact would be **less than significant**.

Implementation of the mitigations recommended by Mitigation Measures AQ-1 and AQ-2 will ensure that the impacts associated with emissions exceeding BAAQMD thresholds will be mitigated to a less-than-significant level. The County will implement the following actions.

Mitigation Measure AQ-1: Implement Measures to Reduce Construction-Related Dust and Equipment Exhaust Emissions

The County will require all construction contractors to implement the Basic Construction Mitigation Measures recommended by BAAQMD to reduce fugitive dust and equipment exhaust emissions. Emission reduction measures will include, at a minimum, the following measures. Additional measures may be identified by BAAQMD or contractor as appropriate.

- All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day.
- All haul trucks transporting soil, sand, or other loose material off-site shall be covered.
- All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.
- All vehicle speeds on unpaved roads shall be limited to 15 mph.
- All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.
- Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by the California airborne toxics control measure in 13 CCR Section 2485). Clear signage shall be provided for construction workers at all access points.
- All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified visible emissions evaluator.
- Post a publicly visible sign with the telephone number and person to contact at the lead agency regarding dust complaints. This person shall respond and take corrective action within 48 hours. The Air District's phone number shall also be visible to ensure compliance with applicable regulations.

Mitigation Measure AQ-2: Implement Measures to Reduce Construction-Related Equipment Exhaust Emissions

The County will require all construction contractors to implement the Additional Construction Mitigation Measures recommended by BAAQMD to reduce equipment exhaust emissions. Emission reduction measures will include, at a minimum, the following measures. Additional measures may be identified by BAAQMD or contractor as appropriate.

- Minimize the idling time of diesel powered construction equipment to two minutes.
- Develop a plan demonstrating that the off-road equipment (more than 50 horsepower) to be used in the construction project (i.e., owned, leased, and subcontractor vehicles) would achieve a project wide fleet-average 20% NO_x reduction and 45% PM reduction compared

with the most recent ARB fleet average. Acceptable options for reducing emissions include the use of late model engines, low-emission diesel products, alternative fuels, engine retrofit technology, after-treatment products, add-on devices such as particulate filters, and/or other options as such become available.

- Require that all construction equipment, diesel trucks, and generators be equipped with Best Available Control Technology for emission reductions of NO_x and PM.
- Require that all contractors use equipment that meets ARB's most recent certification standard for off-road heavy duty diesel engines.

Remaining Impacts: Any remaining impact associated with emissions during construction will be less than significant.

Cultural Resources

Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5? Cause a substantial adverse change in the significance of an archaeological resource as defined in Section 15064.5? (less than significant with mitigation)

Potential Impact: It is unlikely that any cultural or historical resources would be found during the construction of the proposed project because all construction would take place on previously developed and disturbed land. However, it is possible construction of the new facility would result in the discovery of buried cultural or historic resources, because the project site was graded but not the subject of excavation for new buildings. California Public Resources Code Section 5097.5 prohibits destruction of cultural resources.

Mitigation Measures: The following mitigation measure, discussed in the Initial Study for the project and Section 1.2.4 of the EIR, is hereby adopted and will be implemented as provided in the Mitigation Monitoring and Reporting Program.

Mitigation Measure CUL-1: Stop Work at Discovery of Cultural Resources

Findings: Based on the EIR and the entire record before the County, the County finds the following.

Effects of Mitigation: Because there are no known historic or archaeological resources present on site, construction and operation of the proposed project is not anticipated to cause a substantial adverse change in the significance of a historical, or archaeological resource. Therefore, with implementation of the above mitigation measure if necessary, the impact would be **less than significant**.

Implementation of the mitigations recommended by Mitigation Measure CUL-1 will ensure that the impacts associated with potential discovery of unknown cultural resources will be mitigated to a less-than-significant level. The County will implement the following actions.

