

CEQA AND STATEMENT OF OVERRIDING CONSIDERATIONS FINDINGS FOR THE HANOVER COMPANY (APPLICANT) AND CHARLES & JUDITH DUNCAN, CHRISTINA & HAIGOUSH HEIDI KOHLER, TIM & TOSHIKO MCKEEN, 3000 DEL HOMBRE HOLDINGS LLC, RECO INVESTORS, LLC (OWNERS): COUNTY FILES #GP18-0002, RZ18-3245, MS18-0010, DP18-3031

CEQA FINDINGS

1. The Contra Costa County Planning Commission adopts the following findings for certification of the EIR and approval of the Del Hombre Apartment Project, pursuant to the California Environmental Quality Act, California Public Resources Code, Sections 21000, et seq. the Guidelines for Implementation of CEQA, Title 14 of the California Code of Regulations, Sections 15000, et seq. ("CEQA Guidelines") and the County's CEQA Guidelines.
2. Pursuant to the Public Resources Code Section 21081 and CEQA Guidelines Section 15901, no public agency shall approve and carry out a project where an Environmental Impact Report (the "EIR") has been certified, which identifies one or more significant impacts on the environment that would occur if the project is approved, unless the public agency makes one or more of the following three findings for each of those significant impacts, accompanied by a brief explanation of the rationale for each finding:
 - a) Changes or alternations have been required in, or incorporated into, the project which mitigate or avoid the significant effect on the environment;
 - b) Those changes or alterations are within the responsibility and jurisdiction of another public agency and have been, or can and should be, adopted by that other agency;
 - c) Specific economic, legal, social technological, or other consideration, including considerations for the provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or alternatives identified in the environmental impact report.
3. The Del Hombre Apartment Project, did present unavoidable and significant impacts related to transportation (Impact TRANS-1 and Cumulative Impact Traffic) that cannot be mitigated to a less-than-significant impact level. A

Statement of Overriding Consideration is prepared for this impact.

PROJECT AND EIR FINDINGS

Certification of EIR

The Commission finds that the EIR has been completed in compliance with CEQA; that the Commission reviewed and considered the information contained in the EIR prior to approving the project; and the EIR reflects the County's independent judgment and analysis.

Impact Conclusions and Mitigation Measures

Attachment A (the CEQA Findings of Fact and Statement of Overriding Considerations) is attached to these findings and is hereby adopted by the Commission and is incorporated to these findings.

Attachment B (the Mitigation, Monitoring Reporting Program [MMRP]) is attached to these findings and is hereby adopted by the Commission, and is incorporated into these findings. The mitigation measures will feasibly reduce or avoid the potentially significant and significant impacts of the project to less-than-significant levels, and will reduce some less-than-significant impacts as well. In adopting these mitigation measures, the Commission intends to adopt each of the mitigation measures identified by the EIR.

The various documents and other materials constitute the record upon which the Commission bases these findings and the approvals contained herein. These findings cite specific pieces of evidence, but none of the Commission's findings are based solely on those pieces of evidence. These findings are adopted based upon the entire record, and the Commission intends to rely upon all supporting evidence in the record for each of its findings. The location and custodian of the documents and materials that comprise the record is Contra Costa County, Department of Conservation and Development, 30 Muir Road, Martinez, CA, 94553, telephone (925) 674-7205.

**Attachment A:
CEQA Findings of Fact and
Statement of Overriding Considerations
Del Hombre Apartments Project
Contra Costa County, California**

State Clearinghouse Number: 2018102067

Date: May 15, 2020

Table of Contents

CEQA Findings of Fact and Statement of Overriding Considerations	1
1.1 - Introduction.....	1
1.2 - Statement of Findings	1
1.3 - Project Summary	2
1.4 - Background.....	4
1.5 - Potential Environmental Effects Which are Not Significant or Less than Significant	7
1.6 - Potential Environmental Effects Which Can Be Mitigated Below a Level of Significance	33
1.7 - Impacts Identified in the EIR as Being Significant and Unavoidable Even After the Imposition of All Feasible Mitigation Measures	67
1.8 - Infeasible, Unnecessary, or Rejected Mitigation Measures	70
1.9 - Findings Regarding Alternatives	71
1.10 - Findings Regarding Growth Inducement.....	73
1.11 - Findings Regarding Significant Irreversible Environmental Changes.....	74
1.12 - Statement of Overriding Considerations	75

CEQA FINDINGS OF FACT AND STATEMENT OF OVERRIDING CONSIDERATIONS

1.1 - Introduction

The State Guidelines (Guidelines) promulgated pursuant to the California Environmental Quality Act (CEQA) provide:

- No public agency shall approve or carry out a project for which an EIR has been completed which identifies one or more significant environmental effects of the project unless the public agency makes one or more written findings for each of those significant effects, accompanied by a brief explanation of the rationale for each finding. The possible findings are:
- (a) Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.
 - (b) Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency.
 - (c) Specific economic, legal, social, technological or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the Final EIR.

The required findings shall be supported by substantial evidence in the record. (Guidelines, § 15091).

The Final EIR incorporates the Draft EIR. References within to the “EIR” are to the collective documentation contained in the Draft EIR and Final EIR.

1.2 - Statement of Findings

An Environmental Impact Report (EIR) pursuant to CEQA has been prepared by the County of Contra Costa (lead agency) for the Del Hombre Apartments Project (“Project”) to identify significant effects on the environment, which may occur as a result of the project. Section 1.5 sets forth effects that have no impact or are less than significant. Section 1.6 sets forth those potential environmental effects of the project which are not significant because of the design of the project or because they can feasibly be mitigated below a level of significance. Section 1.7 discloses the environmental impacts that remain significant and unavoidable even with the incorporation of feasible mitigation. Section 1.8 summarizes the alternatives discussed in the EIR and makes findings with respect to the feasibility of alternatives and whether the alternatives would lessen the significant environmental effects of the project.

The following findings set forth all potentially significant effects of the project and, with respect to each effect, makes one or more of the findings set forth in Section 1.1, Introduction, above and facts in support of such findings.

These findings are not an exhaustive recitation of all facts in support of the County's conclusions. The EIR and the administrative record provide additional facts in support of the findings. The mitigation measures set forth in the Mitigation Monitoring and Reporting Program (MMRP) (Attachment A) are incorporated by reference in these findings, and the findings in Sections 1.6 and 1.7 refer to individual mitigation measures as appropriate. In the event of any inconsistencies between the mitigation measures set forth herein and the MMRP, the MMRP shall control.

1.3 - Project Summary

1.3.1 - Project Description

The project analyzed in the EIR is the proposed Del Hombre Apartments Project (project) in the unincorporated Walnut Creek area of Contra Costa County. The project site is located in a County island and is surrounded to the east, west, and south by the City of Walnut Creek, to the northeast by the City of Concord, and to the northwest by the City of Pleasant Hill. The site is bound by Del Hombre Lane to the west as well as the Iron Horse Regional Trail (just west of Del Hombre Lane), Roble Road to the north, Avalon Walnut Ridge apartments to the north and east, and Honey Trail to the south. The site consists of five parcels (Assessor's Parcel Numbers 148-170-001, 148-170-022, 148-170-037, 148-170-041, 148-170-042) approximately 0.12 mile east of the Bay Area Rapid Transit (BART) Pleasant Hill/Contra Costa Centre Station. The area around the project site has a suburban, transit-oriented residential character. Multi-family apartments are located to the north (on Las Juntas Way and Santos Lane), east (on Roble Road and Santos Lane), and south (on Honey Trail). (EIR, ES-1.)

The project applicant, The Hanover Company, proposes to build a 284-unit, six-story apartment community on an approximately 2.4-acre site. The project includes the demolition of two existing residential buildings. The new apartment building would total approximately 425,879 gross square feet that would cover 81,639 square feet (or 79 percent) of the project site. The residential building would consist of 21 studio apartments, 178 one-bedroom apartments, and 85 two-bedroom apartments, totaling 284 units, with an average unit size of 863 square feet. The proposed residential units would include 36 affordable housing units (24 moderate income (15%) and 12 very low income (5%)), as well as a partial below-grade and partial at-grade parking garage. (EIR, 2-19; 2-25.)

The project would also include ancillary and recreational amenities to serve residents of the apartment building. (EIR, ES-1.) There would be 9,442 square feet of amenity space (including an 804-square-foot mail room) located at the southwest corner of the project site that would be located in the same structure as the apartment units. Amenities may include a fitness room, a club room with a kitchen, a business center with conference rooms, and media rooms. The outdoor recreation area would include a private swimming pool and two outdoor courtyard areas that would be available to residents and their guests. The swimming pool courtyard would be located in the center of the southern area of the site near the indoor amenity space. (EIR, 2-19.) A small dog run would be constructed along the eastern boundary of the project site at the southeastern corner, and a large dog run would be constructed just north of the small dog run. Bioretention swales would be installed

north of large dog run. They would be separated by a cement path. The project would comply with the California Green Building Code and Model Water Efficient Landscape Ordinance. (EIR, 2-29.)

The project would be constructed in one phase over a period of 24 months (2 years) starting in July 2020 and ending in July 2022. All demolition of existing structures, site preparation, and grading for the entire project area would also be completed at this time. (EIR, 2-32.)

1.3.2 - Project Objectives

The project objectives include:

- Address the regional housing and employment imbalance by providing 284 housing units to an underserved area.
- Reduce traffic on area roads by increasing housing density in an area well served by regional public transportation (Bay Area Rapid Transit [BART]).
- Provide much needed affordable housing through the delivery of 36 affordable units.
- Provide housing within a nearby commercial area that provides neighborhood services that are accessible to the new residents.
- Create an apartment community consisting of high-quality architecture that encourages walkability within the neighborhood.
- Implement policies of importance to the County, as reflected in the Contra Costa County General Plan.
- Encourage infill redevelopment of underused sites in areas served by adequate infrastructure and services that are near mass transit, freeways, and urban centers to encourage multiple family housing located in proximity to transit corridors.

1.3.3 - Required Approvals

Discretionary approvals and permits are required for implementation of the project.

- General Plan Amendment
- Rezoning
- Final Development Plan
- Vesting Tentative Map
- Variances to lot size and setback from public road
- Tree Removal Permit
- Exception to drainage requirements

In addition, the following ministerial actions would be required by Contra Costa County for implementation of the project:

- Demolition permits
- Grading permits
- Building permits

A number of other agencies in addition to Contra Costa County will serve as Responsible and Trustee Agencies, pursuant to CEQA Guidelines Section 15381 and Section 15386, respectively. The EIR is intended to provide environmental information to these agencies and other public agencies, which may be required to grant approvals or coordinate with other agencies, as part of project implementation. These agencies may include, but are not limited to, the following:

- California Department of Transportation
- California Department of Fish and Wildlife
- City of Walnut Creek
- City of Pleasant Hill
- Contra Costa County Fire Protection District
- Contra Costa County Local Agency Formation Commission
- Contra Costa County Water District
- Bay Area Air Quality Management District
- Bay Area Rapid Transit (BART)
- San Francisco Bay Regional Water Quality Control Board

1.4 - Background

1.4.1 - Public Review

A Notice of Preparation (NOP) for the project was issued on October 29, 2018. The NOP was distributed to the State Clearinghouse, responsible agencies, and other interested parties for a 30-day public review period extending from October 29, 2018 through November 28, 2018. The NOP and copies of comments received are included as Appendix A to the Draft EIR.

Pursuant to Section 15083 of the CEQA Guidelines, the County held a public scoping meeting at 30 Muir Road on November 19, 2018. The meeting was held at 3:30 p.m. during which time individuals, organizations, and agency representatives were invited to provide oral comments on the project and environmental impact analysis.

The Draft EIR was originally circulated for a 45-day public review period between September 11, 2019, and October 25, 2019. On October 8, 2019, the County filed a Notice of Extension of Comment Period, extending the comment period to 4:00pm on November 15, 2019 for a 66-day total public comment and review period. During the public review period, the Draft EIR, including the technical appendices, was available for review at the Contra Costa County website (<http://www.contracosta.ca.gov/delhombre>), the office of Contra Costa County Department of Conservation and Development and two alternative locations. The address for each location is provided below:

Contra Costa County Department of Conservation and Development
30 Muir Road
Martinez, CA 94553-4601
Hours: Monday through Thursday: 7:30 a.m.–5:00 p.m.
Friday: 7:30 a.m.–4:00 p.m.
Saturday and Sunday: Closed

Pleasant Hill Library Contra Costa County Main Branch
1750 Oak Park Boulevard
Pleasant Hill, CA 94523
Hours: Monday: 12:00 p.m.–8:00 p.m.
Tuesday: 1:00 p.m.–8:00 p.m.
Wednesday and Thursday: 11:00 a.m.–6:00 p.m.
Friday and Saturday: 10:00 a.m.–5:00 p.m.
Sunday: Closed

Office of County Supervisor Karen Mitchoff
2151 Salvio Street, Suite R
Concord, CA 94520
Hours: Monday through Friday: 8:00 a.m.–5:00 p.m.;
closed 12:00 p.m.–1:00 p.m.
Saturday and Sunday: Closed

The County prepared a Final EIR, consisting of the comments received on significant environmental issues during the 66-day public review and comment period on the Draft EIR, written responses to those comments, and an errata making minor, non-substantive changes to the Final EIR.

Subsequently, a public meeting was held on October 7, 2019 at the Contra Costa County Department of Conservation and Development located at 30 Muir Road. The meeting was held at 3:30 p.m. during which individuals and organizations/agency representatives were invited to provide oral comments on the Final EIR. 47 comment letters were received from individuals and public agencies.

1.4.2 - County's Independent Review

The County independently reviewed and considered the entire administrative record before them, including, but not limited to, all oral and written comments regarding environmental issues in the EIR and determined, based on all of the evidence presented, including but not limited to the EIR, written and oral testimony given at public meetings and hearings in connection therewith, and the submission of comments from the public, organizations and regulatory agencies, as well as all other relevant information in the administrative record, the following environmental impacts associated with the project are: (1) less than significant and do not require mitigation; or (2) potentially significant but will be avoided or reduced to a level of insignificance through the identified mitigation measures; or (3) significant and cannot be fully mitigated to a level of less than significant but will be substantially lessened to the extent feasible by the identified mitigation measures.

The County concludes that implementation of the project could result in potentially significant and significant adverse environmental impacts. Accordingly, as discussed above, the County is required to make certain findings with respect to these impacts pursuant to CEQA Guidelines section 15091. Accordingly, the County hereby makes these required findings, as set forth in this document ("Findings"). These Findings summarize the environmental determinations about the project's significant impacts before and after mitigation, and summarize the project's individual and cumulative impacts.

These Findings do not attempt to describe the full analysis of each environmental impact. Instead, they provide a summary description of each significant impact and the applicable mitigation measures identified in the EIR and adopted by the County, and state the conclusions regarding the significance of each impact after imposition of the identified mitigation measures. A comprehensive explanation of these environmental impact conclusions can be found in the EIR, as supplemented and explained in staff reports and materials presented by the project applicant, County staff, and various project consultants, and other relevant materials in the administrative record.

The EIR contains substantial evidence to support all the conclusions presented in these Findings.

1.4.3 - Disagreement Among Experts

As reflected in comments received during the public review period, there is disagreement among various parties regarding particular conclusions in the EIR regarding potential air quality impacts and indoor air quality effects. CEQA and relevant case law interpreting the CEQA statute and Guidelines provide the standards for treating disagreement among experts in the context of an EIR, as follows: Where evidence and opinions conflict on an issue concerning the environment, and the lead agency knows of these controversies in advance, the EIR and/or related findings must acknowledge the controversies, summarize the conflicting opinions of the experts, and include sufficient information on the controversy. In making a decision on a project where there is disagreement among experts, the lead agency is not obligated to select the viewpoint that purports to be the most environmentally sensitive. Instead, decision makers are vested with the discretion to weigh expert opinion and choose which they intend to rely on and are not required to resolve a dispute among experts. In their proceedings, decision makers must consider comments received concerning the adequacy of the EIR and address any objections raised in these comments. However, decision makers are not obligated to follow any directives, recommendations, or suggestions presented in comments on an EIR, and can certify an EIR without needing to resolve disagreements among experts.

In making its decision to certify the EIR and approve the project, the County recognizes that a range of technical and scientific opinion exists with respect to certain environmental issues, particularly with respect to air quality impacts. The lead agency has acquired a comprehensive and well-rounded understanding of the range of this technical and scientific opinion by its review of the EIR; as well as by its review of the information provided by the experts who prepared the EIR; the lead agency's other consultants and its staff; along with testimony, letters, reports, and other relevant materials in the administrative record, as well as its own experience and expertise in these matters. The materials reviewed by the lead agency include conflicting expert opinions and conflicting statements of facts, as well as other comments on the environmental issues set forth in the EIR. This comprehensive review has enabled the lead agency to make its decisions after weighing and considering the various viewpoints on these important issues, and the lead agency has made determinations of significant effects based on substantial evidence, not public controversy or speculation. With respect to potential air quality impacts and effects associated with indoor air quality, the County finds that the analysis in the EIR, as supported by the administrative record, accurately demonstrates a less than significant impact.

Accordingly, the lead agency hereby certifies that its Findings and determinations are based on all of the evidence contained in the EIR, as well as the evidence and other information in the record

addressing the environmental impacts of the project, and hereby elects to rely on the analysis and evidence set forth in the EIR.

1.4.4 - Incorporation of EIR

For these Findings, the “EIR” shall consist of the Draft EIR, all appendices attached to the DEIR, and the Final EIR (consisting of the Introduction, Errata, and Responses to Comments). Page references to the EIR will correspond to the page numbering in the publicly released Draft EIR, unless otherwise noted.

The EIR is incorporated into these Findings in its entirety. Without limitation, this incorporation is intended to elaborate on the scope and nature of mitigation measures, the basis for determining the significance of impacts, the comparative analysis of alternatives, and the reasons for approving the Project in spite of the potential for associated significant and unavoidable adverse impacts.

1.5 - Potential Environmental Effects Which are Not Significant or Less than Significant

The County has heard, been presented with, reviewed, and considered all of the information and data in the administrative record, including the Draft and Final EIR, and all oral and written evidence presented to it during all meetings and hearings. The EIR reflects the independent judgment of the County and is deemed adequate for purposes of making decisions on the merits of the project.

Consistent with Public Resources Code Section 21002.1 and Section 15128 of the CEQA Guidelines, the EIR focused its analysis on potentially significant impacts, and limited discussion of other impacts for which it can be seen with certainty there is no potential for significant adverse environmental impacts. No agricultural land or forestland currently exists within the project area; therefore, no impact related to agriculture or forestry resources would occur and this issue was not addressed further in the EIR. (EIR, 4-1.) Similarly, there no mineral resource recovery sites on or in the vicinity of the plan area, and, therefore there are no impacts to mineral resources. (EIR, 4-2.)

The EIR discusses and analyzes all other potential topical areas for potential impacts. Although CEQA Guidelines Section 15091 does not require specific findings to address environmental effects that an EIR identifies as “no impact” or a “less than significant” impact and for which no mitigation is necessary, the County expressly finds that substantial evidence in the administrative record supports the findings of no impact or a less than significant impact described below.

Therefore, based on its independent judgment and the entire administrative record before it, the County determines that the following potential environmental effects will not be significant and no mitigation is necessary for the reasons set forth in the EIR and summarized below.

1.5.1 - Aesthetics

Potential Effect

Impact AES-1: The project would not have a substantial adverse effect on a scenic vista. (EIR, 3.1-15.)

Findings: Less Than Significant. No mitigation required.

Facts in Support of Findings: The on-site vegetation that would be removed as a part project construction is not designated as a scenic vista. Thus, the removal of the existing vegetation would not adversely impact existing views of scenic vistas within the project vicinity. Due to its location, the project would not be visible from any identified scenic road or route. Finally, there are no scenic ridges, hillsides and rock outcroppings on the project site. The nearest designated scenic ridgelines are located approximately 2.35 to the miles southeast, and approximately 2.70 miles to the northeast. Intervening development obstructs existing views of these scenic ridges from the project site or immediate surrounding area. Therefore, construction and operational impacts related to scenic vistas would be less than significant. (EIR, 3.1-15.)

Potential Effect

Impact AES-2: The project would not substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic building within a State scenic highway. (EIR, 3.1-16.)

Findings: Less Than Significant. No mitigation required.

Facts in Support of Findings: There are no scenic resources, as defined by the Contra Costa County General Plan, located on the project site. There are no officially designated State Scenic Highway or County scenic roadways in or adjacent to the project site. The nearest officially designated State Scenic Highway is SR-24, located approximately 2.65 miles southwest, and the portion I-680 south of SR-24, located approximately 2.57 miles south of the project site. The nearest County-designated scenic route is SR-242, a protected road located approximately 2.06 miles north. Due to topography and intervening development, the project would not adversely affect views from a State Scenic Highway. Thus, a less than significant impact would occur related to scenic resources within a State Scenic Highway during construction and operation. (EIR, 3.1-16.)

Potential Effect

Impact AES-3: The project would not substantially degrade the existing visual character or quality of public views of the site and its surroundings or conflict with applicable zoning and other regulations governing scenic quality. (EIR, 3.1-17.)

Findings: Less Than Significant. No mitigation required.

Facts in Support of Findings: The project is located in a transit-oriented residential area with multi-family apartment buildings. Construction related visual impacts would be temporary. As such, construction of the project would not adversely affect the visual character. The project would result in a continuation of higher density multi-family development around the Pleasant Hill BART station that would be consistent with scenic quality regulations and also reinforce the visual character of the area as a transit-oriented residential neighborhood. The project would include appropriate landscaping and would not block any significant public views. Therefore, impacts related to consistency with applicable scenic quality regulations and visual quality and character would be less than significant during construction or operation. (EIR, 3.1-17–23.)

Potential Effect

Cumulative Impact: The project would not result in cumulative aesthetic impacts. (EIR, 3.1-25.)

Findings: Less Than Significant. No mitigation required.

Facts in Support of Findings: The project, in conjunction with other planned and approved projects would be consistent with the suburban, transit-oriented character of the surrounding area. The cumulative projects would be subject to the County codes and guidelines related to building heights, setbacks, undergrounding of utilities, landscaping, signage, and permitted land uses. As discussed, in EIR Section 3.1.5, Cumulative Project 9 would be subject to the codes and guidelines associated with the City of Walnut Creek related to building heights, setbacks, undergrounding of utilities, landscaping, signage, and permitted land uses. As such, the project, in conjunction with other planned and approved projects, would result in a less than significant cumulative impact with respect to visual character and views. (EIR, 3.1-25.) With respect to light and glare, the project and other planned and approved projects will comply with existing regulations designed to bring impacts to below a level of significance. For example, Cumulative Project 1 is currently being constructed in compliance with County requirements for exterior lighting. Exterior lighting associated with Cumulative Project 9 would be subject to the City of Walnut Creek Municipal Code 10-2.3.407(L), which requires lighting to be designed in a manner such that the light source is shielded from view. As such, the project, in conjunction with other planned and approved projects, would result in a less than significant cumulative impact with respect to light and glare. (EIR, 3.1-25.)

1.5.2 - Air Quality

Potential Effect

Impact AIR-1: The project would not conflict with or obstruct implementation of the applicable air quality plan. (EIR, 3.2-34.)

Findings: Less Than Significant. No mitigation is necessary.