Mitigation Measure CUL-1: Stop Work at Discovery of Cultural Resources

If buried cultural resources such as chipped or ground stone, historic debris, or building foundations, are inadvertently discovered during ground-disturbing activities, work will stop in that area and within a 100-foot radius of the find until a qualified archaeologist can assess the significance of the find and, if necessary, develop a response plan, with appropriate treatment measures, in consultation with the County, the State Historic Preservation Officer, and other

appropriate agencies. Preservation in place shall be the preferred treatment method pursuant to State CEQA Guidelines Section 15126.4(b) (avoidance, open space, capping, easement). Data recovery of important information about the resource, research, or other actions determined during consultation, is allowed if it is the only feasible treatment method.

Remaining Impacts: Any remaining impact associated with potential discovery of unknown cultural resources during construction will be less than significant.

Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? (less than significant with mitigation)

Potential Impact: There are no known unique paleontological resources, sites, or unique geologic features at the project site. Although the entire project site has been previously disturbed by construction of the existing facilities and grading of the proposed project site, it is possible construction of the new and expanded facilities would result in the discovery of paleontological resources or sites.

Mitigation Measures: The following mitigation measure, discussed in the Initial Study for the project and Section 1.2.4 of the EIR, is hereby adopted and will be implemented as provided in the Mitigation Monitoring and Reporting Program.

Mitigation Measure CUL-2: Stop Work at Discovery of Paleontological Resources

Findings: Based on the EIR and the entire record before the County, the County finds the following.

Effects of Mitigation: Because there are no known paleontological resources present on site, construction or operation of the proposed project is not anticipated to destroy any paleontological resources. Still, paleontological resources could be encountered. Therefore, with implementation of the above mitigation measure if necessary, the impact would be **less than significant**.

Implementation of the mitigations recommended by Mitigation Measure CUL-2 will ensure that the impacts associated with potential discovery of unknown paleontological resources will be mitigated to a less-than-significant level. The County will implement the following actions.

Mitigation Measure CUL-2: Stop Work at Discovery of Paleontological Resources

The construction contractor and subcontractors shall stop all work in the area immediately in the event that paleontological resources are encountered during grading, construction, landscaping, or other construction-related activity. The Contra Costa Public Works Department shall be notified and a qualified archaeologist will be contacted to evaluate the resources and recommend appropriate mitigation. Work may resume after the find has been mitigated appropriately.

Remaining Impacts: Any remaining impact associated with potential discovery of unknown paleontological resources during construction will be less than significant.

Public Services and Utilities

Impact PUB-1: Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities or a need for new or physically altered

governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for fire protection, police protection, schools, parks, or other public facilities (less than significant with mitigation)

Potential Impact: Although the proposed project would include a new building and increase the inmate population and number of employees at the project site, this increase is not anticipated to substantially affect the need for fire protection services. The proposed new facility would be designed to meet fire standards. The Richmond Fire Department indicates that there is concern that local water pressure in this portion of the city is low (Harris, personal communication).

Mitigation Measures: The following mitigation measures, discussed in Section 3.5.3.3 of the EIR, are hereby adopted and will be implemented as provided in the Mitigation Monitoring and Reporting Program.

Mitigation Measure PUB-1a: Incorporate design measures or contribute to improvements to ensure adequate water pressure for fire suppression needs

Mitigation Measure PUB-1b: Comply with all applicable Building Code and Fire Code requirements, subject to review and approval by the City of Richmond Planning and Building Services

Findings: Based on the EIR and the entire record before the County, the County finds the following.

Effects of Mitigation: Implementation of Mitigation Measures PUB-1a and PUB-1b will ensure that water pressure fire performance objectives and fire codes are met for the proposed project. With implementation of these measures, this impact would be **less than significant**. The County will implement the following actions.

Mitigation Measure PUB-1a: Incorporate design measures or contribute to improvements to ensure adequate water pressure for fire suppression needs

The County will coordinate with the Richmond Fire Department to ensure that pressure tests will be performed to ensure water pressure fire performance objectives are met for the proposed project. If tests indicate that the pressure is insufficient, the County will incorporate design measures or contribute to improvements to ensure adequate water pressure for fire suppression needs.

Mitigation Measure PUB-1b: Comply with all applicable Building Code and Fire Code requirements, subject to review and approval by the City of Richmond Planning and Building Services

The County will ensure the design and construction of the proposed project complies with all building and fire code requirements as established by Chapter 8.16 of the Municipal Code of the City of Richmond and the 2013 California Administrative Code, California Code of Regulations, Title 24, Part 1 (California Building Code).

Remaining Impacts: Any remaining impact associated with fire flow requirements will be less than significant.

Findings for Cumulative Impacts

State CEQA Guidelines Section 15130 requires the consideration of cumulative impacts in an EIR when a project's incremental effects are cumulatively considerable. Cumulatively considerable "means that the incremental effects of an individual project are significant when viewed in connection with the effects of past projects the effects of other current projects and the effects of probable future projects." (CEQA Guidelines Section 15065(a)(3).) In identifying projects that may contribute to cumulative impacts, the State CEQA Guidelines allow the use of a list of past, present, and reasonably anticipated future projects, producing related or cumulative impacts, including those that are outside of the control of the lead agency. The proposed Project's cumulative contribution to various impacts was considered in conjunction with other proposed and approved projects, as set forth in Chapter 5 of the EIR.

Based on analysis in the EIR and the entire record before the County, the County makes the following findings with respect to the project's cumulatively considerable potential cumulative impacts of the proposed Project.

No Contribution to a Cumulative Impact

Based on the discussion in Chapter 5 of the EIR and the entire record before the County, the County finds that the proposed WCDF Project will not have a cumulatively considerable contribution to any impacts.

Findings for Alternatives Considered in the EIR

Section 15091(a)(3) of the State CEQA Guidelines requires findings about the feasibility of project alternatives whenever a project within the responsibility and jurisdiction of the lead agency will have a significant environmental effect that has not been mitigated to a less-than-significant level.

Identification of Project Objectives

The State CEQA Guidelines state that the "range of potential alternatives to the proposed project shall include those that could feasibly accomplish most of the basic purposes of the project and could avoid or substantially lessen one of more of the significant effects" of the project (CEQA Guidelines Section 15126[d][2]). Thus, an evaluation of the project objectives is key to determining which alternatives should be assessed in the EIR.

As described in Chapter 2, *Project Description*, the primary project objective is to help the County achieve its capacity, security, facility, and programming needs based on current standards and classifications. The specific project objectives are listed below.

1. Reduce overcrowding of high-security inmates.
2. Replace non-secure housing with high-security housing.
3. Provide facilities to support re-entry programming for high-security inmates.
4. Provide facilities to support mental healthcare for high-security inmates.
5. Expand facilities as cost-efficiently as possible with the support of state grant funding.

Alternatives Analyzed in the EIR

The State CEQA Guidelines state that the “range of potential alternatives to the proposed project shall include those that could feasibly accomplish most of the basic purposes of the project and could avoid or substantially lessen one or more of the significant effects” of the project. In addition, the EIR must examine the No Project alternative. The County evaluated the alternatives listed below.

- No Project Alternative
- Smaller Expansion Alternative
- Two Facilities and Treatment Center Alternative

No Project Alternative

Under the No Project Alternative there would be no construction of expanded facilities at the WCDF. The existing facility would continue to operate as it does currently. The County’s existing detention facilities would continue to be overcrowded and ill-equipped to properly and safely house the classifications of inmates in custody. The safety risks to officers and inmates would persist as inmates would continue to be housed in existing facilities. The County would not be able to upgrade its facilities or provide new educational and vocational programming, or healthcare and mental health facilities for high-security inmates.

Finding: Based on the EIR and the entire record before the County, the County rejects the No Project alternative as infeasible because it would not meet most of the objectives of the project.

Explanation: The No Project alternative would fail to meet many of the following project objectives and is therefore rejected as infeasible.