Facts in Support of Findings: The project would be consistent with the suburban, transit oriented residential character of the surrounding area and the residential density envisioned in the Contra Costa County General Plan. As discussed in EIR Section 3.12, Population and Housing, the project would not result in substantial population, housing, or employment growth in excess of that analyzed for the Contra Costa County planning area and anticipated under local and regional projections for Contra Costa County. As such, the project would not result in a substantial unplanned increase in population, employment, or associated regional growth in terms of vehicle miles traveled, so it would not conflict with or obstruct implementation of the Air Quality Plan. Therefore, the impact related to air quality management plan consistency would be less than significant. (EIR, 3.2-34–35.)

Impact AIR-4: The project would not result in other emissions (such as those leading to odors adversely affecting a substantial number of people). (EIR, 3.2-50.)

Findings: Less Than Significant. No mitigation is necessary.

Facts in Support of Findings: The project would be consistent with the suburban, transit oriented residential character of the surrounding area and the residential density envisioned in the Contra Costa County General Plan. Diesel exhaust and VOCs would be emitted during construction of the project resulting from heavy duty construction equipment and asphalt paving activities, both of which could be objectionable odors to some populations. However, emissions would disperse rapidly from the site and construction activities would be relatively low in intensity. As such, it is not anticipated that construction-related activities would create objectionable odors affecting a substantial number of people. Therefore, construction odor impacts at existing off-site odor sensitive receptors would be less than significant. (EIR, 3.2-50.)

The project does not propose any land uses typically associated with emitting objectionable odors. During operation of the project, potential sources of odor would primarily consist of vehicles traveling to and from the site; however, exhaust from mobile sources is not typically associated with numerous odor complaints. Rather, they are known to have temporary and less concentrated odors that would not produce significant amounts of odors. Therefore, operation odor impacts at existing off-site odor sensitive receptors would be less than significant. (EIR, 3.2-51.)

Under Regulation 1, Rule 301, an odor source with five or more confirmed complaints per year averaged over 3 years is considered to have a substantial effect on receptors. (EIR, 3.2-22, 34.) To identify whether any complaints had been filed with respect to existing or planned sources of odors within the screening distances relative to the project, public records requests were filed with the BAAQMD. Based on the responses from the BAAQMD Public Records Section, none of potential sources of odor had have received any confirmed complaints over the last ten-year period. Therefore, there are no land uses within the screening distances shown in EIR Table 3.2-10 that have received five or more confirmed complaints per year for any recent 3-year period. The project would not place odor sensitive receptors near an existing or planned source of odor affecting a substantial number of people. Therefore, operational odor impacts in terms of the project site as an odor sensitive receptor would be less than significant. (EIR, 3.2-51.)

1.5.3 - Biological Resources

Potential Effect

Impact BIO-2: The project would not have a substantial adverse effect on riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service. (EIR, 3.3-24.)

Findings: No Impact. No mitigation required.

Facts in Support of Findings: Impacts related to a project's potential effect on sensitive natural communities are limited to construction impacts. No operational impacts would occur. (EIR, 3.3-25.) There are no rivers, streams, or associated riparian vegetation on or adjacent to the project site. Walnut Creek, a concrete lined urbanized channel, is located approximately 0.5 mile away from the project site. There is no other sensitive natural community on the project site that could be

impacted by project construction. Therefore, there would be no construction impact related to effects on riparian habitat or other sensitive natural communities. (EIR, 3.3-24.)

Potential Effect

Impact BIO-3: The project would not have a substantial adverse effect on State or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means. (EIR, 3.3-25.)

Findings: No impact. No mitigation is necessary.

Facts in Support of Findings: There are no State or federally protected wetlands or other jurisdictional features on, or adjacent to, the project site. The project site is located in an urban area and surrounded by development. As a whole, the project site is devoid of aquatic features. As such, there are no wetlands that would require filling or removal or could experience degradation due to project construction. No operational impacts would occur. (EIR, 3.3-25.)

Potential Effect

Impact BIO-4: The project would not substantially interfere with the movement of 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. (EIR, 3.3-25–26.)

Findings: Less than significant. No mitigation is necessary.

Facts in Support of Findings: Impacts related to a project's potential interference with a fish or wildlife movement corridor are limited to construction impacts. (EIR, 3.3-26.) The project site is surrounded by residential buildings, actively used roads, walking paths and there are barriers around the majority of the site boundaries which impede wildlife and fish species movement through and within the project site. As such, there is little potential for a wildlife corridor to occur or be hindered due to the project construction and disturbance of the project site. Additionally, the East Contra Costa County Habitat Conservation Plan area is roughly 5.5 miles away, and it is highly unlikely that it would be affected by project construction. Therefore, impacts to wildlife movement and corridors would be less than significant. (EIR, 3.3-25–26.)

Potential Effect

Impact BIO-6: The project would not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or State habitat conservation plan. (EIR, 3.3-27.)

Findings: No Impact. No mitigation necessary.

Facts in Support of Findings: The project falls within the coverage area of the Pacific Gas and Electric Company Bay Area Operations & Maintenance Habitat Conservation Plan (PG&E HCP). However, the project is not considered a "Covered Activity" under the PG&E HCP, and is not a PG&E lead project. Thus, the project does not qualify for evaluation under the PG&E HCP. The project site is roughly 5.5 miles west of the East Contra Costa County Habitat Conservation Plan (ECCCHCP) area. Therefore,

there would be no construction or operational impact related to consistency with a conservation plan or natural community conservation plan. (EIR, 3.3-27.)

Potential Effect

Cumulative Impact: Implementation of the project would not result in significant cumulative impacts to biological resources. (EIR, 3.3-29.)

Findings: Less than significant. No mitigation necessary.

Facts in Support of Findings: Due to the limited scope of current projects, and because they are occurring in highly developed and disturbed areas, it is expected there will be a less than significant cumulative impact. Additionally, the project, in conjunction with other future development projects, would be required to adhere to applicable ordinances and regulations set by the County of Contra Costa, and, as applicable, the City of Walnut Creek and City of Pleasant Hill, USACE, and CDFW resulting in a less than significant cumulative impact to biological resources. (EIR, 3.3-29.)

1.5.4 - Energy

Potential Effect

Impact ENER-1: The project would not result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation. (EIR, 3.5-10.)

Findings: Less Than Significant. No mitigation necessary.

Facts in Support of Findings: The project would be designed and constructed in accordance with the County's latest adopted energy efficiency standards, which are based on the State's Title 24 energy efficiency standards and consistent with the Contra Costa County General Plan and Climate Action Plan energy conservation initiatives. Compliance with these policies would ensure that building energy consumption would not result in the use of energy in a wasteful, inefficient, or unnecessary manner. Therefore, the operational impact related to building electricity and natural gas consumption would be less than significant. (EIR, 3.5-11.) With respect to fuel consumption, the project's proximity to existing transportation facilities in the area would provide future residents, visitors, and employees associated with the project with access to public transportation, thus further reducing fuel consumption demand. For these reasons, operational-related transportation fuel consumption would be less than significant. (EIR, 3.5-11–12.)

Potential Effect

Impact ENER-2: The project would not conflict with or obstruct a state or local plan for renewable energy or energy efficiency. (EIR, 3.5-12–13.)

Findings: Less Than Significant. No mitigation is necessary.

Facts in Support of Findings: The County has not developed a specific energy reduction or renewable energy plan at the time the EIR was published. Accordingly, the EIR analysis is based on

consistency with State goals and plans related to energy efficiency and renewable energy. During construction, the project would comply with California Code of Regulations Title 13, Sections 2449(d)(3) and 2485, which limits idling from both on-road and offroad diesel-powered equipment and are enforced by the ARB. The project is also required to comply with Part 11, Chapter 4, of the State's Title 24 energy efficiency standards establishing mandatory measures for residential buildings, including material conservation and resource efficiency. Compliance with these measures would ensure that the project would not conflict with any applicable plan, policy, or regulation adopted for the purpose of reducing energy use or increasing the use of renewable energy. Therefore, construction and operational energy efficiency and renewable energy standards consistency impacts would be less than significant. (EIR, 3.5-12–13.)

Potential Effect

Cumulative Impact: The project would not have cumulative impacts related to energy. (EIR, 3.5-13.)

Findings: Less Than Significant. No mitigation is necessary.

Facts in Support of Findings: The incorporation of the Title 24 standards into the design of cumulative projects, including the project, would ensure that the cumulative projects would not result in the inefficient, unnecessary, or wasteful consumption of electricity or natural gas. Cumulative projects would also be required to comply with California Code of Regulations Title 13, Sections 2449(d)(3) and 2485. Compliance with these regulations by the cumulative projects, including the project, would ensure that the cumulative projects would not result in the inefficient, unnecessary, or wasteful consumption of electricity, gas, or fuel. Therefore, the project, in conjunction with other existing, planned, and foreseeable future projects would result in a less than significant cumulative impact related to energy consumption. (EIR, 3.5-13.)

1.5.5 - Geology and Soils

Potential Effect

Impact GEO-2: The project would not result in substantial soil erosion or the loss of topsoil. (EIR, 3.6-16.)

Findings: Less Than Significant. No mitigation necessary.

Facts in Support of Findings: The project would be required to obtain a Construction General Permit from the California State Water Resources Control Board consistent with the Contra Costa County's General Permit (No. CAS612008) and to comply with its conditions and requirements, which are designed to minimize potential erosion issues. Consistent with Section 1014-4.002 and .004, compliance with the County's NPDES permit would ensure that a stormwater control plan is prepared and BMPs are implemented that would prevent sediments and other pollutants from entering the stormwater system. Thus, with adherence to these existing requirements, impacts from project construction on the project site would not result in substantial soil erosion or loss of topsoil and impacts would be less than significant. Impacts related to soil erosion or loss of topsoil are limited to construction impacts and no operational impacts would occur. (EIR, 3.6-16.)

Potential Effect

Impact GEO-5: The project would not 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. (EIR, 3.6-18.)

Findings: No Impact. No mitigation necessary.

Facts in Support of Findings: Impacts related to the project's use of septic tanks or alternative wastewater disposal systems are limited to construction and there are no operational impacts. The project site is located in a developed area of Contra Costa County, which is well-served by the municipal sanitary sewer system. The project would construct a 33-foot-long sanitary sewer line that would connect with the existing 30-inch sanitary sewer line along the west side of the project site within Del Hombre Lane. The project would not use septic tanks or any alternative wastewater disposal system. Therefore, there would be no operational impact related to soil capability of supporting the use of alternative wastewater disposal systems. (EIR, 3.6-18.)

1.5.6 - Greenhouse Gas Emissions

Potential Effect

Impact GHG-1: Implementation of the project would generate direct and indirect greenhouse gas emissions; however, these emissions would not result in a significant impact on the environment. (EIR, 3.7-42–45.)

Findings: Less Than Significant. No mitigation is necessary.

Facts in Support of Findings: As discussed in detail in EIR Section 3.7, the project would generate a variety of GHG emissions during construction and operation, including several defined by AB 32 such as CO₂, methane, and nitrous oxide. PFC and SF₆ are typically used in industrial applications, none of which would be used during construction or operation of the project; therefore, it is not anticipated that the project would emit PFC or SF₆. Additionally, it is not anticipated the project would emit substantial quantities of HFC. With respect to the GHG emissions that the project would generate, the estimated total annual project-generation emissions, including operational emissions and amortized construction emissions, were compared with the efficiency threshold of 4.6 MT CO₂e/service population/year to determine significance at project buildout in the year 2022. (EIR, 3.7-44; Table 3.7-5.) Without mitigation, the project would not exceed the BAAQMD's thresholds. Therefore, the impact related to construction and operational GHG emissions would be less than significant. (EIR, 3.7-43–45.)

Potential Effect

Cumulative Impact: The project would not result in cumulative impacts related to greenhouse gases. (EIR, 3.7-47.)

Findings: Less Than Significant. No mitigation necessary.

Facts in Support of Findings: According to the BAAQMD, project GHG emissions are inherently cumulative and do not require the estimation of cumulative projects in the region of the project. CAPs and the BAAQMD thresholds are based on the State goals. Thus, the determination of GHG cumulative impacts is based on the State target established by AB 32 to reduce GHG emissions to 1990 levels by 2020. In order to ensure that this goal would be achieved, Air Districts and Lead Agencies developed GHG thresholds to ensure compliance with the State target. As stated in Appendix D of the 2017 BAAQMD CEQA Guidelines, projects with GHG emissions in conformance with these thresholds, therefore, would not be considered significant for purposes of CEQA. In addition, although the emissions from such cumulative projects would add an incremental amount to the overall GHG emissions that cause global climate change impacts, emissions from projects consistent with these thresholds would not be a “cumulatively considerable” contribution under CEQA. Such projects would not be “cumulatively considerable,” because they would be helping to solve the cumulative problem as a part of the AB 32 process. As such, there would be a less than significant cumulative impact related to GHG emissions. (EIR, 3.7-47.)

1.5.7 - Hazards and Hazardous Materials

Potential Effect

Impact HAZ-2: The project would not 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. (EIR, 3.8-18.)

Findings: Less Than Significant. No mitigation necessary.

Facts in Support of Findings: Construction activity would be expected to involve the transport, use, and disposal of hazardous materials, such as diesel fuels, aerosols, and paints. However, the use of these materials would be subject to the California Hazardous Waste Control Law, Hazardous Materials Transportation Act, California Public Resources Code, and other State and local regulations that limits the use of hazardous materials and reduces the associated risks of exposure. (EIR, 3.8-18.) The project proposes an apartment building and would not include industrial or retail development that involves hazardous materials. Small quantities of hazardous materials common in residential projects would be used on-site during operation of the project, but not in sufficient quantities to create a significant hazard. Materials common in such residential projects represent a low risk to people and the environment when used as intended, and would not be expected to result in the release of hazardous materials into the environment. (EIR, 3.8-18.) As such, construction and operational impacts related to hazardous materials upset risk would be less than significant. (EIR, 3.8-18.)

Potential Effect

Impact HAZ-3: The project would not emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school. (EIR, 3.8-19.)

Findings: Less Than Significant. No mitigation necessary.

Facts in Support of Findings: The project site is not located within 0.25-mile of an existing or proposed school. The closest school, Bancroft Elementary, is located approximately 0.82 mile to the east. (EIR, 3.8-19.) Furthermore, construction would be subject to the Hazardous Materials Transport Act, California Public Resources Code, and other State and local regulations that would reduce and limit the associated risks. As a result, construction impacts related to hazardous emissions proximate to a school risk would be less than significant. (EIR, 3.8-19.)

Moreover, unlike industrial or retail facilities, residential development does not involve the type or quantity of hazardous materials that could pose a significant environmental accident. Therefore, based on the distance from the nearest school, compliance with existing regulations and the nature of the project, operational impacts related to hazardous emissions proximate to a school would be less than significant. (EIR, 3.8-19.)

Potential Effect

Impact HAZ-4: The project would not 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. (EIR, 3.8-19.)

Findings: Less Than Significant. No mitigation necessary.

Facts in Support of Findings: Impacts related to locating buildings within the plan area on a hazardous materials site per Government Code Section 65962.5 are limited to operational impacts. No respective construction impacts would occur. Based on the findings of the project-specific Phase I ESA (Appendix F), the project is not located on any hazardous materials sites compiled pursuant to Government Code Section 65962.5 and impacts would be less than significant. (EIR, 3.8-19.)

Potential Effect

Impact HAZ-5: The project would not be 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, and result in a safety hazard or excessive noise for people residing or working in the project area. (EIR, 3.8-20.)

Findings: No Impact. No mitigation necessary.

Facts in Support of Findings: The project would not be located within an airport land use plan or within 2 miles of a public airport. The closest public airport, Buchanan Field, is located approximately 3.5 miles to the north of the project site. Therefore, no impact related to exposure of people to safety hazards or excessive noise in proximity to an airport would occur. (EIR, 3.8-20.)

Potential Effect

Impact HAZ 6: The project would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan. (EIR 3.8-20–21.)

Findings: Less Than Significant. No mitigation necessary.

Facts in Support of Findings: During construction, should there be an emergency, construction equipment and vehicles would comply with the Contra Costa County Emergency Plan, ensuring efficient response to emergency incidents associated with emergencies affecting Contra Costa County. Therefore, construction impacts related to emergency response and evacuation would be less than significant. (EIR, 3.8-20–21.)

The project site would be designed in accordance with the County’s standards to accommodate emergency vehicle access by providing two points of access that would be available to emergency vehicles. Access to the residential project would be provided from a roadway connection to Del Hombre Lane. An additional secondary fire-only access connection would be provided from Roble Road, providing two points of emergency access to the project site from the surrounding street network. Del Hombre Lane would be widened to a minimum of 20 feet and would be able to accommodate a 34-foot aerial fire apparatus. (EIR, 3.15-61.) In addition, a 25-foot turning radius would be provided at the intersection of Del Hombre Lane and Las Juntas Way. Roble Road would be widened to a minimum of 20 feet, would provide space for a 26-foot aerial fire apparatus and a 150-foot fire access lane would be provided along the eastern boundary of the project site with a 25-foot turning radius off of Roble Road. These fire access points would be provided within 150 feet of travel distance to all portions of all exterior walls of the proposed building as shown in Exhibit 3.15-12. Therefore, fire access provided by the project would comply with the 2016 Fire Code regarding width, height, and turning radius of access points. The project does not include internal roadways, so no discussion of emergency access as it relates to internal roadways is required. (EIR, 3.15-61.)

Moreover, the Contra Costa County Operational Area EOP outlines general procedures in response to emergency crises, such as evacuations. Included in this Plan is information regarding evacuations and shelter-in-place orders as well as who has the authority to issue these orders. The main arterial roads into and out of the project vicinity would be Treat Boulevard in the east-west direction and Ygnacio Valley Road and Interstate 680 (I-680) in the north-south direction. These roads would act as the main evacuation routes into and out of the project vicinity. With adherence to the procedures of the Contra Costa County Operational Area EOP, the project would not conflict with the Contra Costa County Operational Area EOP or General Plan safety policies. (EIR, 3.8-20–21.)

Additionally, as indicated in EIR Section 3.13, Public Services, the project would be adequately served by police and fire services. Nor would the project would create a permanent increase in population unaccounted for in the Contra Costa County General Plan that could lead to overwhelming call for services. Therefore, construction and operational impacts related to emergency response and evacuation would be less than significant. (EIR, 3.8-21.)

Potential Effect

Impact HAZ-7: The project would not expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires. (EIR 3.8-21.)

Findings: Less Than Significant. No mitigation necessary.

Facts in Support of Findings: Although the project site currently contains trees, some of which are proposed for removal, the project site is located in an urbanized area and is not surrounded by

woodlands or vegetation that could provide fuel load for wildfire. The removal of certain trees will also reduce the fuel load in the area. (EIR, 3.8-21–22.)

According to CAL FIRE, the project site is not located in a Severe or Very High Hazard Severity Zone. According to the BAAQMD, the average wind speed as measured at the closest air quality monitoring station varies month to month and ranges from 2 to 5 miles per hour. Given that the project site is not located on or near steep terrain surrounded by natural vegetation or consistently experiences high winds, the project site would not be prone to wildfires. (EIR, 3.8-21.)

Furthermore, as indicated in Section 3.13, Public Services, the project would be adequately served in terms of fire protection services by the CCCFPD. Project structures would be required to comply with existing regulations, including the California Fire Code with regard to emergency access and types of building materials. Therefore, impacts related to wildland fire risk would be less than significant. (EIR, 3.8-21–22.)

Potential Effect

Cumulative Impact: Project would not result in any potentially cumulative impacts related to hazards and hazardous materials. (EIR, 3.8-22–23.)

Findings: Less Than Significant. No mitigation necessary.

Facts in Support of Findings: The cumulative projects would result in predominantly infill development in the City of Walnut Creek, City of Pleasant Hill, and Contra Costa County and would not significantly increase need for emergency services, including related to wildfires. Cumulative construction in unincorporated Contra Costa County would be required to demonstrate consistency with the Contra Costa County applicable codes, ordinances, and policies related to hazards and emergency response. Cumulative construction in the City of Walnut Creek would be required to demonstrate consistency with the City of Walnut Creek applicable codes, ordinances, and policies related to hazards and emergency response. Cumulative construction in the City of Pleasant Hill would be required to demonstrate consistency with the City of Pleasant Hill applicable codes, ordinances, and policies related to hazards and emergency response. Furthermore, all construction would adhere to the California Building Codes. All development would comply with emergency access requirements as a project condition. Furthermore, the development in Contra Costa County would not result in permanent road closures, not impede an established emergency access route, or interfere with emergency response requirements. As such, there would be a less than significant cumulative impact associated with hazards and emergency response. (EIR, 3.8-22–23.)

1.5.8 - Hydrology and Water Quality

Potential Effect

Impact HYD-1: The project would not violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality. (EIR, 3.9-12.)

Findings: Less Than Significant. No mitigation necessary.

Facts in Support of Findings: The project would be required to comply with the terms of NPDES permits and the Contra Costa County Ordinance Code Chapter 1014-4, which requires the preparation and implementation of a SWPPP. The SWPPP includes BMPs to ensure reduction of pollutants from construction activities potentially entering surface waters. Implementation of the SWPPP would also prevent pollutants from entering the Ygnacio groundwater basin by preventing pollutants from moving off-site. (EIR, 3.9-12.) Additionally, compliance with Contra Costa County Ordinance Code Division 1014 would minimize the potential to degrade water quality in downstream water bodies to the maximum extent possible. (EIR, 3.9-13.) Construction-related project impacts related to surface and groundwater and respective water quality would be less than significant.

Project operation would comply with the County's NPDES program and the CCCWP, and all County Ordinance Codes related to stormwater pollution, which would minimize the potential to degrade water quality in downstream water bodies to the maximum extent possible. Furthermore, the project site's existing soils are poorly drained and seepage of pollutants into the groundwater basin would be unlikely. Therefore, operation-related project impacts related to surface and groundwater and respective water quality would be less than significant. (EIR, 3.9-13.)

Potential Effect

Impact HYD-2: The project would not substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin. (EIR, 3.9-13.)

Findings: Less Than Significant. No mitigation necessary.

Facts in Support of Findings: The project would not significantly impact groundwater recharge rate due to the existing soils and groundwater depth. The project site contains groundwater depths of 15 to 20 feet and the project site's clay and silty fine soils are poorly drained, and therefore would not be expected to impact groundwater supplies or recharge. The CCWD would be able to provide adequate water services to the project site and the rest of its service area during normal, dry, and multiple dry years under its Water Conservation Plan, and no groundwater would be used. Thus, the project would not interfere substantially with groundwater supply, recharge, or groundwater management and impacts would be less than significant. (EIR, 3.9-13–14.)

Potential Effect

Impact HYD-4: The project would not be located in a flood hazard zone, tsunami, or seiche zone, or risk release of pollutants due to project inundation. (EIR, 3.9-18.)

Findings: Less Than Significant. No mitigation necessary.

Facts in Support of Findings: The project site is not located within a designated FEMA flood hazard zone or 100-year flood zone. The project site is not located within a recognized flood hazard area. The project site is not located near the ocean, and as such would not be susceptible to inundation from a tsunami. The project site is not located near a large, enclosed body of water and as such would not be susceptible to inundation from a seiche. As a result, the project site would not be a risk for inundation from flooding, tsunami, or seiche and impacts are less than significant. (EIR, 3.9-18.)

Potential Effect

Impact HYD-5: The project would not conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan. (EIR, 3.9-18.)

Findings: Less Than Significant. No mitigation necessary.

Facts in Support of Findings: The project would be required to comply with the terms of the Construction General Permit, which require the preparation and implementation of a SWPPP that includes BMPs to ensure reduction of pollutants from construction activities potentially entering surface waters. Therefore, construction impacts related to water quality control plan or groundwater management plan consistency would be less than significant. (EIR, 3.9-18.) The project site has little potential for groundwater recharge due to poorly drained soils and shallow groundwater levels. In addition, CCWD would provide potable water to the project site and does not use groundwater as a water source. As a result, the project would not conflict with or obstruct a sustainable groundwater management plan and impacts would be less than significant. (EIR, 3.9-18–19.)

Potential Effect

Cumulative Impact: The project would not result in a significant impact to hydrology and water quality. (EIR, 3.9-19–20.)

Findings: Less Than Significant. No mitigation necessary.

Facts in Support of Findings: As discussed in detail in Section 3.9.5 of the EIR, the project in combination with all cumulative projects, would be required to comply with existing regulations and best management practices in the relevant jurisdictions. The combination of these policies and implementation of relevant BMPs would prevent significant cumulative impacts to hydrology and water quality. Thus, there would be a less than significant cumulative impact related to hydrology, water quality or inundation. (EIR, 3.9-19–20.)

1.5.9 - Land Use and Planning

Potential Effect

Impact LAND-1: The project would not physically divide an established community. (EIR 3.10-14.)

Findings: No Impact. No mitigation necessary.

Facts in Support of Findings: The project does not propose the type of large linear construction that would impact mobility within an existing community and the surrounding area or divide a community. The Contra Costa County General Plan envisioned redevelopment of the project site with residential uses, by applying the MV designation. By developing the project, the County would increase connectivity and pedestrian access by providing pedestrian improvements along Del Hombre Lane (along the project frontage) and Roble Road. As a result, there would be no impact related to physical division of an established community. (EIR, 3.10-14–15.)

Potential Effect

Impact LAND-2: The project would not cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect. (EIR, 3.10-15.)

Findings: Less Than Significant. No mitigation necessary.

Facts in Support of Findings: As shown in EIR Table 3.10-3, and throughout Section 3.10 of the EIR, the implementation of the project would not conflict with applicable land use plans, policies, or regulations that were adopted for the purpose of avoiding or mitigating an environmental effect. (EIR, 3.10-16–25.)

The project includes an amendment to the Contra Costa County General Plan to re-designate the project site from MV to Multiple-Family Residential-Very Special High (MS) that would allow between 45.0 and 99.9 multiple-family units per acre. The project includes development standards and design guidelines consistent with the MS designation. The MS designation allows for the same land uses as permitted under the existing MV designation. (EIR, 3.10-16.) In addition, the project would be consistent with the suburban, transit-oriented residential character of the surrounding area. The project would provide 36 affordable units; representing 15 percent of the 237 units allowed by the proposed MS land use district and 12 of those (5 percent) would be affordable to very low income households. Therefore, the project would be eligible for the State density bonus of 20 percent, and the total allowable unit count would increase from 237 units to 284 units. The project would be consistent with Contra Costa County General Plan goals and policies relative to providing residences in unincorporated area of the County. (EIR, 3.10-16.) The project would rezone the entire site to P-1. The P-1 zoning would allow flexibility with respect to use, building types, lot size, and open space while ensuring the project complies with the Contra Costa County General Plan and requirements as set forth in the Contra Costa County Ordinance Code. It allows necessary public health and safety standards to be observed without inhibiting largescale development. (EIR, 3.10-25.) With respect to parking, the project would be required to provide 369 spaces. The project would provide 380 spaces and thus would satisfy the number of spaces required. (EIR, 3.10-26.) Consistent with Contra Costa Zoning Code Sections 82-16.412, the project would be required to and would provide 56 long-term and 19 short-term spaces, for a total of 75 bicycle parking spaces. (EIR, 3.10-27.) Overall, the project would not conflict with applicable land use plans, policies, or regulations of the Contra Costa County General Plan or the Contra Costa County Ordinance Code that were adopted for the purpose of avoiding or mitigating an environmental effect. Therefore, impacts would be less than significant.

Potential Effect

Cumulative Impact: Implementation of the project will not result in any significant cumulative impacts related to land use and planning. (EIR, 3.10-27.)

Findings: Less Than Significant. No mitigation necessary.

Facts in Support of Findings: Development in unincorporated Contra Costa County would be required to demonstrate consistency with the Contra Costa County General Plan and applicable codes,

ordinances, and policies. Development in the City of Walnut Creek would be required to demonstrate consistency with the City of Walnut Creek General Plan and applicable codes, ordinances, and policies. Development in the City of Pleasant Hill would be required to demonstrate consistency with the City of Pleasant Hill General Plan and applicable codes, ordinances, and policies. This would ensure that cumulative projects comply with applicable planning regulations and that there would be a less than significant cumulative impact related to land use and planning. (EIR, 3.10-27.)

1.5.10 - Noise

Potential Effect

Impact NOI-3: The project would not result in generation of excessive groundborne vibration or groundborne noise levels. (EIR, 3.11-29.)

Findings: Less Than Significant. No mitigation necessary.

Facts in Support of Findings: During construction of the project, the nearest off-site receptor to where the heaviest construction equipment would operate, are the multi-family residential homes, approximately 40 feet southeast of the nearest construction footprint for the project. However, as measured at the nearest receptor vibration levels would be well below the FTA's damage threshold criteria. Therefore, construction-related groundborne vibration impacts to off-site receptors would be less than significant. (EIR, 3.11-30.) Implementation of the project would not include any permanent sources of vibration that would expose persons in the project vicinity to groundborne vibration levels that could be perceptible without instruments at any existing sensitive land use in the vicinity of the project site. Therefore, operational groundborne vibration impacts would be less than significant. (EIR, 3.11-30.)

Potential Effect

Impact NOI-4: The project would not expose people residing or working in the project area to excessive noise levels for a project located within the vicinity of a private airstrip or 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. (EIR, 3.11-30–31.)

Findings: No Impact. No mitigation necessary.

Facts in Support of Findings: The project site is not located within the vicinity of a private airstrip. Additionally, there is not a private airstrip located within a 5-mile radius of the project. The project site is also not located within a 55 dBA CNEL airport noise contours of any public or public use airport. Therefore, no impact related to exposure of persons residing or working at the project site to excessive noise levels associated with airport activity would occur. (EIR, 3.11-31.)

1.5.11 - Population and Housing

Potential Effect

Impact POP-1: The project would not 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). (EIR, 3.12-8.)

Findings: Less Than Significant. No mitigation necessary.

Facts in Support of Findings: The project is expected to add 818 persons to the population of Contra Costa County which would represent an increase of less than 1 percent relative to the 2018 estimate. Once operational, the project is expected to employ five workers on-site daily for the maintenance and operation of the proposed apartment community. These employees would be expected to be drawn from the local labor force. Thus, implementation of the project would not induce substantial direct or indirect population growth within unincorporated Contra Costa County. (EIR, 3.12-8–9.)

Potential Effect

Impact POP-2: The project would not displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere. (EIR, 3.12-9.)

Findings: Less Than Significant. No mitigation necessary.

Facts in Support of Findings: The project site currently contains two existing dwelling units and a third ancillary building that would be removed. The demolition of two existing residences could displace up to six persons. However, because the project will provide 284 new residential units, the project would not necessitate the construction of replacement housing elsewhere or not already anticipated in the Contra Costa County General Plan. Furthermore, the project would construct affordable units as part of the project, which would contribute toward Contra Costa County's regional housing need allocation. This would represent a less-than-significant impact related to population and housing displacement. (EIR, 3.12-9.)

Potential Effect

Cumulative Impact: Implementation of the project would not result in any significant cumulative impacts to population and housing. (EIR, 3.12-9–10.)

Findings: Less Than Significant. No mitigation necessary.

Facts in Support of Findings: As discussed in Section 3.12.5 the project does not have significant growth inducing impacts, will not result in an increase in employment, and is consistent with the anticipated growth. The project, combined with cumulative projects, is anticipated to have a cumulative increase of 2,843 persons. This would represent a cumulative population increase of 1.6 percent relative to the 2018 estimate. This cumulative population is consistent with the Bay Area region population growth projections of ABAG, which projected a growth in housing construction that would provide a total of approximately 3,607,000 housing units by 2040. Similarly, the cumulative projects' estimated increase in jobs would total 180 and would represent an increase of

less than 1 percent relative to the 2018 estimate. These cumulative project employees would be expected to be drawn from the local labor force and would not be population inducing. As such, there would not be substantial indirect population growth associated with implementation of the identified cumulative projects and cumulative impacts related to population growth, both direct and indirect, would be considered less than significant. Finally, the project will provide increased housing opportunities in the County and therefore, cumulative impacts associated with population and housing displacement would be less than significant. (EIR, 3.12-10.)

1.5.12 - Public Services

Potential Effect

Impact PUB-1: The project would not 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 fire protection. (EIR, 3.13-10.)

Findings: Less Than Significant. No mitigation necessary.

Facts in Support of Findings: As discussed in Section 3.13, the project would comply with the California Building Standards Code (CBC), which is adopted by the Contra Costa County Ordinance Code and with the California Fire Code. The nearest Fire Station is approximately 1.6 miles west of the project site. Using an average travel speed of 35 miles per hour, a fire engine would be able to reach operational areas at the project site in 2 minute and 45 seconds, which is under the 5-minute response standard set by the Contra Costa County General Plan. Fire access to the project would comply with the 2016 Fire Code regarding width, height, and turning radius of access points. The project does not include internal roadways, so no discussion of emergency access as it relates to internal roadways is required. (EIR, 3.15-61 and 3.15-62.) With an adequate fire engine response time to the project site, adherence existing regulations and codes, adequate project site access, and payment of impact fees to the CCCFPD, operation of project would not create a need to construct new or expand existing fire protection or emergency medical services facilities. Therefore, impacts related to need for new or altered fire protection facilities would be less than significant. (EIR, 3.13-10.)

Potential Effect

Impact PUB-2: The project would not 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 police protection. (EIR, 3.13-11.)

Findings: Less Than Significant. No mitigation necessary.

Facts in Support of Findings: As discussed in EIR Section 3.13, it is not expected that the project would adversely affect service ratios or response times or increase the use of existing police protection facilities such that substantial physical deterioration, alteration, or expansion of these

facilities would be required, thereby triggering environmental impacts. Further, the project applicant would be required to pay applicable fees to the Office of the Sheriff to help serve additional demands for police services. With adequate project site access and payment of impact fees to the Office of the Sheriff, operation of the project would not create a need to construct new or expand existing police protection facilities. Therefore, impacts related to need for new or altered police protection facilities impacts would be less than significant. (EIR, 3.13-11–12.)

Potential Effect

Impact PUB-3: The project would not 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 or other performance objectives for schools. (EIR, 3.13-13.)

Findings: Less Than Significant. No mitigation necessary.

Facts in Support of Findings: The project applicant would pay development impact fees to the WCSD and AUHSD, which would address any increased demand. Pursuant to Government Code Section 65995, payment of adopted development fees is considered “full and complete mitigation” for impacts to school facilities, and local governments are prohibited from assessing additional fees or exactions for school impacts. Therefore, impacts related to need for new or altered school facilities impacts would be less than significant. (EIR, 3.13-13.)

Potential Effect

Impact PUB-4: The project would not 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 or other performance objectives for other public facilities. (EIR, 3.13-14.)

Findings: Less Than Significant. No mitigation necessary.

Facts in Support of Findings: The project site is located within 0.88 of the nearest library and two more libraries are located 1.95 miles from the project site (Walnut Creek Library) and 2.23 miles from the project site (Ygnacio Valley Library). (EIR, 3.13-14.) With adequate relevant library system capacity, operation of project would not create a need to construct new or expand existing library facilities. Therefore, impacts related to need for new or altered public library facilities would be less than significant. (EIR, 3.13-14.)

Potential Effect

Cumulative Impact: Implementation of the project would not result in significant cumulative impacts to public services. (EIR, 3.13-14–15.)

Findings: Less Than Significant. No mitigation necessary.

Facts in Support of Findings: As discussed in EIR Section 3.13-5, all projects would be required to comply with existing relevant regulations and pay any applicable development or impact fees. Accordingly, the implementation of the project, in conjunction with other projects, would result in a less than significant cumulative impact related to public facilities. (EIR, 3.13-14–15.)

1.5.13 - Recreation

Potential Effect

Impact REC-1: The project would not 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. (EIR, 3.14-11.)

Findings: Less Than Significant. No mitigation necessary.

Facts in Support of Findings: The project would be expected to result in a permanent population of 818 persons, conservatively assuming these were all new residents to the County, this would result in the need for 3.272 acres of parkland to assist in the County's parkland goal. Although, the project would provide a courtyard area, including outdoor seating, a bocce ball court, private patios connected to the apartment units, a fireplace, fire pits and a pool, these facilities would be private and not available to the surrounding community. Thus, the project's recreational facilities would not contribute parkland toward the General Plan parkland standard of 0.004-acre per person. (EIR, 3.14-11.) Accordingly, the project is subject to the County's Park Impact Fee. The Park Impact Fees would be collected to fund the acquisition and development of parks in Contra Costa County to serve unincorporated County residents, in lieu of providing the required acreage on the project site.⁹ Therefore, impacts related to potential increased use and physical deterioration of existing parks and recreational facilities would be less than significant. (EIR, 3.14-12.)

Potential Effect

Cumulative Impact: Implementation of the project would not result in any significant cumulative impacts to recreation. (EIR, 3.14-13.)

Findings: Less Than Significant. No mitigation necessary.

Facts in Support of Findings: Cumulative projects will offset potential impacts by demonstrating compliance with applicable design guidelines. Furthermore, projects are subject to park impact fees. With payment of park impact fees by the cumulative projects, there would be a less than significant cumulative impact related to potential increased use and physical deterioration of existing parks and recreational facilities. (EIR, 3.14-13.)

1.5.14 - Transportation

Potential Effect

Impact TRANS-2: The project would not cause additional VMT, substantially induce additional automobile travel by increasing physical roadway capacity, or conflict with a plan, ordinance, or policy addressing the safety or performance of the circulation system.

Findings: Less Than Significant. No mitigation necessary.

Facts in Support of Findings: The project is expected to generate 11.4 VMT per capita per day, which is more than 15 percent below both the regional (15.3 VMT) and local (18.0 VMT) average. Absent adopted local thresholds, the recommended OPR threshold for residential uses was applied; new developments that have an estimated VMT of 15 percent below existing regional and city VMT per capita (household or home-based) would be considered less than significant. Therefore, based on the OPR Criteria, the project is consistent with the intent of SB 743 to promote development that reduces vehicle travel and the VMT impact is less than significant.

Potential Effect

Impacts TRANS-3: The project would not substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment). (EIR, 3.15-58–61.)

Findings: Less Than Significant. No mitigation necessary.

Facts in Support of Findings: Construction trucks would travel along the designated truck routes, and, therefore, would not represent a conflict with the automobile vehicle, bicycle, and pedestrian design and activity along roadways on and near the plan area. Therefore, construction impacts related to roadway design safety hazards would be less than significant. (3.15-58.) At operation, the new driveway on Del Hombre Lane and proposed roadway improvements discussed at length in EIR Section 3.15, Transportation, would increase roadway safety by ensuring efficient traffic flow and improving roadway surfaces. (EIR, 3.15-58.) Loading and unloading would also be managed to ensure land use compatibility. (EIR, 3.15-58–61.)

Potential Effect

Impact TRANS-4: The project would not result in inadequate emergency access. (EIR, 3.15-61)

Findings: Less Than Significant. No mitigation necessary.

Facts in Support of Findings: Access would be provided from a roadway connection to Del Hombre Lane. An additional secondary fire-only access connection would be provided from Roble Road, for two points of emergency access to the project site from the surrounding street network. Additionally, Del Hombre Lane would be widened to a minimum of 20 feet and would be able to accommodate a 34-foot aerial fire apparatus, and a 25-foot turning radius would be provided at the intersection of Del Hombre Lane and Las Juntas Way. (EIR, 3.15-61) Roble Road would be widened to

a minimum of 20 feet, would provide space for a 26-foot aerial fire apparatus and a 150-foot fire access lane would be provided along the eastern boundary of the project site with a 25-foot turning radius off of Roble Road. These fire access points would be provided within 150 feet of travel distance to all portions of all exterior walls of the proposed building as shown in Exhibit 3.15-12. Therefore, fire access provided by the project would comply with the 2016 Fire Code regarding width, height, and turning radius of access points. The project does not include internal roadways, so no discussion of emergency access as it relates to internal roadways is required. Therefore, impacts related to adequate emergency access would be less than significant. (EIR, 3.15-62.)

1.5.15 - Tribal Cultural Resources

Potential Effect

Impact TRIB-1: The project would not cause a substantial adverse change in the significance of a Tribal Cultural Resource that is listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k). (EIR, 3.16-12.)

Findings: No Impact. No mitigation necessary.

Facts in Support of Findings: No listed or potentially eligible tribal cultural resources have been identified within the project site. As such, there are no known eligible or potentially eligible tribal cultural resources that could be adversely affected by the project. Therefore, no construction or operational impact related to previously listed tribal cultural resources would occur. (EIR, 3.16-12.)

Potential Effect

Impact TRIB-2: The project would not cause a substantial adverse change in the significance of a tribal cultural resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. (EIR, 3.16-12.)

Findings: No Impact. No mitigation necessary.

Facts in Support of Findings: No tribal cultural resources known to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1 have been identified within the project site. As such, no construction or operational impact related to previously listed tribal cultural resources would occur. (EIR, 3.16-12–13.)

Potential Effect

Cumulative Impact: The project would not cause a significant cumulative adverse impact to tribal cultural resources. (EIR, 3.16-13.)

Findings: No Impact. No mitigation necessary.

Facts in Support of Findings: Given that the project would have no impact on previously recorded or considered known tribal cultural resources, the project could not combine with other cumulative

projects to have a cumulative impact related to tribal cultural resources. Therefore, there would be no cumulative tribal cultural resources impact. (EIR, 3.16-13.)

1.5.16 - Utilities and Service Systems

Potential Effect

Impact UTIL-2: The project would have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years. (EIR, 3.17-16–17.)

Findings: Less Than Significant. No mitigation necessary.

Facts in Support of Findings: Water supply would be provided to the project site by CCWD. The project would generate an estimated water demand of 151,330 gallons per day and 55.23 million gallons per year. On an annual basis, this equates to 168.96 acre-feet. The CCWD 2015 UWMP indicates that the total planned water supply in 2020 is anticipated to be 228,000 acre-feet, representing less than one percent of the project water supply totals forecasted for year 2020. Additionally, the CCWD 2015 UWMP determined that CCWD would have adequate water supplies to serve all customers in its service area during normal, dry, and multiple dry years through 2040. Accordingly, adequate water supplies would be available to serve the project from existing and planned supplies. Therefore, impacts related to sufficient water supply availability would be less than significant. (EIR, 3.17-17.)

Potential Effect

Impact UTIL-3: The project would not result in a determination by the wastewater treatment provider, which serves or may serve the project, that it does not have adequate capacity to serve the project's projected demand in addition to the provider's existing commitments. (EIR, 3.17-17.)

Findings: Less Than Significant. No mitigation necessary

Facts in Support of Findings: On an annual basis, the project is expected to have to 13.73 million gallons of wastewater. The wastewater would be treated at the CCCSD Treatment Plant, which has a treatment capacity of approximately 54 mgd and approximately 270 mgd of wet-weather flow by the year 2035. The project's estimated wastewater generation would be less than one percent of the total capacity of the CCCSD Treatment Plant. Thus, the project would not result in a need for new or expanded wastewater treatment facilities. Therefore, impacts related to wastewater treatment capacity would be less than significant. (EIR, 3.17-17.)

Potential Effect

Impact UTIL-4: The project would not generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals. (EIR, 3.17-18.)

Findings: Less Than Significant. No mitigation necessary.

Facts in Support of Findings: The Keller Canyon Landfills would serve as the solid waste disposal site for the project. Construction waste generated by the project would account for less than one percent of the total permitted capacity of this landfill and it contains sufficient capacity to serve the project until their estimated closure dates. Operational waste represents less than 1 percent of the total capacity of Keller Canyon Landfills, which contains sufficient capacity to serve the project. Therefore, operational and construction impacts related to landfill capacity would be less than significant. (EIR, 3.17-19.)

Potential Effect

Impact UTIL-5: The project would comply with federal, State, and local management and reduction statutes and regulations related to solid waste. (EIR, 3.17-19.)

Findings: Less Than Significant. No mitigation necessary.

Facts in Support of Findings: The project will comply with existing County Municipal Code and the Integrated Waste Management Act, and applicable solid waste regulations and statutes. Therefore, impacts related to solid waste regulations consistency are less than significant. (EIR, 3.17-19.)

Potential Effect

Cumulative Impact: Implementation of the project would not have a significant cumulative impact on utilities and service systems. (EIR, 3.17-19–21.)

Findings: Less Than Significant. No mitigation necessary.

Facts in Support of Findings: As discussed in EIR Section 3.17.5, Cumulative Impacts, the utilities and service systems that will service the project have sufficient capacity to serve development anticipated in the County, as well as existing, planned, and probable future land uses. (EIR 3.17-19–21.) Additionally, all projects are required to comply with applicable regulations. Therefore, cumulative impacts would be less than significant.

1.5.17 - Wildfire

Potential Effect

Impact WILD-1: The project would not substantially impair an adopted emergency response plan or emergency evacuation plan. (EIR, 3.18-10.)

Findings: Less Than Significant. No mitigation necessary.

Facts in Support of Findings: The project would be in compliance with the Contra Costa County Emergency Plan, ensuring efficient response to emergency incidents associated with emergencies affecting Contra Costa County. Furthermore, the project would not result in road closures to either Treat Boulevard or Interstate 680 (I-680), so there would not be any blockages that would impair an evacuation plan. Therefore, construction impacts related to emergency response/evacuation plan consistency would be less than significant. (EIR, 3.18-10.)

The project would be adequately served by police and fire services, including respective evacuation or emergency vehicle access. The project would not create an unaccounted for permanent increase in population that could lead to overwhelming call for emergency services. In addition, the project would be designed in accordance with the County's standards to accommodate emergency vehicle access. Furthermore, no blockage of an evacuation route would occur during project operation because the project would not result in road closures. With adherence to Contra Costa County General Plan Policies and requirements related to development fees, and standard project requirements set forth in the EIR, operational impacts related to emergency response/evacuation plan consistency would be less than significant. (EIR, 3.18-10.)

Potential Effect

Impact WILD-2: Due to slope, prevailing winds, and other factors, the project would not exacerbate wildfire risks and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire. (EIR, 3.18-11.)

Findings: Less Than Significant. No mitigation necessary

Facts in Support of Findings: The project site is not located in or near an area of steep terrain or historical wildfire burn nor experiences consistent high winds; therefore, the project site would not be prone to greater wildfire risk due to construction or operation of the project. According to CAL FIRE, the project site is not located in a Severe or Very High Fire Hazard Severity Zone. In addition, as indicated in Section 3.13, Public Services, Impact PUB-1 and PUB-2, the project would be adequately served in terms of fire protection services by CCCFPD. The CCCFPD Fire Prevention Captain determined that the project would not be exposed to wildfire risks. Furthermore, project structures would be required to comply with the California Fire Code with regard to emergency/fire access and use of building materials that would limit the spread of wildfire to the greatest extent possible. Therefore, impacts related to exposure of project occupants to pollutant concentrations from a wildfire or uncontrolled spread of wildfire would be less than significant during construction and operation. (EIR, 3.18-11.)