- *Reduce overcrowding of high-security inmates.* The No Project Alternative would not reduce overcrowding.
- *Replace non-secure housing with high-security housing.* The No Project Alternative would not replace any housing.
- *Provide facilities to support re-entry programming for high-security inmates.* The No Project Alternative would not provide any new facilities.
- *Provide facilities to support mental healthcare for high-security inmates.* The No Project Alternative would not provide any new facilities.
- *Expand facilities as cost-efficiently as possible with the support of state grant funding.* The No Project Alternative would not provide any new facilities.

Smaller Expansion Alternative

Under the Smaller Expansion Alternative, the County would build one 75,000-square-foot building with high-security housing and treatment facilities. The facility would have 120 double-occupancy cells (240 beds).

Finding: Based on the EIR and the entire record before the County, the County rejects the Smaller Expansion alternative as infeasible because it would not meet most of the objectives of the program.

Explanation: The Smaller Expansion Alternative would not reduce overcrowding to the amount needed by the County for the inmate population, based on need studies, and because it would be inefficient to pursue grant funds that do not maximize the opportunity to reduce overcrowding to standards, this alternative would fail to meet many of the following project objectives and is therefore rejected as infeasible.

- *Reduce overcrowding of high-security inmates.* The Smaller Expansion Alternative would not reduce overcrowding to the amount needed by the County for the inmate population, based on need studies.
- *Replace non-secure housing with high-security housing.* The Smaller Expansion Alternative would replace some housing, but would not provide enough high-security housing to meet the identified need.
- *Provide facilities to support re-entry programming for high-security inmates.* The Smaller Expansion Alternative would provide some new facilities but not enough to meet the identified need.
- *Provide facilities to support mental healthcare for high-security inmates.* The Smaller Expansion Alternative would provide some new facilities but not enough to meet the identified need.
- *Expand facilities as cost-efficiently as possible with the support of state grant funding.* The Smaller Expansion Alternative would expand facilities on the site of an existing facility, but it not maximize the opportunity to reduce overcrowding to standards.

Two Facilities and Treatment Center Alternative

Under the Two Facilities and Treatment Center Alternative, the County would develop two buildings on approximately 4 acres at the WCDF. Each building would be approximately 75,000 square feet with high-security housing modules and approximately 120 double-occupancy cells (240 beds) for a total of 240 double-occupancy cells (480 beds). The new buildings would be similar to the existing onsite facilities.

Finding: Based on the EIR and the entire record before the County, the County rejects the Two Facilities and Treatment Center alternative as infeasible because it would not meet most of the objectives of the program.

Explanation: The Two Facilities and Treatment Center Alternative would have slightly lower aesthetic impacts but would have a greater impact in other areas than the proposed project. Impacts on air quality, greenhouse gas emissions, and noise from construction would be greater than under the other alternatives because construction would take longer and the greatest amount of land would be developed under this alternative. The Two Facilities and Treatment Center Alternative was rejected because it had a higher level of environmental impacts than the proposed project.

Findings and Recommendations Regarding Significant Irreversible Changes

CEQA Section 21100(b)(2)(B) requires that an EIR identify any significant effect on the environment that would be irreversible if the WCDF Project were implemented. Section 15126.2(c) of the State CEQA Guidelines characterizes irreversible environmental changes as those involving a large

commitment of nonrenewable resources or irreversible damage resulting from environmental accidents. The State CEQA Guidelines describe three distinct categories of significant irreversible changes: changes in land use that would commit future generations to specific uses, irreversible changes from environmental actions, and consumption of nonrenewable resources. The WCDF Project's significant and irreversible changes are discussed in Section 5.4 of the EIR.

Findings: Based on the EIR and the entire record before the County, the County finds that the WCDF Project would result in a significant irreversible effect on the environment consisting of the commitment of nonrenewable resources, such as sand, gravel and other components of cement, metals and fossil fuels, necessary for construction and operation of the proposed project.

Explanation: The project involves the development of approximately 2.3 acres for a 150,000-square-foot high-security detention facility with supporting reentry program facilities, and a mental health treatment facility in western Contra Costa County. The commitment of nonrenewable resources, such as sand, gravel and other components of cement, metals and fossil fuels, necessary for construction and operation of the proposed project would be irreversible.