Potential Effect

Impact WILD-3: The project would not require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment. (EIR, p. 3.18-12.)

Findings: Less Than Significant. No mitigation necessary.

Facts in Support of Findings: Impacts related to installation or maintenance of infrastructure that may exacerbate fire risk are limited to operational impacts; therefore, no respective construction impacts would occur. (EIR, 3.18-12.) The project would include adequate emergency access via existing roads at two access points. The project would not require the installation of firebreaks, because it is in an urban area surrounded by existing development with little natural vegetation. Potable water is currently provided by the Contra Costa Water District, which has adequate water

supplies available to serve the project and future development during normal, dry, and multiple dry years. New electrical power and natural gas lines on and connecting to the project site would be installed below ground, minimizing potential ignition and related fire risk above ground, at the project site according to the California Building Code, Uniform Fire Code, and Contra Costa County General Plan IM 7-au. Therefore, impacts related to infrastructure that exacerbates fire risk would be less than significant. (EIR, 3.18-12.)

Potential Effect

Impact WILD-4: The project would not expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes. (EIR, 3.18-12.)

Findings: Less Than Significant. No mitigation necessary.

Facts in Support of Findings: Impacts related to post-fire slope instability are limited to operational impacts. (EIR, 3.18-12.) The project site is not located on or near steep slopes susceptible to landslides or downstream flooding. The project site has also not been affected by previous wildfires that could have resulted in drainage changes or loss of vegetation. In addition, correspondence with CCCFPD confirmed that the project would not expose people or structures to significant risks. (EIR, 3.18-12.) Therefore, impacts would be less than significant. (EIR, 3.18-13.)

Potential Effect

Cumulative Impact: Implementation of the project would not have a significant cumulative impact with respect to wildfire. (EIR, 3.18-13.)

Findings: Less Than Significant. No mitigation necessary.

Facts in Support of Findings: A combination of federal, State, and local regulations limit or minimize the potential for exposure to wildfires by reducing the amount of development in wildland urban interface areas, ensuring new development is developed according to California Building Code and Uniform Fire Code, and incorporating requirements for fire-safe construction into the land use planning. The cumulative projects, listed in Table 3-1, consist predominantly of residential, commercial, and institutional development and would not be located in designated and High or Very High Fire Hazard Zones. The cumulative projects would be located in areas that are already developed, and do not contain significant levels of dry fuel susceptible to ignition, or significantly high average wind speed. The cumulative projects would result in predominantly in-fill development and would not significantly increase emergency services beyond the existing service area. Furthermore, all cumulative project construction would adhere to City and County Building Codes that are designed to minimize the potential for uncontrolled fires. (EIR, 3.18-13.) Adherence to City and County Building Codes would ensure that California Fire Code standards such as automatic sprinkler systems and management of fuel loads in response to annual inspection by the Fire Department are included in development. All development would comply with emergency access requirements. Furthermore, the cumulative projects would not result in permanent road closures, nor impede an established emergency or evacuation access route, such as I-680, or interfere with emergency response requirements, such as fire protection response time standards established by

respective General Plans for the cumulative project sites. As such, there would be a less than significant cumulative impact associated with wildfire hazards and emergency/evacuation response. (EIR, 3.18-13.)

1.6 - Potential Environmental Effects Which Can Be Mitigated Below a Level of Significance

The County hereby finds that feasible mitigation measures have been identified in the EIR (see Exhibit A, MMRP) that will avoid or substantially lessen the following potentially significant environmental impacts to a less than significant level. (State CEQA Guidelines, section 15091(a)(1).) The potentially significant impacts, and the mitigation measures that will reduce them to a less than significant level, are as follows:

1.6.1 - Aesthetics

Potential Effect

Impact AES-4: The project would not create a new source of substantial light or glare which would adversely affect day or nighttime views in the area. (EIR, 3.1-23.)

Findings: Less Than Significant with Mitigation. (EIR, 3.1-23–24.) Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effects as identified in the EIR. (State CEQA Guidelines, section 15091(a)(1).)

Mitigation Measures:

MM AES-4 *Exterior Lighting Proposed exterior lighting shall be directed downward and away from adjacent properties and public/private right-of-way to prevent glare or excessive light spillover.*

Facts in Support of Findings: The project includes typical sources of lighting associated with a residential development including lighting from the apartment building and from vehicles traveling to and from the project site. Exterior lighting would be located around and within the project site. Lampposts would be evenly dispersed within the project site, with safety lighting, as needed throughout the site. A 14-foot pole light would be used for the proposed development. The 14-foot pole lights would primarily be located within the bocce ball courtyard, which would be enclosed on all four sides, and the swimming pool courtyard, which would be enclosed by three sides of the building. These enclosures will reduce light spillage. Light spillage will be further limited from these locations by existing trees along the adjacent properties, the proposed screening bushes along Honey Trail, and the proposed London plane trees along Del Hombre Lane and Roble Road. Furthermore, this lighting would be consistent with that of adjoining residential areas. In addition, per MM AES-4, exterior lighting would be directed downward and away from adjacent properties and public/private right-of-way to prevent excessive light spillover. Therefore, with screening features incorporated into the design of the project and implementation of MM AES-4, lighting impacts would be less than significant. (EIR, 3.1-24–25.)

Residential glass typically has a low reflectivity rate and potential glare resulting from the proposed residences' windows would be minimal. It would also be partially obscured by landscaping, depending on the time of day and the location of the reflecting light source. Glare may also occur from on-site vehicles; however, such glare would be transient, depending upon the time of day and location of the vehicle. In addition, MM AES-4 requires exterior lighting be directed downward and away from adjacent properties and public/private right-of-way to prevent glare. As such, glare impacts would be less than significant with mitigation. (EIR, 3.1-24.)

The County finds that Mitigation Measure AES-4 is feasible, is adopted, and will reduce impacts associated with lighting and glare to a less-than-significant level. Accordingly, the County finds that, pursuant to Public Resources Code section 21081(a)(1) and State CEQA Guidelines section 15091(a)(1), changes or alterations have been required in, or incorporated into, the project that mitigate or avoid the potentially significant impacts as identified in the EIR. Therefore, impacts associated with light and glare would be less than significant with implementation of MM AES-4. (EIR, 3.1-24.)

1.6.2 - Air Quality

Potential Effect

Impact AIR-2: The project could result in a cumulatively considerable net increase of any criteria pollutant for which the region is in non-attainment under an applicable federal or State ambient air quality standard. (EIR, 3.2-37.)

Findings: Less Than Significant with Mitigation. (EIR, 3.2-37–41.) Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effects as identified in the EIR. (State CEQA Guidelines, section 15091(a)(1).)

Mitigation Measures:

MM AIR-2 *Implement BAAQMD Best Management Practices (BMP) During Construction*

During construction, the following BMPs, as recommended by the BAAQMD, shall be implemented:

- *Exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day, or more as needed.*
- *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 and surfaces shall be limited to 15 miles per hour.*
- *All roadways, driveways, and sidewalks shall be paved as soon as possible.*
- *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 Title 13, Section 2485 of California Code of Regulations. 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 mechanic and determined to be running in proper condition prior to operation.*
- *A publicly visible sign shall be posted with the telephone number and person to contact both at Contra Costa County and at the office of the General Contractor regarding dust complaints. This person shall respond and take corrective action within 2 business days of a complaint or issue notification. The BAAQMD's phone number shall also be visible to ensure compliance with applicable regulations.*

Facts in Support of Findings: During construction, fugitive dust (PM) would be generated from site grading and other earthmoving activities. The majority of this fugitive dust would remain localized and would be deposited near the project site. (EIR, 3.2-36.) Implementation of MM AIR-2 would bring impacts to below a level of significance. MM AIR-2 includes measures such as watering the site at least two times a day to prevent dust from forming. Additionally, all haul trucks transporting loose material off-site, must be covered to prevent material from leaving the confines of the truck and impacting air quality. These measures, and others identified in MM AIR-2, combine to control dust. Therefore, with implementation of MM AIR-2, cumulative construction impacts associated with violating an air quality standard or contributing substantially to an existing or projected air quality violation in terms of criteria air pollutant emissions specific to fugitive dust would be less than significant with mitigation. (EIR, 3.2-35-40.)

As shown in Table 3.2-13, combined construction emissions from all construction activities are below the recommended thresholds of significance in regards to ROG, NO_x, exhaust PM₁₀, and exhaust PM_{2.5}. Additionally, as shown in Table 3.2-14 and Table 3.2-15, the project would not result in operational-related air pollutants or precursors that would exceed BAAQMD's thresholds of significance, indicating that ongoing project operations would not be considered to have the potential to generate a significant quantity of air pollutants. Therefore, cumulative construction and operational impacts associated with violating an air quality standard or contributing substantially to an existing or projected air quality violation in terms of criteria air pollutant emissions specific to ROG, NO_x, PM₁₀, and PM_{2.5} would be less than significant. (EIR, 3.2-38–40.)

The County finds that Mitigation Measure AIR-2 is feasible, is adopted, and will reduce Impact AIR-2 to a less-than-significant level. Accordingly, the County finds that, pursuant to Public Resources Code section 21081(a)(1) and State CEQA Guidelines section 15091(a)(1), changes or alterations have been required in, or incorporated into, the project that mitigate or avoid the potentially significant impacts as identified in the EIR. Therefore, impacts associated with air quality would be less than significant with implementation of MM AIR-2. (EIR, 3.2-41.)

Potential Effect

Impact AIR-3: The project would expose sensitive receptors to substantial pollutant concentrations. (EIR, 3.2-41–47.)

Findings: Less Than Significant with Mitigation. (EIR, 3.2-41–49.) Changes or alterations have been required in, or incorporated into, the Project which avoid or substantially lessen the significant environmental effects as identified in the EIR. (State CEQA Guidelines, section 15091(a)(1).)

Mitigation Measure: *Implement MM AIR-2 and MM AIR-3.*

MM AIR-3 Use Construction Equipment That Meets Tier IV Interim Off-road Emission Standards

During construction activities, all off-road equipment with diesel engines greater than 50 horsepower shall meet either United States Environmental Protection Agency or California Air Resources Board Tier IV Interim off-road emission standards. The construction contractor shall maintain records concerning its efforts to comply with this requirement, including equipment lists. Off-road equipment descriptions and information may include but are not limited to equipment type, equipment manufacturer, equipment identification number, engine model year, engine certification (Tier rating), horsepower, and engine serial number.

Facts in Support of Findings: The project would not expose sensitive receptors to substantial pollutant concentrations with implementation of MM AIR-2 and MM AIR-3. As discussed in EIR Section 3.2, Naturally Occurring Asbestos, demolition of the existing structures will comply with BAAQMD Regulation 11, Rule 2, thereby minimizing the release of airborne asbestos emissions, demolition activity would not result in a significant impact to air quality. (EIR, 3.2-41–42.) Additionally, there are no areas likely containing naturally occurring asbestos in the immediate vicinity of the project area. Therefore, it can be reasonably concluded that the implementation of the project would not expose sensitive receptors to naturally occurring asbestos during construction and impacts would be less than significant. (EIR, 3.2-42.) Additionally, implementation of the emissions control measures recommended by the BAAQMD and required by MM AIR-2, will reduce impacts associated with fugitive dust emissions during construction to less than significant. (EIR, 3.2-42.)

As shown in Table 3.2-18, the cancer risks for adults and children, the chronic non-cancer hazard index, and the annual PM_{2.5} concentration at the Maximum Impacted Sensitive Receptor (MIR) would not exceed the BAAQMD's recommended thresholds of significance; however, the cancer risk for infants at the MIR would exceed the applicable threshold of significance. MM AIR-3 requires that the applicant provide documentation to the Contra Costa County that all offroad diesel-powered construction equipment greater than 50 horsepower meets EPA or ARB Tier IV Interim off-road emissions standards. Tier IV standards require that NO_x and PM emission rates (grams per brake horsepower-hour), the prime targets of the federal "Tier" regulations, be reduced by approximately 90 percent compared to Tier III emission standards. Table 3.2-19 summarizes that the project's estimated cancer risk, hazard index, and PM_{2.5} concentration impacts at the MIR from the project's construction emissions after incorporation of MM AIR-2 and MM AIR-3, is reduced to below a level of significance. (EIR, 3.2-47–48.)

During operation, all intersections of the project would meet the screening Criteria 2 and 3, the project's impact related to air quality for local CO emissions would be less than significant. (EIR, 3.2-48.)

The County finds that Mitigation Measures AIR-2 and AIR-3 are feasible, are adopted, and will reduce Impact AIR-3 to a less-than-significant level. Accordingly, the County finds that, pursuant to Public Resources Code section 21081(a)(1) and State CEQA Guidelines section 15091(a)(1), changes or alterations have been required in, or incorporated into, the project that mitigate or avoid the potentially significant impacts as identified in the EIR. Therefore, impacts would be less than significant with implementation of MM AIR-2 and MM AIR-3. (EIR, 3.2-43.)

Potential Effect

Cumulative Impact: Cumulative air quality impacts are potentially significant, but can be reduced to below a level of significance with mitigation. (EIR, 3.2-51–56.)

Findings: Less Than Significant with Mitigation. Changes or alterations have been required in, or incorporated into, the Project which avoid or substantially lessen the significant environmental effects as identified in the EIR. (State CEQA Guidelines, section 15091(a)(1).)

Mitigation Measure: *Implement Mitigation Measures AIR-2 and AIR-3, above.*

Facts in Support of Findings: Overall, AIR-1 determined that cumulative impacts would be less than significant and AIR-2 determined that the cumulative construction and operational criteria air pollutant emissions impacts would be less than significant with mitigation. (EIR, 3.2-52.) The cumulative health impacts at the MIR from existing toxic air contaminants (TAC) emission sources located within 1,000 feet combined with the project's construction-related emissions would not exceed the BAAQMD's recommended cumulative significance thresholds for cancer risk, chronic non-cancer HI, or PM_{2.5} concentration. The PM_{2.5} concentration estimate for project construction includes application of BMPs recommended by the BAAQMD, as required by MM AIR-2. Therefore, the cumulative construction TACs exposure impact would be less than significant. (Table 3.2-20, Table 3.2-21, EIR, 3.2-53.) Additionally, as discussed in Section 3.2.5, the cumulative health impacts at the project site from existing TAC emission sources located within 1,000 feet of the project site would not exceed the BAAQMD's cumulative health significance thresholds nor would any one existing source exceed the BAAQMD's project-level health significance thresholds. Therefore, the cumulative operational TACs impacts would be less than significant. Overall, the cumulative construction and operational TACs impacts would be less than significant with mitigation. (EIR, 3.2-55.)

The County finds that Mitigation Measures AIR-2 and AIR-3 are feasible, are adopted, and will reduce cumulative impacts to below a level of significance. Accordingly, the County finds that, pursuant to Public Resources Code section 21081(a)(1) and State CEQA Guidelines section 15091(a)(1), changes or alterations have been required in, or incorporated into, the project that mitigate or avoid the potentially significant cumulative impacts as identified in the EIR. Therefore, cumulative impacts associated with air quality would be less than significant with implementation of MM AIR-2 and MM AIR-3. (EIR, 3.2-51–56.)

1.6.3 - Biological Resources

Potential Effect

Impact BIO-1: The project could have a substantial adverse effect, either directly or through habitat modifications, on 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 Wildlife or U.S. Fish and Wildlife Service. (EIR, 3.3-21–23.)

Findings: Less Than Significant with Mitigation. (EIR, 3.3-21–23.) Changes or alterations have been required in, or incorporated into, the Project which avoid or substantially lessen the significant environmental effects as identified in the EIR. (State CEQA Guidelines, section 15091(a)(1).)

Mitigation Measures:

MM BIO-1a *Conduct Pre-construction Special-status Bat Surveys*

The following measures shall be implemented prior to demolition, construction activities, or tree removal:

- A qualified wildlife Biologist shall conduct surveys for special-status bats during the appropriate time of day to maximize detectability to determine if bat species are roosting near the work area no less than 7 days and no more than 14 days prior to tree removal, beginning ground disturbance and/or construction. Survey methodology may include visual surveys of bats (e.g., observation of bats during foraging period), inspection for suitable habitat, bat sign (e.g., guano), or use of ultrasonic detectors (Anabat, etc.). Visual surveys shall include trees within 0.25 mile of project construction activities. The type of survey will depend on the condition of the potential roosting habitat. If no bat roosts are found, then no further study is required.*
- If evidence of bat use is observed, the number and species of bats using the roost will be determined. Bat detectors may be used to supplement survey efforts.*
- If roosts are determined to be present and must be removed, the bats shall be excluded from the roosting site before the facility is removed. A mitigation program addressing compensation, exclusion methods, and roost removal procedures shall be developed prior to implementation. Exclusion methods may include use of one-way doors at roost entrances (bats may leave but cannot reenter), or sealing roost entrances when the site can be confirmed to contain no bats. Exclusion efforts may be restricted during periods of sensitive activity (e.g., during hibernation or while females in maternity colonies are nursing young).*
- If roosts cannot be avoided or it is determined that construction activities may cause roost abandonment, such activities shall not commence until permanent, elevated bat houses have been installed outside of, but near the construction area. Placement and height shall be determined by a qualified wildlife Biologist, but the height of the bat house will be at least 15 feet. Bat houses will be multi-chambered and will be purchased or constructed in accordance with CDFW*

standards. The number of bat houses required will be dependent upon the size and number of colonies found, but at least one bat house will be installed for each pair of bats (if occurring individually), or of sufficient number to accommodate each colony of bats to be relocated.

MM BIO-1b *Avoid Active Migratory Bird Nests and Bat Roosts During Construction*

The following measures shall be implemented for construction work during the nesting season (February 15 through August 31):

- If construction or tree removal is proposed during the breeding/nesting season for migratory birds (typically February 15 through August 31), a qualified Biologist shall conduct pre-construction surveys for northern harrier, pallid bat, Townsend's big-ear bat, and other migratory birds within the construction area, including a survey buffer determined by a qualified Biologist based on professional experience, no more than 14 days prior to the start of ground disturbing activities in the construction area.*
- If an active nest is located during pre-construction surveys, USFWS and/or CDFW (as appropriate) shall be notified regarding the status of the nest. Furthermore, construction activities shall be restricted as necessary to avoid disturbance of the nest until it is abandoned or a qualified Biologist deems disturbance potential to be minimal. Restrictions may include establishment of exclusion zones (no ingress of personnel or equipment at a minimum radius of 300 feet around an active raptor nest and 50-foot radius around an active migratory bird nest) or alteration of the construction schedule.*
- A qualified Biologist shall delineate the buffer using nest buffer signs, ESA fencing, pin flags, and or flagging tape. The buffer zone shall be maintained around the active nest site(s) until the young have fledged and are foraging independently.*

Facts in Support of Findings: Suitable habitats requirements for special-status plant species include vernal pools, chaparral, serpentine soils, and coastal scrub, and these features are absent from the project site. Therefore, no impacts to special-status plants or plant communities are expected to result from project construction. (EIR, 3.3-21.) Two special-status wildlife species (pallid bat and Townsend's big-eared bat) as well as birds protected under the MBTA have potential to occur on the project site and, thus, have the potential to be impacted by project construction. Implementation of MM BIO-1a would reduce potential impacts to the pallid or Townsend's big-eared bats by requiring surveys prior to removal of trees, commencement of demolition or construction activities and, if bats are present, requiring any necessary buffer zones to be established by a qualified Biologist. MM BIO-1a further requires that if roosts cannot be avoided or it is determined that construction activities may cause roost abandonment, such activities cannot start until permanent, elevated bat houses are installed outside of, but near the construction area, as directed by a qualified biologist. Bat houses will be multichambered and will be purchased or constructed in accordance with CDFW standards. (EIR, 3.3-23.) Moreover, the project would not contribute to the permanent loss of roosting habitat, habitat fragmentation, or a loss of suitable foraging habitat. Therefore, impacts to bats would be less than significant with mitigation. (EIR, 3.3-22.)

The variety of trees on and surrounding the project site have the potential to serve as suitable nesting habitat of various species of birds and raptors protected under the MBTA. Implementation of MM BIO-1b would reduce potential impacts to migratory and nesting birds by requiring pre-construction surveys prior to removal of trees, demolitions or construction activities taking place during the nesting season, and if necessary, buffer zones established by a qualified biologist. Moreover, the project would not contribute to the permanent loss of roosting habitat or a loss of suitable foraging habitat. Therefore, impacts to migratory birds would be less than significant with mitigation. Impacts related to a project's potential effect on special-status species are limited to construction impacts. No operational impacts would occur. (EIR, 3.3-22–23.)

The County finds that Mitigation Measures BIO-1a and BIO-1b are feasible, are adopted, and will reduce impacts to biological resources to a less-than-significant level. Accordingly, the County finds that, pursuant to Public Resources Code section 21081(a)(1) and State CEQA Guidelines section 15091(a)(1), changes or alterations have been required in, or incorporated into, the project that mitigate or avoid the potentially significant impacts as identified in the EIR. Therefore, impacts associated with biological resources would be less than significant with implementation of MM BIO-1 and MM BIO-1b. (EIR, 3.3-21.)

Potential Effect

Impact BIO-5: The project could conflict with local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance. (EIR, 3.3-26–27.)

Findings: Less Than Significant with Mitigation. (EIR, 3.3-26–27.) Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effects as identified in the EIR. (State CEQA Guidelines, section 15091(a)(1).)

Mitigation Measure:

MM BIO-5a *Prepare and Implement a Tree Replacement Plan*

A Tree Replacement Plan shall be submitted to and approved by Contra Costa County Department of Conservation and Development prior to the removal of trees, and/or prior to issuance of a demolition or grading permit. The Tree Replacement Plan shall designate the approximate location, number, and sizes of trees to be planted. Trees shall be planted prior to requesting a final inspection of the building permit.

MM BIO-5b *Implement Tree Protection Guidelines During Construction*

Tree protection guidelines shall be implemented during construction through the clearing, grading, and construction phases as outlined in the arborist report prepared by HortScience dated May 9, 2019.

Facts in Support of Findings: As the construction of the project requires the removal of trees subject to the Contra Costa County Tree Protection and Preservation Ordinance, the applicant would be required to prepare and implement a tree replacement plan (per MM BIO-5a). In addition, remaining trees that are proposed for preservation on the project site would be preserved through the

implementation of the tree protection guidelines identified and outlined in the project-site-specific Tree Inventory Report (per MM BIO-5b). As a part of approval for on-site development, the applicant would be required to demonstrate and implement consistency with the County's tree ordinance, including tree removal permits and protection of preserved trees. Therefore, with implementation of MM BIO-5a and MM Bio-5b, impacts related to consistency with local policies or ordinances that protect biological resources would be less than significant. (EIR, 3.3-26–27.)

The County finds that Mitigation Measures BIO-5a and BIO-5b are feasible, are adopted, and will reduce Impact BIO-5 to a less-than-significant level. Accordingly, the County finds that, pursuant to Public Resources Code section 21081(a)(1) and State CEQA Guidelines section 15091(a)(1), changes or alterations have been required in, or incorporated into, the project that mitigate or avoid the potentially significant impacts as identified in the EIR. Therefore, impacts associated with biological resources would be less than significant with implementation of MM BIO-5a and MM BIO-5b. (EIR, 3.3-38–39.)

1.6.4 - Cultural Resources

Potential Effect

Impact CUL-1: The project could cause a substantial adverse change in the significance of a historical resource pursuant to Section 15064.5. (EIR, 3.4-19.)

Findings: Less Than Significant with Mitigation. (EIR, 3.4-19.) Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effects as identified in the EIR. (State CEQA Guidelines, section 15091(a)(1).)

Mitigation Measure:

MM CUL-1 *Stop Construction Upon Encountering Historical or Archeological Materials*

An archaeologist who meets the Secretary of the Interior's Professional Qualification Standards for archaeology should inspect the site once grubbing and clearing are complete, and prior to any grading or trenching into previously undisturbed soils. This may be followed by regular periodic or "spot-check" historic and archaeological monitoring during ground disturbance as needed, but full-time archaeological monitoring is not required at this time. In the event a potentially significant cultural resource is encountered during subsurface earthwork activities, all construction activities within a 100-foot radius of the find shall cease and workers should avoid altering the materials until an archaeologist has evaluated the situation. The project applicant shall include a standard inadvertent discovery clause in every construction contract to inform contractors of this requirement. Potentially significant cultural resources consist of but are not limited to stone, bone, glass, ceramics, fossils, wood, or shell artifacts, or features including hearths, structural remains, or historic dumpsites. The archaeologist shall make recommendations concerning appropriate measures that will be implemented to protect the resource, including but not limited to excavation and evaluation of the finds in accordance with Section 15064.5 of the CEQA Guidelines. Any previously undiscovered resources found during construction within the project site shall be recorded on appropriate California DPR 523 forms and shall be submitted

to Contra Costa County Department of Conservation and Development, the Northwest Information Center, and the State Historic Preservation Office, as required.

Facts in Support of Findings: Impacts related to a project's potential to cause a substantial adverse change in the significance of a historical resource are limited to construction impacts. While unlikely, subsurface construction activities always have the potential to damage or destroy previously undiscovered historic resources. Implementation of Mitigation Measure CUL-1, which requires an inspection by a qualified archaeologist after clearing and grubbing are complete but before any trading or trenching have begun would reduce potential impacts to historic resources that may be discovered during project construction. If a potential resource is identified, construction would be required to stop until appropriate identification and treatment measures are implemented. Therefore, direct and indirect impacts related to historic resources would be less than significant with mitigation. (EIR, 3.4-19.)

The County finds that Mitigation Measure CUL-1 is feasible, is adopted, and will reduce impact CUL-1 to a less-than-significant level. Accordingly, the County finds that, pursuant to Public Resources Code section 21081(a)(1) and State CEQA Guidelines section 15091(a)(1), changes or alterations have been required in, or incorporated into, the project that mitigate or avoid the potentially significant impacts as identified in the EIR. Therefore, impacts would be less than significant with implementation of MM CUL-1. (EIR, 3.4-26–28.)

Potential Effect

Impact CUL-2: The project could cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5. (EIR, 3.4-20–21.)

Findings: Less Than Significant with Mitigation. (EIR, 3.4-20–21.) Changes or alterations have been required in, or incorporated into, the Project which avoid or substantially lessen the significant environmental effects as identified in the EIR. (State CEQA Guidelines, section 15091(a)(1).)

Mitigation Measure: *Implement MM Cul-1, above.*

Facts in Support of Findings: Implementation of MM CUL-1 requires an inspection by a qualified archaeologist after clearing and grubbing are complete but before any trading or trenching have begun would reduce potential impacts to archaeological resources that may be discovered during project construction. If a potential resource is identified, construction would be required to stop until appropriate identification and treatment measures are implemented. Therefore, direct and indirect impacts related to archeological resources would be less than significant with mitigation. Operation Impacts related to a project's potential to cause a substantial adverse change in the significance of an archeological resource are limited to construction impacts. No respective direct or indirect operational impacts related to archeological resource would occur. (EIR, 3.4-20–21.)

The County finds that Mitigation Measure CUL-1 is feasible, is adopted, and will reduce Impact CUL-2 to a less-than-significant level. Accordingly, the County finds that, pursuant to Public Resources Code section 21081(a)(1) and State CEQA Guidelines section 15091(a)(1), changes or alterations have been required in, or incorporated into, the project that mitigate or avoid the potentially significant

impacts as identified in the EIR. Therefore, impacts would be less than significant with implementation of MM CUL-1. (EIR, 3.4-20–21.)

Potential Effect

Impact CUL-3: The project could disturb human remains, including those interred outside of formal cemeteries. (EIR, 3.4-21–22.)

Findings: Less Than Significant with Mitigation. (EIR, 3.4-21–22.) Changes or alterations have been required in, or incorporated into, the Project which avoid or substantially lessen the significant environmental effects as identified in the EIR. (State CEQA Guidelines, section 15091(a)(1).)

Mitigation Measure:

MM CUL-3 *Stop Construction Upon Encountering Human Remains*

If during the course of construction activities there is accidental discovery or recognition of any human remains, the following steps shall be taken:

- 1 There shall be no further excavation or disturbance within 100 feet of the remains until the County Coroner is contacted to determine if the remains are Native American and if an investigation of the cause of death is required. If the coroner determines the remains to be Native American, the coroner shall contact the Native American Heritage Commission (NAHC) within 24 hours, and the NAHC shall identify the person or persons it believes to be the Most Likely Descendant (MLD) of the deceased Native American. The MLD may make recommendations to the landowner or the person responsible for the excavation work within 48 hours, for means of treating or disposing of, with appropriate dignity, the human remains and any associated grave goods as provided in Public Resource Code Section 5097.98.*
- 2. Where the following conditions occur, the landowner or his or her authorized representative shall rebury the Native American human remains and associated grave goods with appropriate dignity either in accordance with the recommendations of the most likely descendant or on the project site in a location not subject to further subsurface disturbance:*
 - The NAHC is unable to identify a most likely descendent or the most likely descendent failed to make a recommendation within 48 hours after being notified by the commission.*
 - The descendant identified fails to make a recommendation.*
 - The landowner or his authorized representative rejects the recommendation of the descendant, and mediation by the NAHC fails to provide measures acceptable to the landowner.*

Additionally, California Public Resources Code Section 15064.5 requires the following relative to Native American Remains:

- *When an initial study identifies the existence of, or the probable likelihood of, Native American Remains within a project, a lead agency shall work with the appropriate Native Americans as identified by the Native American Heritage Commission as provided in Public Resources Code Section 5097.98. The applicant may develop a plan for treating or disposing of, with appropriate dignity, the human remains and any items associated with Native American Burials with the appropriate Native Americans as identified by the Native American Heritage Commission.*

Facts in Support of Findings: Impacts related to the project’s potential to disturb human remains are limited to construction impacts. No human remains are known or expected on the site. In the unlikely event human remains are discovered, implementation of MM CUL-3 would require that work is halted and the County Coroner is called to make a determination as to the nature of the remains. If the coroner determines that the remains are Native American, the coroner will contact the NAHC and appropriate tribal representatives. In addition, in the event of the accidental discovery or recognition of any human remains, existing regulations, as detailed in the EIR, will be followed to reduce impacts to below a level of significance. Therefore, with implementation of MM CUL-3 and compliance existing regulations, direct and indirect impacts related to disturbance of human remains would be less than significant with mitigation. (EIR, 3.4-21.)

The County finds that Mitigation Measure CUL-3 is feasible, is adopted, and will reduce Impact CUL-3 to a less-than-significant level. Accordingly, the County finds that, pursuant to Public Resources Code section 21081(a)(1) and State CEQA Guidelines section 15091(a)(1), changes or alterations have been required in, or incorporated into, the project that mitigate or avoid the potentially significant impacts as identified in the EIR. Therefore, impacts associated with unidentified human remains would be less than significant with implementation of MM CUL-3. (EIR, 3.4-21.)

Potential Effect

Cumulative Impact: With mitigation, the project would not have a cumulative impact on cultural resources. (EIR, 3.4-22–23.)

Findings: Less Than Significant with Mitigation. (EIR, 3.4-22–23.) Changes or alterations have been required in, or incorporated into, the Project which avoid or substantially lessen the significant environmental effects as identified in the EIR. (State CEQA Guidelines, section 15091(a)(1).)

Mitigation Measure: *Implement Mitigation Measures CUL-1 and Cul-3, above.*

Facts in Support of Findings: Cultural resources have been discovered in Contra Costa County, the City of Walnut Creek and the City of Pleasant Hill, and, although there are no known resources on the project site, the potential exists that cultural resources could be encountered during project implementation. Implementation of MM CUL-1 requires an inspection by a qualified archaeologist after clearing and grubbing are complete but before any trading or trenching have begun. MM CUL-3 would require that work is halted and the County Coroner is called to make a determination as to the nature of any human remains that are discovered and to confirm next steps regarding contacting the NAHC and appropriate tribal representatives. These mitigation measures would reduce project

level impacts to below a level of significance and lessen the potential loss of cultural resources to the community as a whole; therefore, the cumulative impact to cultural resources would be less than significant with mitigation. Construction activities associated with development projects within the geographic scope may have the potential to encounter undiscovered cultural resources. These projects would be required to mitigate for impacts through compliance with applicable federal and State laws governing cultural resources. Given the low potential for disruption, and the comprehensiveness of mitigation measures that would apply to the cumulative projects, the project, in conjunction with other planned and approved projects, would result in less than significant with mitigation cumulative impacts to cultural resources. (EIR, 3.4-22–23.)

The County finds that Mitigation Measures CUL-1 and CUL-3 are feasible, are adopted, and will reduce cumulative impacts to a less-than-significant level. Accordingly, the County finds that, pursuant to Public Resources Code section 21081(a)(1) and State CEQA Guidelines section 15091(a)(1), changes or alterations have been required in, or incorporated into, the project that mitigate or avoid the potentially significant impacts as identified in the EIR. Therefore, cumulative impacts associated with would be less than significant with implementation of MM CUL-1 and MM CUL-3. (EIR, 3.4-22–23.)

1.6.5 - Geology and Soils

Potential Effect

Impact GEO-1: The project would not directly or indirectly cause 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? Refer to Division of Mines and Geology Special Publication 42.
- ii) Strong seismic ground shaking.
- iii) Seismic-related ground failure, including liquefaction.
- iv) Landslides. (EIR, 3.6-13.)

Findings: Less Than Significant with Mitigation. (EIR, 3.6-13, 12–16.) Changes or alterations have been required in, or incorporated into, the Project which avoid or substantially lessen the significant environmental effects as identified in the EIR. (State CEQA Guidelines, section 15091(a)(1).)

Mitigation Measure:

MM GEO-1 *Submittal of a Design-Level Geotechnical Report*

At least 60 days prior to issuance of construction permits or installation of utility improvements, the project applicant shall submit a design-level geotechnical report that provides geotechnical recommendations for the project based on adequate subsurface exploration, laboratory testing, and engineering analysis. The design-level geotechnical report shall address the following:

- Grading, including removal of existing undocumented fill
- Consolidation settlement
- Analysis of liquefaction potential, including estimating total settlement and differential settlement and surface manifestation of liquefaction
- Foundation design
- Measures to protect improvements from relatively shallow water table
- Further evaluation of expansive soils and corrosion potential of soils, including measures to protect improvements that are in contact with the ground from this hazard
- Exploration, testing, and engineering analysis to provide recommendations pertaining to foundation design, including retaining walls and pavement design
- Evaluation of the drainage design
- Address temporary shoring and support of excavations
- Provide updated California Building Code seismic parameters
- Outline recommended geotechnical monitoring

Prior to issuance of building permits, the project Geotechnical Engineer shall review construction drawings to ensure that the grading, drainage, and foundation plans are consistent with recommendations and specifications in the design level geotechnical report.

All grading, excavation and filling shall be conducted during the period of April 15 through October 15 only, and all areas of exposed soils shall be revegetated to minimize erosion and subsequent sedimentation. After October 15, only erosion control work shall be allowed by the grading permit. Any modification to the above schedule shall be subject to review by the Grading Inspection Section, and the review and approval of the Department of Conservation and Development, Community Development Division.

A hold shall be placed on the “final” grading inspection, pending submittal of a report from the project Geotechnical Engineer that documents their observation and testing services during construction. Similarly, a hold shall be placed on the final building inspection until the Geotechnical Engineer submits a report documenting the monitoring services provided and implementation of all applicable recommendations. The final grading and construction plans for the project shall be reviewed by the project Geotechnical Engineer. Grading and construction activities shall meet the requirements of the recommendations included in the design-level geotechnical study.

Facts in Support of Findings: Based on the project-specific geotechnical report (Appendix E) prepared for the project site, the potential for ground rupture is low. There are no known active faults directly crossing the project site, and the project site is not located within a designated Alquist-Priolo Earthquake Fault Zone. (EIR, 3.6-13.) Moreover, the closest fault is approximately 2.2 miles east of the project site. As such, it is unlikely for ground rupture to occur at the site and the

project would not expose people or structures to substantial adverse effects associated with fault rupture. Therefore, no impacts would occur. (EIR, 3.6-14.)

Although no impacts related to fault rupture could occur, the project site and its residential occupants could experience strong to violent ground shaking due to an earthquake occurring along the Green Valley Connected Fault, Mount Diablo Thrust Fault, Calaveras Fault, or Hayward Fault. Implementation of Mitigation Measure GEO-1 would ensure a design-level geotechnical investigation is performed. Design level geotechnical reports routinely include recommended geotechnical observation and testing services during construction. This design-level geotechnical investigation would include subsurface exploration (borings), laboratory testing of selected samples, and engineering analysis of the data. In addition, the design-level recommendations shall address existing fill removal and fill compaction; consolidation settlement; foundation design; design of retaining walls required for construction of the building podium; shallow groundwater; temporary excavation; site drainage and landscaping irrigation; and pavement recommendations. The project Geotechnical Engineer would review construction drawings to ensure all recommendations are implemented in project design. Therefore, impacts related to strong seismic ground shaking would be less than significant with mitigation. (EIR, 3.6-14.)

Because the project site soils tested contained relatively dense clay and silty materials that were too cohesive to liquefy, the risk of seismic-related ground failure in the form of liquefaction is low. Nevertheless, implementation of MM GEO-1 would ensure all recommendations contained in the design-level geotechnical report are implemented to reduce the risk of liquefaction to below a level of significance. (EIR, 3.6-14–15.) Finally, the project site is located on relatively flat relief and would not be susceptible to landslides. Therefore, impacts related to landslides would be less than significant. (EIR, 3.6-15.)

The County finds that Mitigation Measure GEO-1 is feasible, is adopted, and will reduce impacts to geology and soils to a less-than-significant level. Accordingly, the County finds that, pursuant to Public Resources Code section 21081(a)(1) and State CEQA Guidelines section 15091(a)(1), changes or alterations have been required in, or incorporated into, the project that mitigate or avoid the potentially significant impacts as identified in the EIR. Therefore, impacts associated with geology and soils would be less than significant with implementation of MM GEO-1. (EIR, 3.6-12–15.)

Potential Effect

Impact GEO-3: The project could 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. (EIR, 3.6-17.)

Findings: Less Than Significant with Mitigation. (EIR, 3.6-17.) Changes or alterations have been required in, or incorporated into, the Project which avoid or substantially lessen the significant environmental effects as identified in the EIR. (State CEQA Guidelines, section 15091(a)(1).)

Mitigation Measure: *Implement MM GEO-1, above.*

Facts in Support of Findings: Impacts related to risks associated with location on an unstable geologic unit or soil are limited to operational impacts and no construction impacts would occur. The full scope of the entire project site's susceptibility to liquefaction was based on limited data and needs to be re-evaluated by the design level geotechnical report, which is required by MM GEO-1. The site-specific geotechnical report determined that the risk from on- or off-site landslides or lateral spreading would be low due to the relatively flat topography of the project site. Therefore, impacts related to unstable soil or geologic unit risks would be less than significant with incorporation of design-level mitigation required by MM GEO-1. (EIR, 3.6-17.)

The County finds that Mitigation Measure GEO-1 is feasible, is adopted, and will reduce impact GEO-3 to a less-than-significant level. Accordingly, the County finds that, pursuant to Public Resources Code section 21081(a)(1) and State CEQA Guidelines section 15091(a)(1), changes or alterations have been required in, or incorporated into, the project that mitigate or avoid the potentially significant impacts as identified in the EIR. Therefore, impacts associated with geology and soils would be less than significant with implementation of MM GEO-1. (EIR, 3.6-17.)

Potential Effect

Impact GEO-4: The project could be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property. (EIR, 3.6-17.)

Findings: Less Than Significant with Mitigation. (EIR, 3.6-17.) Changes or alterations have been required in, or incorporated into, the Project which avoid or substantially lessen the significant environmental effects as identified in the EIR. (State CEQA Guidelines, section 15091(a)(1).)

Mitigation Measure: *Implement MM GEO-1, above.*

Facts in Support of Findings: Impacts related to risks associated with location on expansive soil are limited to operational impacts and no construction impacts would occur. The project-specific geotechnical report in Appendix E, identified expansive soils on the project site. As a result, project site soils could create a substantial risk to life or property. However, implementation of MM GEO-1 would ensure recommendations contained in the design-specific geotechnical report are included in the project construction design. Therefore, impacts related to expansive soils would be less than significant with mitigation. (EIR, 3.6-17–18.)

The County finds that Mitigation Measure GEO-1 is feasible, is adopted, and will reduce impact GEO-4 to a less-than-significant level. Accordingly, the County finds that, pursuant to Public Resources Code section 21081(a)(1) and State CEQA Guidelines section 15091(a)(1), changes or alterations have been required in, or incorporated into, the project that mitigate or avoid the potentially significant impacts as identified in the EIR. Therefore, impacts associated with geology and soils would be less than significant with implementation of MM GEO-1. (EIR, 3.6-18.)

Potential Effect

Impact GEO-6: The project could directly or indirectly destroy a unique paleontological resource or site or unique geologic feature. (EIR, 3.6-18.)

Findings: Less Than Significant with Mitigation. (EIR, 3.6-18.) Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effects as identified in the EIR. (State CEQA Guidelines, section 15091(a)(1).)

Mitigation Measure:

MM GEO-6 *Stop Construction Upon Encountering Paleontological Materials*

A qualified paleontological monitor (as defined by the Society of Vertebrate Paleontology) retained by the project proponent shall be present during all phases of ground disturbance in excess of 15 feet below the existing ground surface or to the depth of Pleistocene deposits, whichever is greater. The role of the paleontological monitor shall be limited to monitoring of known or inferred Pleistocene deposits. This may be followed by regular periodic or “spot-check” paleontological monitoring during ground disturbance as needed, but full-time monitoring is not required at this time. In the event that Pleistocene fossils or fossil-bearing deposits are discovered during construction activities, excavations within a 100-foot radius of the find shall be temporarily halted or diverted. The applicant’s construction contractor shall notify a qualified paleontologist to examine the discovery, and shall notify the Department of Conservation and Development within 24 hours of the discovery. The applicant shall include a standard inadvertent discovery clause in every construction contract to inform contractors of this requirement. The paleontologist shall document the discovery as needed in accordance with Society of Vertebrate Paleontology standards and assess the significance of the find under the criteria set forth in CEQA Guidelines Section 15064.5. The paleontologist shall notify the appropriate agencies to determine procedures that would be followed before construction activities are allowed to resume at the location of the find. If the applicant determines that avoidance is not feasible, the paleontologist shall prepare an excavation plan for mitigating the effect of construction activities on the discovery. The plan shall be submitted to the Department of Conservation and Development, Community Development Division for review and approval prior to implementation. The applicant shall adhere to the recommendations in the approved plan.

Facts in Support of Findings: The project area is considered moderately sensitive for undiscovered paleontological resources. However, implementation of MM GEO-6 would ensure a qualified paleontological monitor, as defined by the Society of Vertebrate Paleontology, is present during any ground disturbance activities that would penetrate Pleistocene (or older) deposits. If fossils or fossil-bearing deposits of Pleistocene age are discovered during construction, all excavation activity would cease within a 100-foot radius until a qualified paleontologist has the opportunity to evaluate the significance of the find and provide any recommendations deemed necessary to the County. This would reduce potential impacts to paleontological resources that may be discovered during project construction. Therefore, impacts related to destruction of paleontological resources or unique geologic features would be less than significant with mitigation. Potential impacts are limited to construction and no operational impacts would occur. (EIR, 3.6-18.)

The County finds that Mitigation Measure GEO-6 is feasible, is adopted, and will reduce impact GEO-6 to a less-than-significant level. Accordingly, the County finds that, pursuant to Public Resources Code section 21081(a)(1) and State CEQA Guidelines section 15091(a)(1), changes or alterations have been required in, or incorporated into, the project that mitigate or avoid the potentially significant impacts as identified in the EIR. Therefore, impacts associated with geology and soils would be less than significant with implementation of MM GEO-6. (EIR, 3.6-18.)

Potential Effect

Cumulative Impact: Implementation of the project would not generate direct and indirect greenhouse gas emissions that could result in a significant impact on the environment. (EIR, 3.6-20.)

Findings: Less Than Significant with Mitigation. (EIR, 3.6-20.) Changes or alterations have been required in, or incorporated into, the Project which avoid or substantially lessen the significant environmental effects as identified in the EIR. (State CEQA Guidelines, section 15091(a)(1).)

Mitigation Measure: *Implement MM GEO-6, above.*

Facts in Support of Findings: Cumulative projects, including the project site, have the potential to experience strong to violent ground shaking from earthquakes. Cumulative projects would be exposed to the same ground shaking hazards and likewise would adhere to the provisions of the CBC, policies of the Contra Costa County General Plan and Contra Costa County Municipal Code reducing potential hazards associated with seismic ground shaking and ground failure. As such, the project, in conjunction with other projects, would not have a cumulatively significant impact associated with seismic-related hazards. (EIR, 3.6-20.)

Other current and future development/redevelopment projects in the region would similarly be required to adhere to standards and practices that include stringent geologic and soil-related hazard mitigations. As such, the project, in conjunction with other projects, would not have a cumulatively significant impact associated with soil-related hazards. (EIR, 3.6-20.)

The likelihood of presence of geologic resources and paleontological resources on the cumulative project sites is very low, given the developed nature of the areas surrounding the cumulative project sites. However, the potential exists that intact paleontological resources could be encountered during project implementation. Implementation of MM GEO-6 would reduce the project's impacts from inadvertent discovery to below a level of significance. MM GEO-6 requires a qualified paleontological monitor, as defined by the Society of Vertebrate Paleontology, to be present during any ground disturbance activities that would penetrate Pleistocene (or older) deposits. This mitigation measure would lessen the potential loss of paleontological resources to the community as a whole, and the cumulative impact to paleontological resources would be less than significant with mitigation. Moreover, the implementation of standard construction mitigation measures would ensure that undiscovered geologic resources and paleontological resources are not adversely affected by cumulative project related construction activities, which would prevent the destruction or degradation of potentially significant paleontological resources. Given the low potential for disruption and the comprehensiveness of mitigation measures that would apply to the cumulative

projects, the project, in conjunction with other planned and approved projects, would result in a less than significant with mitigation cumulative impact related to paleontological and geologic resources.

The County finds that Mitigation Measure GEO-6 is feasible, is adopted, and will reduce cumulative impacts to a less-than-significant level. Accordingly, the County finds that, pursuant to Public Resources Code section 21081(a)(1) and State CEQA Guidelines section 15091(a)(1), changes or alterations have been required in, or incorporated into, the project that mitigate or avoid the potentially significant impacts as identified in the EIR. Therefore, cumulative impacts associated with geology and soils would be less than significant with implementation of MM GEO-6. (EIR, 3.6-20.)