The proposed project would be located on currently developed land that is zoned for Public and Civic uses, both of which allow for the site's existing use as an institutional facility. There are no changes in land use that would commit future generations to the continued use of this site as an institutional facility, as this commitment has already been made. Construction of the proposed facility would require the consumption of nonrenewable resources, such as fuel for construction vehicles and equipment. However, such use would be limited to the short-term construction period. The temporary, construction-related increase would not result in significant use of nonrenewable resources and would not commit future generations to similar uses. Operation and maintenance of the proposed project would not increase the use of nonrenewable resources relative to existing conditions because the proposed project would not result in a net gain of beds within the County.

Findings and Recommendations Regarding Growth-Inducing Impacts

Section 15126.2(d) of the State CEQA Guidelines states that an EIR should discuss "...the ways in which the proposed project could foster economic or population growth, or the construction of additional housing, either directly or indirectly, in the surrounding environment." The State CEQA Guidelines do not provide specific criteria for evaluating growth inducement and state that growth in any area is not "necessarily beneficial, detrimental, or of little significance to the environment" (State CEQA Guidelines Section 15126.2[d]). CEQA does not require separate mitigation for growth inducement, as it is assumed that these impacts are already captured in the analysis of environmental impacts. Furthermore, Section 15126.2(d) of the State CEQA Guidelines requires that an EIR "discuss the ways" a project could be growth inducing and to "discuss the characteristic of some projects which may encourage and facilitate other activities that could significantly affect the environment."

Growth can be induced in a number of ways, such as elimination of obstacles to growth, stimulation of economic activity within the region, and precedent-setting action such as the provision of new access to an area or a change in a restrictive zoning or general plan land use designation. In general, a project could be considered growth-inducing if it directly or indirectly affects the ability of

agencies to provide needed public services, or if it can be demonstrated that the potential growth significantly affects the environment in some other way. However, the State CEQA Guidelines do not require a prediction or speculation of where, when, and in what form such growth would occur (State CEQA Guidelines, Section 15145). The WCDF Project's growth-inducing impacts are discussed in Section 5.2 of the EIR.

Findings: Based on the EIR and the entire record before the County, the County finds that the proposed project would not induce growth for the following reasons.

Explanation: The proposed project would not construct any new roads, infrastructure, or enhance access to the project site. The proposed project would be constructed entirely within the existing WCDF which, as a detention facility, does not require additional access in addition to the already established facility access points. The services provided at the proposed facility would not extend beyond those incarcerated at the WCDF. The land is currently designated for use for the WCDF and there will be no changes to zoning or General Plan land use as a result of the proposed project. The proposed project would not be expected to indirectly or directly induce population growth.

Typically, the growth-inducing potential of a project is considered significant if it fosters growth or a concentration of population in a different location or in excess of what is assumed in pertinent general plans or land use plans, or projections made by regional planning agencies, such as the Association of Bay Area Governments. The proposed project does not include the construction or demolition of any housing, and so would not have a direct impact on population or housing growth. Construction of the proposed project would result in a short-term increase in construction-related job opportunities in the Contra Costa County region. However, construction workers can be expected to be drawn from the existing construction employment labor force. Therefore, opportunities provided by construction of the proposed project would not likely result in the relocation of construction workers to the project area. Therefore, the employment opportunities provided by construction are not anticipated to induce indirect growth in the region.

Operation of the proposed project is anticipated to only require up to 30 additional staff, including volunteers, at the WCDF. Inmates who would reside in the proposed facility would be transferred from the MDF in downtown Martinez, which is approximately 16 driving miles from the WCDF. Once the inmates are transferred from MDF the staff required at WCDF would be transferred from MDF as well. Because the WCDF and MDF are only 16 miles from each other it is not anticipated that the staff would relocate to different residences. There would be no new long-term employment opportunities as a result of the proposed project. Therefore, operation of the proposed project is not anticipated to induce indirect or direct growth in the region.