1.6.6 - Greenhouse Gas Emissions

Potential Effect

Impact GHG-2: Implementation of the project would not conflict with any applicable plan, policy, or regulation of an agency adopted to reduce the emissions of greenhouse gases. (EIR, 3.7-45–47.)

Findings: Less Than Significant with Mitigation. (EIR, 3.7-45–47.) Changes or alterations have been required in, or incorporated into, the Project which avoid or substantially lessen the significant environmental effects as identified in the EIR. (State CEQA Guidelines, section 15091(a)(1).)

Mitigation Measure:

MM GHG-2 *Prepare Climate Action Plan (CAP) Development Checklist*

Prior to issuance of building permits, the applicant shall prepare and submit a CAP Development Checklist completed for the project to the County of Contra Costa that demonstrates to the County's satisfaction that project would be constructed and operated to be consistent with measures required in the CAP Development Checklist.

Facts in Support of Findings: Construction of the project would not conflict with the Contra Costa County CAP; therefore, the construction impact related to consistency with an applicable GHG emissions reduction plan would be less than significant. (EIR, 3.7-45.) As described in detail in EIR Section 3.7, the project would be consistent with the measures in the CAP. However, the CAP requires completion of a Development Checklist to ensure that new projects are consistent with and do not compromise Contra Costa County's ability to attain the GHG reduction targets outlined in the CAP. To ensure compliance and consistency with the CAP, Mitigation Measure GHG-2 requires that the project applicant submit a completed development checklist prior to the issuance of building permits. Thus, with implementation of MM GHG-2, the project would not conflict with any applicable plan, policy or regulation of an agency adopted to reduce the emissions of GHGs. Therefore, the GHG emissions reduction plan consistency impact would be less than significant with mitigation. (EIR, 3.7-46.)

The County finds that Mitigation Measure GHG-2 is feasible, is adopted, and will reduce greenhouse gas emissions to a less-than-significant level. Accordingly, the County finds that, pursuant to Public Resources Code section 21081(a)(1) and State CEQA Guidelines section 15091(a)(1), changes or

alterations have been required in, or incorporated into, the project that mitigate or avoid the potentially significant impacts as identified in the EIR. Therefore, impacts associated with greenhouse gases would be less than significant with implementation of MM GHG-2. (EIR, 3.7-47.)

1.6.7 - Hazards and Hazardous Materials

Potential Effect

Impact HAZ-1: The project could create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials. (EIR, 3.8-16.)

Findings: Less Than Significant with Mitigation. (EIR, 3.8-16.) Changes or alterations have been required in, or incorporated into, the Project which avoid or substantially lessen the significant environmental effects as identified in the EIR. (State CEQA Guidelines, section 15091(a)(1).)

Mitigation Measure:

MM HAZ-1 Conduct Asbestos and Lead Surveys Prior to Demolition

Prior to the issuance of demolition permits for the two existing residences and associated structures, the applicant shall retain a licensed professional to conduct asbestos and lead paint surveys. These surveys shall be conducted prior to the disturbance or removal of any suspect asbestos-containing materials and lead-based paint, and these materials shall be characterized for asbestos and lead by a reliable method. All activities involving asbestos-containing materials and lead-based paint shall be conducted in accordance with governmental regulations, and all removal shall be conducted by properly licensed abatement contractors.

Facts in Support of Findings: During construction, the project would be expected to involve the transport, use, and disposal of hazardous materials, such as diesel fuels, aerosols, and paints. However, the duration of these actions would only be temporary and limited to the period of construction. Furthermore, the project would be subject to the Hazardous Materials Transportation Act, California Public Resources Code, and other State and local regulations that would reduce and limit the associated risks. Any handling, transporting, use, or disposal would comply with applicable laws, policies, and programs set forth by various federal, State, and local agencies and regulations, including the EPA, RCRA, Caltrans, and Contra Costa Hazardous Materials Program. Required compliance with applicable hazardous material laws and regulations would ensure that construction-related hazardous material use would not result in significant impacts. (EIR, 3.8-16.)

The project would demolish the existing single-family residence and attached garage located at 3018 Del Hombre Lane and the existing single-family residence located at 112 Roble Road, which, given the age of the existing structures, asbestos containing materials and lead-based paint may exist within the structure. This represents a potentially significant impact. However, implementation of Mitigation Measure HAZ-1 that requires the applicant to conduct asbestos and lead paint surveys prior to demolition activities and safely remove and dispose of any such materials in accordance with State standards would ensure impacts are reduced to a less-than significant level. (EIR, 3.8-16.)

Based on the Phase I and Phase II studies, exposure risk related to target analytes is considered less than significant. (EIR, 3.8-17.) During project operations, hazardous materials used on-site may vary but, due to the nature of the project, would likely be limited to small quantities of fertilizers, herbicides, pesticides, solvents, cleaning agents, and similar materials used for daily residential operations and maintenance activities. These types of represent a low risk to people and the environment when used as intended. Further, compliance with applicable plans and regulations, including the Contra Costa County General Plan policies, would provide public protection from hazards associated with the use, transport, treatment, and disposal of hazardous substances. Therefore, operational impacts related to public hazard risk as a result of hazardous materials transport, use, or disposal would be less than significant. (EIR, 3.8-17.)

The County finds that Mitigation Measure HAZ-1 is feasible, is adopted, and will reduce Impact HAZ-1 to a less-than-significant level. Accordingly, the County finds that, pursuant to Public Resources Code section 21081(a)(1) and State CEQA Guidelines section 15091(a)(1), changes or alterations have been required in, or incorporated into, the project that mitigate or avoid the potentially significant impacts as identified in the EIR. Therefore, impacts would be less than significant with implementation of MM HAZ-1. (EIR, 3.8-17.)

1.6.8 - Hydrology and Water Quality

Potential Effect

Impact HYD-3: The project would not substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:

- i) result in substantial erosion or siltation on- or off-site;
- ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site;
- iii) 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; or
- iv) impede or redirect flood flows? (EIR, 3.9-14–17.)

Findings: Less Than Significant with Mitigation. (EIR, 3.9-14–17.) Changes or alterations have been required in, or incorporated into, the Project which avoid or substantially lessen the significant environmental effects as identified in the EIR. (State CEQA Guidelines, section 15091(a)(1).)

Mitigation Measure:

MM HYD-3 *Prepare Drainage Plan Prior to Grading*

- *In accordance with Division 914 of the Ordinance Code, the project applicant shall collect and convey all stormwater entering and/or originating on this property, without diversion and within an adequate storm drainage facility, to a natural watercourse having definable bed and banks, or to an existing adequate public storm drainage system that conveys the stormwater to a natural watercourse. Any*

proposed diversions of the watershed shall be subject to hearing body approval. Prior to issuance of a grading permit, the applicant shall submit improvement plans for proposed drainage improvements, and a drainage report with hydrology and hydraulic calculations to the Engineering Services Division of the Public Works Department for review and approval that demonstrates the adequacy of the in-tract drainage system and the downstream drainage system. The applicant shall verify the adequacy at any downstream drainage facility accepting stormwater from this project between the site and the outfall of the downstream storm drain system to the Walnut Creek Channel prior to discharging runoff. If the downstream system(s) is not adequate to handle the Existing Plus Project condition for the required design storm, improvements shall be constructed to make the system adequate. The applicant shall obtain access rights to make any necessary improvements to off-site facilities.

- *Comply with all rules, regulations and procedures of the National Pollutant Discharge Elimination System (NPDES) for municipal, construction and industrial activities as promulgated by the California State Water Resources Control Board, or any of its Regional Water Quality Control Boards (San Francisco Bay—Region II); and*
- *Submit a Final Stormwater Control Plan and a Stormwater Control Operation and Maintenance Plan (O+M Plan) to the Public Works Department, which shall be reviewed for compliance with the County's National Pollutant Discharge Elimination System (NPDES) Permit and shall be deemed consistent with the County's Stormwater Management and Discharge Control Ordinance (Division 1014) prior to issuance of a building permit. Improvement Plans shall be reviewed to verify consistency with the Final Stormwater Control Plan and compliance with Provision C.3 of the County's NPDES Permit and the County's Stormwater Management and Discharge Control Ordinance (Division 1014).*

Facts in Support of Findings: The project would involve grading and construction of a 2.37-acre project site that is currently composed of pervious surfaces. Construction activity could result in substantial erosion or siltation, leading to drainage pattern alteration and the potential for polluted runoff entering Walnut Creek, which is located approximately 1,500 feet to the east. This would represent a potentially significant impact. However, implementation of Mitigation Measure HYD-3 would ensure the project complies with regulations of the NPDES permit consistent with Division 1014 of the Ordinance Code. Additionally, as part of compliance with Ordinance Code Division 1014 the project would be required to prepare and implement a SWPPP. The SWPPP would be designed to ensure that erosion, siltation, and flooding are prevented or minimized to the maximum extent feasible during construction. In addition, the SWPPP includes both structural (physical devices or measures) and operational (timing of construction) BMPs, that prevent or reduce the discharge of pollutants directly or indirectly into waterbodies. During operation, implementation of MM HYD-3 would ensure the project collects and conveys stormwater entering or originating from the project site consistent with Division 914 of the Ordinance Code, and the project applicant prepares and submits a Final Storm Water Control Plan and Stormwater Control Operation and Maintenance Plan to the County Public Works Department for approval. In addition, the project would comply with the

County's NPDES program and the CCCWP, and all relevant provisions of the Ordinance Code related to stormwater pollution. Therefore, the construction and operational impacts related to alteration of drainage pattern resulting in erosion or siltation would be less than significant. (EIR, 3.9-14–15.)

Impacts related to the potential for the project to increase the rate or amount of surface runoff resulting in flooding are limited to operational impacts and no construction impacts would occur. At operation, the project would result in 83,228 square feet of building roof coverage and 21,305 square feet of landscaped space. Compared to existing conditions, the project would result in an increase of 78,320 square feet of impervious surfaces. The applicant will be required to comply with Division 914 collect and convey requirements, and MM HYD-3, which requires that the site discharge to facilities with adequate capacity or that the downstream facilities be made adequate for runoff from and through the site. Therefore, operation of the project would not result in substantial off-site flooding. On-site drainage flows first to C.3 facilities, which includes an underground detention pipe system with a high-flow rate media filter and pump to overcome the lack of fall and regulate flow from the C.3 facility to pre-project flow rates for small storms in accordance with C.3 hydro-modification requirements. An overflow pipe shall be included in the design for larger storms and to convey flow should the pump system fail. As such, the operation of the project would not result in substantial on-site flooding and operational impacts would be less than significant. (EIR, 3.9-15.)

The project would be required to implement a SWPPP as part of its Construction General Permit to ensure that additional sources of polluted runoff is prevented during construction. Thus, construction of the project would not create or contribute runoff water that would provide substantial additional sources of polluted runoff. Therefore, the construction impact related to additional sources of polluted runoff would be less than significant. (EIR, 3.9-15.)

The project would result in increased impervious surface area and increased runoff. The project would drain most of the site to an underground detention pipe system along the northern portions of the property. The project would divert additional runoff via an existing 24-inch storm drain pipe that connects to the 84-inch storm drain line in the Iron Horse Trail. Such a diversion requires an exception request in conjunction with the tentative map. The underground detention basin would be privately maintained, and because it is only necessary to meet C.3 requirements and is not necessary to meet collection and conveyance requirements, the detention system would not require an exception. Implementation of MM HYD-3 would ensure the project collects and conveys stormwater entering or originating from the project site in accordance with Division 914 of the Ordinance Code. MM HYD-3 would also ensure that the project complies with regulations of the NPDES permit, and that the project applicant prepares and submits a Final Storm Water Control Plan and Stormwater Control Operation and Maintenance Plan to the County Public Works Department for approval. In addition, consistent with Provision C.3 San Francisco Bay Regional Municipal Stormwater NPDES Permit, Low Impact Development (LID) techniques are required to be implemented in order to treat stormwater runoff. LID techniques such as bioretention areas, allow for stormwater infiltration into the soil and detain stormwater on-site in order to reduce peak flows and prevent erosion and siltation. Per the Municipal Regional Stormwater Permit Order No. R2-0074, certain "Special Projects" are eligible for LID Treatment Reduction Credits. The LID Treatment Reduction Credit is the maximum percentage of the amount of runoff that may be treated with non-LID treatment measures, such as tree-box-type high flowrate biofilters or vault-based high flowrate media filters.

The project would be eligible for a 100 percent LID Treatment Reduction Credit due to the project site being located within one-quarter mile of a transit hub, having a project housing density greater than 100 units per acre, and having zero surface parking. A 100 percent LID Treatment Credit would allow 100 percent of the runoff to be treated with mechanical treatment. Furthermore, compliance with the CCCWP and County Ordinance Code would ensure that project operation would not create runoff that exceeds the capacity of existing or planned stormwater drainage systems or provide sources of stormwater or polluted runoff. Thus, operation of the project would not create or contribute runoff water that would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff. Therefore, the operational impact related to additional sources of polluted runoff would be less than significant with mitigation. (EIR, 3.9-16.) Finally, the project would not be located in an area prone to flooding or within a designated flood hazard zone. The project site is not susceptible to inundation from flood hazards, tsunamis, or seiches. As a result, the project would not impede or redirect flood flows. Therefore, there would be no operational impedance of flood flow impact. (EIR, 3.9-17.)

The County finds that Mitigation Measure HYD-3 is feasible, is adopted, and will reduce impacts to drainage in Impact HYD-3 to a less-than-significant level. Accordingly, the County finds that, pursuant to Public Resources Code section 21081(a)(1) and State CEQA Guidelines section 15091(a)(1), changes or alterations have been required in, or incorporated into, the project that mitigate or avoid the potentially significant impacts as identified in the EIR. Therefore, impacts associated with hydrology and water quality would be less than significant with implementation of MM HYD-3. (EIR, 3.9-14–17.)

1.6.9 - Noise

Potential Effect

Impact NOI-1: The project would generate a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies. (EIR, 3.11-21–24.)

Findings: Less Than Significant with Mitigation. (EIR, 3.11-21–24.) Changes or alterations have been required in, or incorporated into, the Project which avoid or substantially lessen the significant environmental effects as identified in the EIR. (State CEQA Guidelines, section 15091(a)(1).)

Mitigation Measure:

MM NOI-1 *Implement Noise-reduction Measures During Construction*

To reduce potential construction noise impacts, the following multi-part mitigation measure shall be implemented for the project:

- *The construction contractor shall ensure that all equipment driven by internal combustion engines shall be equipped with mufflers, which are in good condition and appropriate for the equipment.*

- *The construction contractor shall ensure that unnecessary idling of internal combustion engines (i.e., idling in excess of 5 minutes) is prohibited.*
- *The construction contractor shall utilize “quiet” models of air compressors and other stationary noise sources where technology exists.*
- *At all times during project grading and construction, the construction contractor shall ensure that stationary noise-generating equipment shall be located as far as practicable from sensitive receptors and placed so that emitted noise is directed away from adjacent residences.*
- *The construction contractor shall ensure that the construction staging areas shall be located to create the greatest feasible distance between the staging area and noise-sensitive receptors nearest the project site.*
- *Restrict noise-generating construction activities (including construction-related traffic, excluding interior work within the building once the building envelope is complete) at the project site and in areas adjacent to the project site to the hours of 7:30 a.m. to 5:00 p.m., Monday through Friday, unless otherwise approved by CDD, with no construction allowed on weekends, federal and State holidays.*

Facts in Support of Findings: As discussed in EIR Section 3.11, operational noise would not result in a significant impact or require mitigation. For construction noise, restricting construction activities to normal business hours, as provided by Mitigation Measure NOI-1, would reduce potential impacts related to site preparation, grading, and construction to less than significant. In addition to restricting construction activities to the allowed time-periods specified by the Municipal Code, MM NOI-1 also requires the implementation of best management noise reduction techniques and practices to further reduce potential impacts. These include measures that require the construction contractor to prohibit unnecessary idling so as to reduce unnecessary noise not related to active construction activities. Restricting construction activities to the allowed time-periods and implementing best management noise reduction techniques and practices as outlined in MM NOI-1 would ensure that construction noise levels would not result in a substantial temporary increase in ambient noise levels that would result in annoyance or sleep disturbance of nearby sensitive receptors. Therefore, with implementation of MM NOI-1, temporary construction noise impacts would be reduced to less than significant. (EIR, 3.11-24.)

As discussed in the EIR, the highest traffic noise level increase with implementation of the project would occur along Del Hombre Lane between Honey Trail and Roble Road. Along this roadway segment, the project would result in traffic noise levels ranging up to approximately 52 dBA L_{dn} as measured at 50 feet from the centerline of the nearest travel lane, representing an increase of 8.8 dBA over existing conditions for this roadway segment. However, as documented by the longterm ambient noise measurement conducted adjacent to this roadway segment, ambient noise levels at this location averaged 70 dBA L_{dn} . This represents the combined noise levels from traffic on all local roadways, as well as noise from BART rail activity and other stationary noise sources in the project vicinity. Therefore, the traffic noise levels that would result from implementation of the project along Del Hombre Lane between Honey Trail and Roble Road would actually not result in any perceptible increase in the ambient noise levels adjacent to this roadway segment. Therefore, project-related traffic noise would result in less than significant increases in traffic noise levels along modeled roadway segments in the project vicinity and no mitigation would be required. (EIR, 3.11-

23.) Implementation of the project would introduce new stationary noise sources to the ambient noise environment in the project vicinity, including new rooftop mechanical ventilation equipment. Noise levels generated by this equipment would attenuate to below 54 dBA L_{eq} at the closest residential receptor. These noise levels would not exceed established standards as measured at the nearest receptor. Therefore, this impact would be less than significant. (EIR, 3.11-24.)

The County finds that Mitigation Measure NOI-1 is feasible, is adopted, and will reduce Impact NOI-1 related to the construction noise to a less-than-significant level. Accordingly, the County finds that, pursuant to Public Resources Code section 21081(a)(1) and State CEQA Guidelines section 15091(a)(1), changes or alterations have been required in, or incorporated into, the project that mitigate or avoid the potentially significant impacts as identified in the EIR. Therefore, impacts associated with construction noise would be less than significant with implementation of MM NOI-1. (EIR, 3.11-21–24.)

Potential Effect

Impact NOI-2: The project could cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect. (EIR, 3.11-25–29.)

Findings: Less Than Significant with Mitigation. (EIR, 3.11-25–29.) Changes or alterations have been required in, or incorporated into, the Project which avoid or substantially lessen the significant environmental effects as identified in the EIR. (State CEQA Guidelines, section 15091(a)(1).)

Mitigation Measure:

MM NOI-2 *Install Mechanical Ventilation System*

To reduce potential traffic and BART noise impacts, prior to issuance of building permits, the applicant shall submit evidence to the satisfaction of the Department of Conservation and Development to demonstrate that the project includes a code compliant mechanical ventilation system that would permit windows to remain closed for prolonged periods.

Facts in Support of Findings: The existing ambient noise environment includes other major noise sources, including noise from BART rail line activity. As discussed in Section 3.11 of the EIR, the resulting measurement showed that ambient noise levels exceed the “normally acceptable” land use compatibility range, but remain within the “conditionally acceptable” land use compatibility range of below 75 dBA L_{dn} for new multi-family residential land use development. Therefore, according to County Policy 11-5, if ambient noise levels exceed 65 dBA L_{dn} due to train noise, design measures must be included in the project to maintain the maximum interior noise threshold of 50 dBA L_{dn} in bedrooms and 55 dBA L_{dn} in other habitable rooms. A combination of walls, doors, and windows provided in accordance with State building code requirements for the proposed residential development would result in a 25 dBA in exterior-to interior noise reduction with windows closed and a 15 dBA or more with windows open. With windows open, interior noise levels of the nearest proposed units to the BART rail line would not meet the interior noise standard of 50 dBA L_{dn} (i.e., 70

dba–15 dba = 55 dba). This impact is potentially significant if unmitigated. MM NOI-2, which requires that the project include a code compliant mechanical ventilation system that would permit windows to remain closed for prolonged periods, would reduce impacts to below a level of significance. The inclusion of the proposed air conditioning system would allow windows to remain closed and would be sufficient to reduce traffic and BART noise levels to meet the interior noise level standard of 50 dBA L_{dn} (i.e., 70 dBA–25 dBA = 45 dBA). This mitigation measure would ensure that potentially impacted interior residential units would meet the interior noise level requirement of 45 dBA L_{dn} . Therefore, with implementation of MM NOI-2, future projected traffic and BART noise impacts would be reduced to less than significant. Thus, traffic noise levels adjacent to the project site would not exceed noise levels that Contra Costa County and the City of Walnut Creek consider acceptable for new residential land uses. As such, traffic noise would result in a less than significant impact for the proposed multi-family residential development. (EIR, 3.11-28.)

As discussed in Section 3.11 of the EIR, the County finds that all other potential impacts analyzed under Impact NOI-2 are less than significant and do not require mitigation. The highest traffic noise levels that would be experienced at the project would occur on Del Hombre Lane between Honey Trail and Roble Road under cumulative plus project conditions. These traffic noise levels do not exceed the “normally acceptable” standard of 65 dBA L_{dn} for new multi-family residential land use developments and would be considered less than significant. (EIR, 3.11-28.)

Impacts related to noise land use compatibility consistency are limited to operational impacts. No respective construction impacts would occur. (EIR, 3.11-25.)

The County finds that Mitigation Measure NOI-2 is feasible, is adopted, and will reduce Impact NOI-2 related to operational noise to a less-than-significant level. Accordingly, the County finds that, pursuant to Public Resources Code section 21081(a)(1) and State CEQA Guidelines section 15091(a)(1), changes or alterations have been required in, or incorporated into, the project that mitigate or avoid the potentially significant impacts as identified in the EIR. Therefore, impacts associated with operational noise would be less than significant with implementation of MM NOI-2. (EIR, 3.11-25-29.)

Potential Effect

Cumulative Noise Impact: The project would not result in cumulative noise impacts. (EIR, 3.11-31.)

Findings: Less Than Significant with Mitigation. (EIR, 3.11-31.) Changes or alterations have been required in, or incorporated into, the Project which avoid or substantially lessen the significant environmental effects as identified in the EIR. (State CEQA Guidelines, section 15091(a)(1).)

Mitigation Measure: *Implement MM NOI-2, above.*

Facts in Support of Findings: There is no potentially significant cumulative construction impact. (EIR, 3.11-31.) The project combined with cumulative projects could have a potentially significant operational impact on noise land use consistency, but this impact can be mitigated to below a level of significance. Combined cumulative year traffic and BART activity noise levels at the project site would result in noise levels that Contra Costa County and the City of Walnut Creek consider to be

conditionally acceptable for new multi-family residential land uses (with projected noise levels of up to 70 dBA L_{dn} at the nearest proposed façade). This operational impact is potentially significant. However, as discussed under Impact NOI-2, MM NOI-2 shall be implemented, which requires the project to include a code compliant mechanical ventilation system that would permit windows to remain closed for prolonged periods. This measure would ensure that potentially impacted interior residential units would meet the interior noise level requirement of 45 dBA L_{dn} . Therefore, implementation of MM NOI-2 would ensure that the project would not result in a cumulatively considerable contribution to consistency with noise land use compatibility standards. Therefore, with implementation of MM NOI-2, the project would result in a less than significant cumulative impact related to land use compatibility consistency. (EIR, 3.11-12.)

Except as summarized above and discussed in Section 3.11 of the EIR, the County finds that all other potential cumulative impacts related to construction noise, traffic noise, stationary noise, and vibration are less than significant and no mitigation is required. (EIR, 3.11-11–12.)

The County finds that Mitigation Measure NOI-2 is feasible, is adopted, and will reduce cumulative impacts related to Noise Land Use Compatibility Consistency to a less-than-significant level. Accordingly, the County finds that, pursuant to Public Resources Code section 21081(a)(1) and State CEQA Guidelines section 15091(a)(1), changes or alterations have been required in, or incorporated into, the project that mitigate or avoid the potentially significant impacts as identified in the EIR. Therefore, cumulative impacts associated with Noise Land Use Compatibility Consistency would be less than significant with implementation of MM NOI-2. (EIR, 3.11-31.)

1.6.10 - Recreation

Potential Effect

Impact REC-2: The project would include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment. (EIR, 3.14-12.)

Findings: Less Than Significant with Mitigation. (EIR, 3.14-12.) Changes or alterations have been required in, or incorporated into, the Project which avoid or substantially lessen the significant environmental effects as identified in the EIR. (State CEQA Guidelines, section 15091(a)(1).)

Mitigation Measure: *Implement MM AIR-2, MM AIR-3, NOI-1, above, and MM TRANS-1a*

MM TRANS-1a Prepare and Implement Construction Traffic Control Plan

Prior to issuance of building permits, the applicant shall prepare and submit a Construction Traffic Control Plan. The plan shall include the following items. The approved plan shall be implemented during construction.

- *Project staging plan to maximize on-site storage of materials and equipment*
- *Permitted construction hours*
- *Location of construction staging*
- *Identification of parking areas for construction employees, site visitors, and inspectors, including on-site locations*

- *Provisions for street sweeping to remove construction related debris on public streets*
- *A set of comprehensive traffic control measures including preparation of traffic control plans, as needed; scheduling of major truck trips and deliveries to avoid peak-hours; lane closure proceedings; signs, cones, and other warning devices for drivers; and designation of construction haul routes.*
- *Survey of the pavement condition on roadways to be used as part of haul route prior to the commencement of any work on site. The survey shall include a video tape of the roadways. The applicant shall complete any remedial work prior to initiation of use and provide a bond assuring completion of the remediation work, the amount which shall be deemed sufficient by the Public Works Department.*
- *The applicant shall provide a pavement analysis for those roads along the proposed haul routes or any alternate route(s) that are proposed to be utilized by hauling operation. This study shall analyze the existing pavement conditions and determine what impact the hauling operation will have over the construction period of the project. The study shall provide recommendations to mitigate identified impacts.*

Facts in Support of Findings: The project amenities include a total of 0.22 acre of private recreational facilities, including a swimming pool, bocce and sports courts, gardens, pet parks, and walking paths on-site. The potential environmental impacts associated with implementation of these amenities is accounted for in the discussion of air quality, energy, greenhouse gas emissions, noise, and transportation-related impacts within the EIR and these Findings. Impact AIR-3 discusses potential impacts related to air quality from construction of the project amenities. As discussed above in Section 1.6.2, Air Quality, MM AIR-2 and MM AIR-3 would reduce construction impacts to a less than significant level. Energy and GHG impacts are less than significant and do not require mitigation. Impacts related to noise are reduced to below a level of significance with implementation of MM NOI-1. (Section 1.6.9, above.) Impact TRANS-1 analyzes construction impacts with respect to conflicting with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities. MM TRANS-1a would ensure a construction traffic control plan is implemented which would reduce impacts during construction to a less than significant level. Therefore, the project's construction of parks and recreational facilities on the project site would result in a less than significant impact with mitigation incorporated. (EIR, 3.14-12.)

The County finds that Mitigation Measures MM AIR-2, MM AIR-3, NOI-1, and MM TRANS-1a are feasible, are adopted, and will reduce Impact Rec-2 to a less-than-significant level. Accordingly, the County finds that, pursuant to Public Resources Code section 21081(a)(1) and State CEQA Guidelines section 15091(a)(1), changes or alterations have been required in, or incorporated into, the project that mitigate or avoid the potentially significant impacts as identified in the EIR. Therefore, impacts associated with Impact REC-2 would be less than significant with implementation of MM AIR-2, MM AIR-3, MM NOI-1, and MM TRANS-1a. (EIR, 3.14-12.)

1.6.11 - Transportation

Potential Effect

Impact TRANS-1: The project would not conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities. (EIR, 3.15-40.)

Findings: Less Than Significant with Mitigation (construction impacts, transit, roadway, bicycle, and pedestrian facilities). (EIR, 3.15-40.) Changes or alterations have been required in, or incorporated into, the Project which avoid or substantially lessen the significant environmental effects as identified in the EIR. (State CEQA Guidelines, section 15091(a)(1).)

Mitigation Measures

MM TRANS-1a Prepare and Implement Construction Traffic Control Plan

Prior to issuance of building permits, the applicant shall prepare and submit a Construction Traffic Control Plan. The plan shall include the following items. The approved plan shall be implemented during construction.

- *Project staging plan to maximize on-site storage of materials and equipment*
- *Permitted construction hours*
- *Location of construction staging*
- *Identification of parking areas for construction employees, site visitors, and inspectors, including on-site locations*
- *Provisions for street sweeping to remove construction related debris on public streets*
- *A set of comprehensive traffic control measures including preparation of traffic control plans, as needed; scheduling of major truck trips and deliveries to avoid peak-hours; lane closure proceedings; signs, cones, and other warning devices for drivers; and designation of construction haul routes.*
- *Survey of the pavement condition on roadways to be used as part of haul route prior to the commencement of any work on site. The survey shall include a video tape of the roadways. The applicant shall complete any remedial work prior to initiation of use and provide a bond assuring completion of the remediation work, the amount which shall be deemed sufficient by the Public Works Department.*
- *The applicant shall provide a pavement analysis for those roads along the proposed haul routes or any alternate route(s) that are proposed to be utilized by hauling operation. This study shall analyze the existing pavement conditions and determine what impact the hauling operation will have over the construction period of the project. The study shall provide recommendations to mitigate identified impacts.*

MM TRANS-1b Implement Las Juntas Way Improvements Prior to Final Inspection

Prior to requesting a final inspection, the following improvements shall be installed on Las Juntas Way between Coggins Drive and Del Hombre Lane:

- *The Iron Horse Trail crossing of Las Juntas Way shall be enhanced with one or more of the following measures, as approved by the Public Works Department:*
 - *Advance stop bars*

- Narrowed travel lanes
- Curb extensions
- Improved crosswalk lighting
- A pedestrian/bicyclist actuated trail crossing warning device,
- Other similar measures as approved by the Public Works Department.

MM TRANS-1c Relocate and Align Del Hombre Lane Crosswalk Prior to Construction

Prior to requesting a final inspection, the project applicant shall install a crosswalk across Del Hombre Lane, with curb ramps on either end. The crosswalk's eastern curb ramp shall be located south of the parking garage entry for the project and north of the corner of Del Hombre Lane and Honey Trail Lane. The applicant will work with the Public Works Department on the optimal location to serve pedestrians while minimizing impacts to existing trees on the west side of Del Hombre Lane.

MM TRANS-1d Prepare Pedestrian Path Design and Lighting Plan Prior to Construction

Prior to issuance of building permits, the applicant shall prepare and submit plans to the Contra Costa County Public Works Department depicting street lighting along the project frontages to provide a lit pedestrian path of travel along the project frontage, connecting to the Iron Horse Trail. The approved plans shall be incorporated into the project.

Facts in Support of Findings: The assessment of construction activity considers construction vehicles and construction worker activity. Based on the preliminary construction schedule, export of approximately 29,000 cubic yards of material is expected over an approximately 50-day period. With a capacity of approximately 14 cubic yards per dump truck, this would equate to approximately 84-truck trips per day during the site preparation phase. Truck traffic would follow designated truck routes. After site grading is complete, other construction vehicles would be used, but it is expected that equipment would be staged on the site prior to beginning work and would be removed at project completion. Mitigation Measure TRANS-1a would require the preparation and implementation of a construction traffic control plan, which would reduce the potential for construction vehicle conflicts with other roadway users. Therefore, construction impacts related to circulation system performance in terms of roadway facilities would be less than significant with mitigation. (EIR, 3.15-40.)

The remaining construction related impacts are less than significant and do not require mitigation. Construction of the project would not interfere with pedestrian connections to the County Connection bus stops or the BART station. Therefore, construction impacts related to circulation system performance in terms of transit facilities would be less than significant. (EIR, 3.15-40.)

Similarly, construction of the project would not result in the temporary closure of bicycle facilities. Therefore, construction impacts related to circulation system performance in terms of bicycle facilities would be less than significant. (EIR, 3.15-40.)

While construction of the project could result in temporary closures of the sidewalks along Del Hombre Lane, Roble Road, or Honey Trail, pedestrians could utilize alternate sidewalks, such as the eastern sidewalk on Santos Lane to the northeast of the project site or the Iron Horse Regional Trail. In addition, these closures would only be temporary. Therefore, construction impacts related to circulation system performance in terms of pedestrian facilities would be less than significant. (EIR, 3.15-40.)

At operation, the project could result in significant impacts related to intersection LOS. Those potential impacts are discussed below in Section 1.7.

The project would include pedestrian facilities along both sides of the project frontage on Del Hombre Lane, Roble Road, and along Honey Trail. The sidewalk on Del Hombre Lane is proposed to be 10.7 feet, and the sidewalk on Roble Road is proposed to be 8-feet. A new crosswalk is also proposed on the south leg of Del Hombre Road at Las Juntas Way/Roble Road in addition to reconstructed curb ramps on the southeast corner of the intersection. On the southern end of the project site, a new curb ramp would be constructed on Del Hombre Lane off set from the existing curb ramp on the west side of the street connecting to the existing Iron Horse Trail across Del Hombre Lane from the project site. The proposed crosswalk design does not align with the existing curb ramp to Del Hombre Lane and Iron Horse Trail. This represents a potentially significant impact that can be mitigated to below a level of significance. MM TRANS-1c and TRANS-1d would require that the crosswalk design be updated to align with existing roadway and trail facilities and that the pedestrian path include a lighting plan. Therefore, the County finds that operational impacts related to circulation system performance in terms of pedestrian facilities would be less than significant with mitigation. (EIR, 3.15-55–56.)

The County finds that remaining impacts are less than significant and do not require mitigation. With respect to transit, the project site is located within 500 feet of a BART station, which also serves as a bus transit hub. With construction of the pedestrian improvements, there is a direct pedestrian connection from the project site to the BART station. The current number of entries is below the projection and the station has capacity for additional transit riders. Furthermore, the project would comply with General Plan Goal 5-I, Goal 5-L, Policy 5-3, and Policy 5-24 that encourage the use of transit and promote transit connections to new urban developments. Therefore, operational impacts related to circulation system performance in terms of transit facilities would be less than significant. (EIR, 3.15-55.)

The nearest bicycle facility to the project site is the multi-use Iron Horse Regional Trail located 100 feet west of the project site and would connect to the trail via an existing bike path off of Honey Trail. The project would not restrict bicycle access to the Iron Horse Regional Trail or remove existing bicycle infrastructure. As such, the project would comply with General Plan Policy Goal 5-L, Policy 5-3, and Policy 5-24 that encourage biking and promote connecting bicycle facilities to new urban developments. In addition, it would provide 75 bicycle parking spaces and comply with Policy 5-13 that encourages the development of proper facilities to accommodate bikes. Chapter 82-16.412 of the Contra Costa County Code sets forth the amounts of long-term and short term bicycle parking that a project must provide. The County Code requires a multiple-family dwelling to provide space for 15 percent of the number of bedrooms for long-term parking, or two spaces (whichever is greater) and space for 5 percent of the number of bedrooms for short-term parking, or two spaces

(whichever is greater). As such, the project would be required to and would provide 56 long-term and 19 short-term spaces, totaling 75 bicycle parking spaces. Therefore, the project would provide adequate bicycle parking space, and overall, the project would not conflict with adopted policies, plans, or programs regarding bicycle facilities, or otherwise decrease the performance or safety of such facilities. Therefore, operational impacts related to circulation system performance in terms of bicycle facilities would be less than significant. (EIR, 3.15-55.)

The County finds that Mitigation Measures TRANS-1a, 1b, 1c, and 1d are feasible, are adopted, and will reduce Impact Trans-1 with respect to construction roadway facilities, operational pedestrian facilities to below a level of significance. Accordingly, the County finds that, pursuant to Public Resources Code section 21081(a)(1) and State CEQA Guidelines section 15091(a)(1), changes or alterations have been required in, or incorporated into, the project that mitigate or avoid the potentially significant impacts as identified in the EIR. Therefore, impacts associated with construction roadway facilities and operational pedestrian facilities would be less than significant with implementation of TRANS 1a, 1b, 1c, and 1d. (EIR, 3.15-40–56.)

Potential Effect

Cumulative Impact: The project would not result in cumulative traffic impacts to transit, roadway, bicycle and pedestrian facilities. (EIR, 3.15-61–76.)

Findings: Less Than Significant with Mitigation. (EIR, 3.15-61–76.) Changes or alterations have been required in, or incorporated into, the Project which avoid or substantially lessen the significant environmental effects as identified in the EIR. (State CEQA Guidelines, section 15091(a)(1).)

Mitigation Measure: *Implement MM Trans-1b, above.*

Facts in Support of Findings: With respect to bicycle and pedestrian circulation, MM TRANS-1b, includes several requirements that would improve pedestrian safety on Las Juntas Way between Coggins Drive and Del Hombre Lane, including improved crosswalk lighting and a pedestrian/bicyclist actuated trail crossing warning device. Incorporation of these mitigation measures identified in TRANS-1b result in a less than significant impact for bicycle and pedestrian circulation. (EIR, 3.15-73.)

The County finds that all other potential cumulative impacts are less than significant and do not require mitigation. With respect to transit facilities, should construction or operation of the cumulative projects temporarily or permanently conflict with existing transit connections, the project sponsors would coordinate with the County to provide alternative transit access. With respect to pedestrian and bicycle facilities, none of the cumulative projects listed in Table 3-1 in Chapter 3, Environmental Impact Analysis, share a street with the project. Cumulative projects that substantially impact bicycle, or pedestrian facilities would be required to mitigate for such impacts. Therefore, cumulative impacts related to the circulation system in terms of transit, bicycle, and pedestrian facilities would be less than significant. (EIR, 3.15-75.)

Trucks necessary to construct cumulative projects would utilize truck routes designated by the County and would not conflict with the automobile traffic and bicycle and pedestrian activity along public streets. Furthermore, the streets near the project area are generally in a grid. This grid design and generally flat grade conditions precludes roadway safety hazards related to design features such

as sharp curves, dangerous intersections, or extreme roadway grades. If any of the cumulative projects listed in Table 3-1, Chapter 3, Environmental Impact Analysis, would redesign County streets in such a way that would significantly impact roadway safety, they would be required by the County to mitigate such impacts as a condition of being approved. Roadways constructed as part of the project would be constructed to meet current Contra Costa County design standards and therefore would not contribute to a cumulative impact. Cumulative project driveways and access points would be constructed in compliance with the California Fire Code and other applicable regulations related to roadway safety and emergency access. As such, the project, in conjunction with other projects listed in Table 3-1, Chapter 3, Environmental Impact Analysis, would have a less than significant cumulative impact associated with roadway safety or emergency access. (EIR, 3.15-76.)

The County finds that Mitigation Measure TRANS-1b is feasible, is adopted, and will reduce cumulative impacts related to transit, roadway, bicycle, and pedestrian facilities to a less-than-significant level. Accordingly, the County finds that, pursuant to Public Resources Code section 21081(a)(1) and State CEQA Guidelines section 15091(a)(1), changes or alterations have been required in, or incorporated into, the project that mitigate or avoid the potentially significant cumulative impacts as identified in the EIR. Therefore, these cumulative impacts would be less than significant with implementation of MM TRANS-1b.

1.6.12 - Utilities and Service Systems

Potential Effect

Impact UTIL-1: The project would not require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects. (EIR, 3.17-14.)

Findings: Less Than Significant with Mitigation. (EIR, 3.17-14–16.) Changes or alterations have been required in, or incorporated into, the Project which avoid or substantially lessen the significant environmental effects as identified in the EIR. (State CEQA Guidelines, section 15091(a)(1).)

Mitigation Measure: *Implement MM HYD-3, above.*

Facts in Support of Findings: The project would not create the need for new water facilities or result in insufficient water supply. Therefore, impacts related to need for relocation or construction of new or expanded water supply facilities would be less than significant and no mitigation is necessary. (EIR, 3.17-14.)

As described in Section 3.17 of the EIR, the CCCSD Treatment Facility would contain sufficient capacity to serve all aspects of the project, and a new or expanded wastewater treatment facility would not be required. Correspondence with CCCSD confirmed that the existing sanitary sewer system contains sufficient capacity to handle the project's potential wastewater generation and impacts would be less than significant and no mitigation is necessary. (EIR, 3.17-14.)

Compared to existing conditions, the project would result in an increase of 78,320 square feet of impervious surfaces, with a commensurate increase in stormwater runoff. Implementation of

Mitigation Measure (MM) HYD-3 would ensure that the project collects and conveys stormwater entering or originating from the project site consistent with Division 914 of the municipal code. The project proposes to connect to the existing 84-inch public storm drain line running parallel to, and just to the west of Del Hombre Lane in the Iron Horse Regional Trail located within Drainage Area 44B. This drainage area was not designed to take runoff from Drainage Area 44. This is a diversion from the planned watershed, which requires an exception from Division 914 of the County Ordinance code. The applicant will be required as a condition of any granting of the exception to provide comprehensive hydrology and hydraulic calculations demonstrating that the 84-inch public storm drain line has adequate capacity. If the line does not have adequate capacity, the applicant will be required to construct improvements such that the storm drain line is adequate, which may include an expansion of this stormwater facility. MM HYD-3 also ensures that the project complies with regulations of the NPDES permit, and that the project applicant prepares and submits a Final Storm Water Control Plan and Stormwater Control Operation and Maintenance Plan to the County Public Works Department for approval. In addition, a Stormwater Pollution Prevention Plan (SWPPP) is required as part of MM HYD-3, which minimizes flooding and the discharge of pollutants into waterbodies during construction. Therefore, impacts related to the need for relocation or construction of new or expanded stormwater drainage facilities would be less than significant with mitigation. (EIR, 3.17-15.)

With respect to telecommunications, although no telecommunications facilities are located on-site, the project would not need new telecommunications facilities because it is located in an urban area that already contains sufficient resources. Therefore, impacts would be less than significant and no mitigation is necessary. (EIR, 3.17-16.)

The County finds that Mitigation Measure MM HYD-3 is feasible, is adopted, and will reduce Impact UTIL-1 related to stormwater drainage to a less-than-significant level. Accordingly, the County finds that, pursuant to Public Resources Code section 21081(a)(1) and State CEQA Guidelines section 15091(a)(1), changes or alterations have been required in, or incorporated into, the project that mitigate or avoid the potentially significant impacts as identified in the EIR. Therefore, impacts would be less than significant with implementation of MM HYD-3. (EIR, 3.17-16.)

1.7 - Impacts Identified in the EIR as Significant and Unavoidable Even After the Imposition of All Feasible Mitigation Measures

The lead agency hereby finds that, despite the incorporation of mitigation measures outlined in the EIR and the attached MMRP, the following impacts from the proposed project and related approvals cannot be fully mitigated to a less than significant level and a Statement of Overriding Considerations is therefore included herein.

1.7.1 - Transportation

Impact TRANS-1: The project would result in an operational impact related to unacceptable Level of Service (LOS) at Coggins Drive at Las Juntas Way intersection under Opening Year with Project. (EIR, 3.15-41–56.)

Findings: Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effects as identified in the EIR. (State CEQA Guidelines, section 15091(a)(1).) However, impacts would still remain significant and unavoidable even with mitigation incorporated for intersection LOS. Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measure or project alternatives identified in the EIR. (State CEQA Guidelines, section 15091(a)(3).)

Mitigation Measures: *Implement MM TRANS-1b, above.*

Facts in Support of Findings: Under the “Existing with Project Conditions,” the addition of project traffic would not degrade the operation of any study intersection from an overall acceptable service level to an unacceptable service level. For intersections on Treat Boulevard that experience LOS F conditions (Intersection No. 8 and Intersection No. 9) from a delay perspective operate within the established volume-to-capacity ratio standard and, while the addition of project traffic would increase the volume-to-capacity ratio, this increase would not be considered significant based on the specific thresholds of significance as described above. Therefore, operational impacts related to circulation system performance in terms of roadway facilities (specifically intersection LOS) would be less than significant. (EIR, 3.15-43.) Under “Opening Year with Project Conditions,” the Coggins Drive at Las Juntas Way intersection (Intersection No. 3) is projected to degrade to LOS F in the morning peak-hour, which is an overall unacceptable service level. The addition of project traffic would worsen operations and result in the satisfaction of peak-hour signal warrants to be satisfied. Based on the significance criteria, this is a significant impact. (EIR, 3.15-44.)

Restricting parking on the north side of Las Juntas Way between Coggins Drive and Del Hombre Lane could allow restriping within the existing right-of-way to provide a left-turn pocket and a through right shared lane. This improvement would result in LOS D operations (31 seconds) for vehicles, reducing the vehicle impact to a less-than-significant level. However, the Iron Horse Trail crosses this intersection and there are high levels of pedestrian and bicycle activity; therefore, this proposed improvement could increase vehicle/bicycle/pedestrian conflicts, which would be a secondary impact of restriping to provide an additional vehicle lane. (EIR, 3.15-51.)

Including this left-turn pocket would conflict with numerous policies (e.g., Complete Streets, Pleasant Hill BART Specific Plan) as well as general best practices in transit-oriented development planning, and would specifically conflict with General Plan Policy 5-18, which directs the County to prioritize intermodal safety over capacity. Therefore, this left-turn pocket is rejected as an infeasible feature and is not included as part of the project. As a result, this intersection would continue to operate at an unacceptable level of service for vehicles in the morning peak-hour under Opening Year with Project Conditions. There are no other feasible mitigation measures. Therefore, LOS impacts with respect to Opening Year with Project at Coggins Drive at Las Juntas Way intersection (Intersection No. 3) would be significant and unavoidable. All other study intersection would operate at acceptable service levels prior to the addition of project traffic, and would continue to operate at acceptable levels with the addition of project traffic. Additionally, MM TRANS-1b includes requirements that would improve pedestrian safety on Las Juntas Way between Coggins Drive and

Del Hombre Lane; however, these improvements would not result in acceptable operations for vehicles. (EIR, 3.15-51.)

The County finds that Mitigation Measures TRANS-1a, 1b, 1c, and 1d are feasible, are adopted and will reduce Impact TRANS-1 to the fullest extent possible; however, operational impacts related to unacceptable Level of Service (LOS) at Coggins Drive at Las Juntas Way intersection under Opening Year with Project remain significant and unavoidable. (EIR, 3.15-41-51.)

Cumulative Impact: Even with implementation of all available feasible mitigation measures, the project would result in significant and unavoidable cumulative impacts with respect to intersection levels of service. (EIR, 3.15-62–73.)

Findings: Changes or alterations have been required in, or incorporated into, the Project which avoid or substantially lessen the significant environmental effects as identified in the EIR. (State CEQA Guidelines, section 15091(a)(1).) However, impacts would still remain significant and unavoidable even with mitigation incorporated. Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measure or project alternatives identified in the EIR. (State CEQA Guidelines, section 15091(a)(3).)

Mitigation Measures: *Implement MM TRANS-1b, above.*

Facts in Support of Findings: As discussed in Section 3.15 of the EIR, in the cumulative condition, the Coggins Drive at Las Juntas Way intersection (Intersection No. 3) is projected to degrade to LOS F in the morning peak-hour. The addition of project traffic would worsen operations in the AM peak-hour and result in LOS E conditions in the PM peak-hour. (EIR, 3.15-68.) Although restriping within the existing right of-way to provide a left-turn pocket and a through-right shared lane would potentially reduce the vehicle impact to a less-than-significant level, this improvement could increase vehicle/bicycle/pedestrian conflicts associated with the high volume of activity on Iron Horse Trail, which crosses this intersection. Therefore, implementation of this improvement is not recommended, as it could lead to potentially dangerous secondary impacts for pedestrians and bicyclists. Including this left-turn pocket would conflict with numerous policies (e.g., Complete Streets, Pleasant Hill BART Specific Plan), as well as general best practices in transit-oriented development planning, but specifically would conflict with General Plan Policy 5-18, which directs the County to prioritize intermodal safety over capacity. Therefore, this left-turn pocket is not feasible and the County rejects its inclusion as part of the project. There is no other identified mitigation. Accordingly, the intersection would continue to operate at unacceptable levels in the morning and evening peak-hour under Cumulative Year with Project Conditions. Implementation of MM TRANS-1b would require improvements be made to Las Juntas Way prior to final inspection. However, these improvements would not result in acceptable operations for vehicles. Therefore, cumulative impacts related to the circulation system in terms of vehicle operations on roadway facilities (specifically in terms of intersection level of service) would be significant and unavoidable even with mitigation. (EIR, 3.15-73.)

The County finds that Mitigation Measure TRANS-1b is feasible, is adopted and will reduce impacts to the fullest extent possible; however, cumulative operational impacts related to unacceptable LOS at Coggins Drive at Las Juntas Way intersection under Cumulative Year with Project remain significant and unavoidable. (EIR, 3.15-62–73.)

1.8 - Infeasible, Unnecessary, or Rejected Mitigation Measures

1.8.1 - Signalization and Left Turn Pocket Are Not Feasible Mitigation Measures

Signal warrants were evaluated for the unsignalized intersections, and as shown in Table 3.15-9, the intersection of Coggins Drive at Las Juntas Way (Intersection No. 3) is projected to meet the peak-hour signal warrant with the addition of project traffic during the morning peak-hour. Signalization of the intersection, however, would worsen the LOS for vehicles because the intersection configuration would require split phasing. Therefore, the County finds that signalization would not be a feasible mitigation at this intersection. (EIR, 3.15-54.)

A left-turn pocket was also evaluated for the significant impact at the intersection of Coggins Drive and Las Juntas Way (Intersection No. 3). Restricting parking on the north side of Las Juntas Way between Coggins Drive and Del Hombre Lane could allow restriping within the existing right-of-way to provide a left-turn pocket and a through right shared lane. This improvement would result in LOS D operations (31 seconds) for vehicles, reducing the vehicle impact to a less-than-significant level. However, the Iron Horse Trail crosses this intersection and there are high levels of pedestrian and bicycle activity; therefore, this proposed improvement could increase vehicle/bicycle/pedestrian conflicts and potentially create dangerous conditions for pedestrians and bicyclists, which would be a secondary impact of restriping to provide an additional vehicle lane. (EIR, 3.15-51. Including this left-turn pocket also would conflict with numerous policies (e.g., Complete Streets, Pleasant Hill BART Specific Plan) as well as general best practices in transit-oriented development planning, and would specifically conflict with General Plan Policy 5-18, which directs the County to prioritize intermodal safety over capacity. As a result, this intersection would continue to operate at an unacceptable level of service for vehicles in the morning peak-hour under Opening Year with Project Conditions and cumulative conditions. Therefore, the County finds that a left-turn pocket would not be a feasible mitigation at this intersection. There are no other feasible mitigation measures. Therefore, LOS impacts with respect to Opening Year with Project at the Coggins Drive at Las Juntas Way intersection (Intersection No. 3) would be significant and unavoidable.

1.8.2 - Indoor Air Quality Mitigation Not Required

Members of the public suggested additional mitigation measures related to indoor air quality. The new residential and recreational uses identified in the project would be required to be built to and adhere to the latest adopted edition of the California Green Building Standards Code, which includes a number of standards that address indoor air quality. (EIR, 5-3.) The County does not find evidence of a potentially significant impact related to indoor air quality that necessitates additional mitigation beyond compliance with the standards and regulations identified in the EIR. Accordingly, the County rejects the proposed mitigation offered during the public comment period.

1.9 - Findings Regarding Alternatives

1.9.1 - Introduction

This section presents findings regarding alternatives to the project. The section provides a summary and discussion of the feasibility of the following alternatives evaluated in the Draft EIR:

- Alternative 1: No Project Alternative
- Alternative 2: Reduced Scale Alternative

Alternatives Considered but Rejected from Analysis.

In accordance with CEQA Guidelines Section 15126.6, the EIR contained a comparative impact assessment of alternatives to the Project. The primary purpose of this analysis is to provide decision makers and interested agencies, organizations and individuals with information about a reasonable range of potentially feasible Project alternatives, which could avoid or reduce any of the Project's significant adverse environmental effects. Important considerations for this alternatives analyses are noted below:

- An EIR need not consider every conceivable alternative to a project;
- An EIR should identify alternatives that were considered by the lead agency, but rejected as infeasible during the scoping process;
- Reasons for rejecting an alternative include:
 - Failure to meet most of the basic project objectives identified in Section 2.2;
 - Infeasibility; and
 - Inability to avoid significant environmental effects.

There were no suitable alternative sites for the project. Therefore alternative locations were not considered in the alternatives analysis. Additionally, an existing zoning alternative was considered, but rejected from further review. Existing zoning for the project site is for single-family residential land uses. However, given the project site's adjacency to the Pleasant Hill BART Station and location amongst multiple-family residential uses, it would not be a compatible use to develop single-family uses on the project site when multiple-family uses are more appropriate for transit-oriented development purposes and goals. (EIR, 6-22.)

Alternative 1: No Project Alternative.

Description: Under the No Project Alternative, the 284-unit 6-story podium apartment community proposed under the project would not be constructed on the project site. In this scenario, the two existing single-family homes and garage on the project site would remain, road improvements would not occur, trees would not be removed or impacted, grading would not take place, and the five parcels would not be merged into one parcel. This alternative would not require a General Plan Amendment, rezoning, minor subdivision, or a Final Development Plan.

Findings: The No Project Alternative would avoid the majority of the project's impacts by leaving the site in its existing condition, thus avoiding impacts caused by the demolition of the two residential

structures and garage on-site, and the grading and construction that would occur under the project. This alternative would, in general, not exacerbate many of the identified impacts. However, by leaving the existing residences on-site instead of providing much-needed multiple-family housing near a transit station, the No Project Alternative would have not help reduce the housing imbalance and would therefore contribute to greater impacts related to Population and Housing than the project. Furthermore, as detailed in Section 6 of the EIR, the No Project Alternative would not advance any of the overall project objectives. (EIR, 6-3–6-10.) Specifically, this Alternative by maintaining the site in its current under-utilized state, would not help to address the critical housing shortage in the County and would not help to increase the availability of affordable housing. This alternative would not advance important policies of the County related to housing and the development of high quality residential areas. This alternative would not be consistent with the objectives of the General Plan, which focus on infill development near public transit. While the No Project Alternative would have no land use impacts, unlike the project, it would not facilitate the reuse of underutilized parcels. Additionally, this would not meet any of the project objectives related to GHG emissions, because this alternative would not maximize infill redevelopment of underutilized sites in areas served by adequate infrastructure and services and that are near mass transit, freeways, and urban centers to encourage multiple-family housing located in proximity to transit corridors. (EIR, 6-3–10.) Accordingly, based on the discussion in the EIR and all other evidence before it, the County finds that the No Project alternative does not advance or meet any of the project objectives and would not meet the County goals of increasing housing in the County, including affordable housing. The County rejects this alternative as infeasible.

Alternative 2: Reduced Scale Alternative.

Description: Under the Reduced Scale Alternative, 52 townhomes (22 units per acre on 2.37 acres) would be constructed on the project site. While this alternative would reduce the overall intensity of development on the project site, it would still require the development of the entire project site. In this scenario, the number of market rate units would decrease by 82 percent (248 units down to 44 units) and the number of affordable units would decrease by 78 percent (36 units down to 8 units). Similar to the project, the two existing single-family homes and garage on the project site would be demolished. However, no below ground parking would be constructed under this alternative.

Findings: Overall, the Reduced Scale Alternative would have similar impacts to the project, as it would develop residential structures throughout the 2.37-acre site. This alternative would, in general, not exacerbate many of the identified impacts due to decreased density of development on the project site compared to the project. Because this alternative would provide substantially fewer affordable housing units, and far fewer units in general, it would have greater impacts related to Population and Housing when compared to the project. In addition, the provision of adequate and affordable housing opportunities is an important goal of the County. While the Reduced Scale Alternative would provide housing on-site, it would do so on a far lesser scale, and thus would have greater impacts with regard to population and housing, as it would provide less housing overall. Additionally, while the Reduced Scale Alternative would result in fewer residents and, therefore, lower vehicle miles traveled, the lower density of this alternative compared to the project would result in fewer residents being offered access to the public transit services near the project site. The reduced density of this alternative would partially achieve the objective of maximizing infill

redevelopment of underutilized sites in areas served by adequate infrastructure and services that are near mass transit, freeways, and urban centers to encourage multiple-family housing located in proximity to transit corridors. Because of its lower density, this alternative would not satisfy the project objectives of maximizing infill development of underutilized sites in areas served by adequate infrastructure and services that are near mass transit, freeways, and urban centers to the same degree as the project. (EIR, 6-11–19.)

Accordingly, based on the discussion in the EIR and all other evidence before it, the County finds that the Reduced Scale Alternative would only partially fulfill the project objectives and would not meet the County goals to increase housing, including affordable housing in areas in proximity to transit corridors and it is therefore rejected as infeasible.

Environmentally Superior Alternative

Section 15126.6(e)(2) of the State CEQA Guidelines indicates that an analysis of alternatives to a proposed Project shall identify an environmentally superior alternative among the alternatives evaluated in an EIR.

The No Project Alternative has no impacts that would be caused by the construction and operation of the proposed project and as such would appear to be the environmentally superior alternative. However, the No Project Alternative does not meet any of the project objectives. While the Reduced Scale Alternative has lesser impacts compared to the project due to a lower density of development on-site, the majority of impacts caused on the site would be similar or equal to the project due to construction proposed throughout the project site. However the Reduced Scale Alternative would avoid the proposed project's significant unavoidable impact with respect to transportation (specifically intersection LOS). The Reduced Scale Alternative would meet some, but not all of the project objectives. In addition, the Reduced Scale Alternative would be accomplish project objectives at a far lesser scale than under the proposed project. Because the Reduced Scale Alternative would not result in significant and unavoidable impacts and would still meet most project objectives, the Reduced Scale Alternative is the environmentally superior alternative. (EIR, 6-20.)

1.10 - Findings Regarding Growth Inducement

CEQA Guidelines Section 15126.2(e) requires a discussion of the ways in which a proposed Project could foster economic or population growth, or the construction of additional housing, either directly or indirectly, in the surrounding environment. Typical growth-inducing factors might be the extension of urban services or transportation infrastructure to a previously unserved or underserved area, or the removal of major barriers to development.

Implementing the project would directly induce growth in the County, but not in a manner that is beyond the Countywide land use densities/intensities envisioned in the Contra Costa County General Plan. The project would develop 284 residential units providing housing for a population of 818 persons. Conservatively assuming that all 818 residents would be new to unincorporated Contra Costa County, the project's population would represent 0.47 percent of the total 172,513 population of unincorporated Contra Costa County in 2018. Therefore, direct population growth as a result of

the project is considered negligible. In addition, this direct population growth associated with the project would be consistent with growth projections for the County.

In addition to residential units, direct growth from the project would include ancillary and recreational facilities. This growth would add five jobs under the project. The project is an infill development and infrastructure and services would be expanded to serve the project, without significant excess capacity. The project is an infill development and, thus, implementing the project would not require the extension of electrical, natural gas, or water utility infrastructure, but would require connections to existing utilities infrastructure on and adjacent to the project site. The project would not extend urban infrastructure other than to the project site and, thus, would not induce growth in other areas, because the adjacent areas are already developed and zoned residential. Thus, the project would not encourage additional growth beyond that already planned for in the Contra Costa County General Plan. (EIR, 5-2.)

The project would also not significantly and adversely affect the permanent jobs/housing balance. The project would create a minor amount of nonresidential development and jobs but would not create a housing demand above what would otherwise occur in the County. The project maximizes the use of transit as it is located in an area that is well-served by transportation infrastructure, including the Bay Area Rapid Transit (BART) Pleasant Hill/Contra Costa Centre Station located 0.12 mile west of the project site. Therefore, the project would help the County achieve a more even job/housing balance by providing much-needed housing. Furthermore, the project would be compatible with the surrounding residential uses and not pressure adjacent properties to redevelop with new or different land uses. As a result, it is not anticipated that nearby residents would relocate. Therefore, the project would not remove a barrier to growth nor create an indirect population increase. (EIR, 5-2.)

Based on the EIR, and all evidence before it, the County finds that project would not result in indirect growth, negatively alter the existing jobs/housing balance, or be inconsistent with the Contra Costa County General Plan or CDF direct growth projections for the County, and therefore the project's potential growth-inducing impact would be less than significant.

1.11 - Findings Regarding Significant Irreversible Environmental Changes

According to Sections 15126(c) and 15126.2(d) of the State CEQA Guidelines, the Lead Agency address any significant irreversible environmental changes that would occur should the project be implemented. Generally, a project would result in significant irreversible environmental changes if any of the following would occur:

- The project would involve a large commitment of non-renewable resources;
- The primary and secondary impacts of the project would generally commit future generations to similar uses;
- The project involves uses in which irreversible damage could result from any potential environmental accidents; or
- The proposed consumption of resources are not justified.

The project would result in changes to the existing setting; however, the site design would result in 17 percent of the site being left as open space or landscaped area. Additionally, approximately 15 percent of the trees within the site boundaries and directly adjacent to the project site would be preserved. Construction would include the use of building materials, such as petroleum-based products and metals that cannot reasonably be recreated, and involve significant consumption of water and energy, usually petroleum-based fuels that deplete supplies of nonrenewable resources. (EIR, 5-3.) However, the County finds that because of its temporary and one-time nature, construction under the project would not represent a significant irreversible use of resources.

Once construction is complete, the land uses associated with the project would use some nonrenewable fuels to heat and light structures and consume water. The new residential and recreational uses would be required to be built to and adhere to the latest adopted edition of the California Green Building Standards Code, which includes a number of standards that would reduce energy demand, water consumption, wastewater generation, and solid waste generation that would collectively reduce the demand for resources. This would result in the emission and generation of less pollution and effluent and lessen the severity of corresponding environmental effects. (EIR, 5-3.) Thus, the County finds that although the project would result in an irretrievable commitment of non-renewable resources, energy for heat and light and water for irrigation and plumbing would not be consumed inefficiently, unnecessarily, or wastefully.

Furthermore, the proposed residential uses do not have the potential to cause significant environmental accidents through releases into the environment, as they would not involve large quantities of hazardous materials. Additionally, the project site has not previously experienced wildfire and is not located in or near an area of steep terrain or historical wildfire burn nor experiences consistent high winds, and would not be prone to wildfire risk. (EIR, 5-4.)

Thus, the County finds that implementation of the project's proposed residential and recreational uses do not have the potential to result in significant environmental accidents and would not result in significant irreversible environmental changes.

1.12 - Statement of Overriding Considerations

CEQA requires that a Lead Agency balance the benefits of a project against its unavoidable environmental risk in determining whether to approve the project. If the benefits outweigh the unavoidable adverse effects, those effects may be considered "acceptable" pursuant to CEQA Guidelines Section 15093(a). CEQA requires that a Lead Agency support, in writing, the specific reasons for considering a project acceptable when significant impacts are infeasible to mitigate. Those reasons must be based on substantial evidence in the Environmental Impact Report (EIR) or elsewhere in the administrative record pursuant to CEQA Guidelines Section 15093(b). The Lead Agency's written reasons are referred to as a Statement of Overriding Considerations.

As explained in the above Findings of Fact, and discussed in Sections 3.1 through 3.18 of the EIR, most of the project's impacts on the environment would either be insignificant or, through the imposition of mitigation measures, can be reduced to less than significant. However, as set forth in

Section 1.6 above, even with mitigation, the project would result in the following significant and unavoidable impacts:

- **Impact TRANS-1:** Operational impact related to unacceptable Level of Service (LOS) at Coggins Drive at Las Juntas Way intersection under Opening Year with Project
- **Cumulative Impact Traffic:** Operational impact related to unacceptable LOS at Coggins Drive at Las Juntas Way intersection under Cumulative Year with Project.

These impacts will remain significant and unavoidable even with implementation of all feasible mitigation measures. Further, as set forth in Section 1.7 above, there are no feasible alternatives to the project, which would mitigate or avoid those environmental impacts and which would meet all project objectives.

Accordingly, as set forth below, the County hereby declares that it has balanced the benefits of the Project against the unavoidable environmental impacts in determining whether to approve the Project. Pursuant to the State CEQA Guidelines, if the benefits of the project outweigh the project's unavoidable adverse environmental impacts, those impacts may be considered "acceptable."

Having reduced the adverse significant environmental effects of the project to the extent feasible by adopting the mitigation measures contained in the EIR, the MMRP, and these Findings, having considered the entire administrative record on the project, and having weighed the benefits of the project against its unavoidable adverse impacts after mitigation, the County finds that each of the following project benefits separately and individually outweighs each of the unavoidable adverse environmental effects identified in the EIR:

- By developing the project, the County would increase connectivity and pedestrian access by providing pedestrian improvements along Del Hombre Lane (along the project frontage) and Roble Road. These connections would enhance the overall community and eliminate an underutilized "island" of County land.
- The project would develop an apartment community consisting of architecture and design that encourages walkability within the neighborhood thereby promoting healthy lifestyles and improving the character of the community.
- The project would locate higher density residential development in an area well-served by regional public transportation, thereby promoting transit-oriented development.
- The project would provide accessible and convenient transit opportunities for residents and reduce reliance on automobile travel, which in turn, will reduce air quality and greenhouse gas impacts.
- The project would help alleviate the region's critical housing and employment imbalance by providing 284 housing units to an underserved area, including the 36 affordable units provided.

Having considered these benefits, the County finds that the benefits of the project outweigh the unavoidable adverse environmental effects, and that the adverse environmental effects are therefore acceptable. The County further finds that each of the above considerations is sufficient to approve the project. For each of the reasons stated above, individually and cumulatively, the project should be implemented notwithstanding the significant unavoidable adverse impacts identified in the EIR.

Custodian of Record; Scope and Content of Record

The documents and materials that constitute the record of proceedings concerning the adoption of these Findings are located at:

Contra Costa County Department of Conservation and Development
30 Muir Road
Martinez, CA 94553-4601

This information is provided in compliance with Public Resources Code section 21081.6.

Various documents, information, testimony, reports, studies, analyses and other materials (both oral and written) constitute the record upon which the County bases these Findings and the basis for the County's approval and/or adoption contained herein. These Findings cite specific pieces of evidence, but none of the County's findings are based solely on those cited pieces of evidence. Rather, these Findings are based upon the entire record, and the lead agency intends to rely upon all supporting evidence in the record for each of its conclusions contained herein.

The documents in the record include, without limitation, all items referenced in Public Resources Code section 21167.6(e):

- (i) All Project application materials;
- (ii) The Notice of Preparation (NOP) and all other public notices issued by the County in conjunction with the proposed project;
- (iii) All responses to the NOP received by the County;
- (iv) The complete EIR (including the DEIR, the Final EIR, and all appendices attached thereto);
- (v) All staff reports and related documents prepared by the lead agency and/or consultants with respect to the lead agency's compliance with the substantive and procedural requirements of this division and with respect to the action on the Project;
- (vi) All staff reports and related documents prepared by the lead agency and written testimony or documents submitted by any person relevant to any findings or statement of overriding considerations adopted by the lead agency pursuant to this division;
- (vii) All documentary and oral evidence received and reviewed at public hearings, public meetings, study sessions, and workshops on the EIR, and any transcript or minutes of the proceedings at which any advisory body or decision making body heard testimony on, or considered the EIR;

- (viii) All written comments received in response to, or in connection with, the EIR, including comments made during the scoping meeting and comments on the Draft EIR;
- (ix) The Mitigation Monitoring and Reporting Program;
- (x) The reports and technical memoranda included or referenced in any responses to comments;
- (xi) All documents, studies, EIRs, or other materials incorporated by reference in, or otherwise relied upon during the preparation of, the Draft EIR and the FEIR;
- (xii) Matters of common knowledge to the County, including, but not limited to, federal, state, the Municipal Code, General Plan, and local laws, ordinances, and regulations;
- (xiii) Any documents expressly cited in these Findings and Statement;
- (xiv) Any other relevant materials required to be in the record of proceedings by Public Resources Code Section 21167.6(e); and
- (xv) Any additional items not included above if otherwise required by law.

Recirculation Not Required

During the public review period after the Draft EIR was published, the lead agency received certain additional information related to the Project. Lead agency staff and consultants involved in preparing the various studies, reports and analyses included in the EIR have also presented additional information since the publication of the DEIR. Some of this information was contained in comments submitted on the DEIR, and in responses to those comments contained in the Final EIR. Other information was presented at or before public meetings/hearings on the EIR. The EIR incorporates additions, clarifications, modifications, and other changes, in response to comments and as determined appropriate by lead agency staff and required under CEQA.

The lead agency has considered all relevant information including the opinions and comments of interested agencies, organizations and individuals. The lead agency finds that the additional information does not show that any of the following situations requiring recirculation identified in CEQA Guideline 15088.5 have occurred:

1. A new significant environmental impact that would result from the project (or any alternative) or from a new mitigation measure proposed to be implemented.
2. A substantial increase in the severity of an environmental impact would result unless mitigation measures are adopted that reduce the impact to a level of insignificance.
3. A feasible project alternative or mitigation measure considerably different from others previously analyzed would clearly lessen the significant environmental impacts of the project (or an alternative), but the project's proponents decline to adopt it.
4. The DEIR was so fundamentally and basically inadequate and conclusory in nature that meaningful public review and comment were precluded.

Based on the foregoing and as explained in more detail in the Final EIR, and having reviewed all the information in the record of proceedings, the lead agency hereby finds that this additional information does not constitute significant new information nor does it require recirculation of the EIR. The additional information merely clarifies or amplifies an adequate EIR.

Attachment B:
Mitigation Monitoring and Reporting Program
for the
Del Hombre Apartments Project
Draft Environmental Impact Report
Contra Costa County, California

Prepared for:
Contra Costa County
30 Muir Road
Martinez, CA 94553-4601
925.674.7790

Date: May 15, 2020

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PREFACE

Pursuant to Public Resources Code Section 21081.6, Contra Costa County (lead agency) hereby finds that the mitigation measures set forth in the Mitigation Monitoring and Reporting Program (MMRP) will reduce or avoid the potentially significant impacts of the project to the extent feasible for the reasons described in the Environmental Impact Report (EIR) and administrative record. The lead agency intends for each of the mitigation measures to be adopted as recommended in the EIR. In the event of any inconsistencies between the mitigation measures set forth in the EIR and the MMRP, the MMRP shall control.

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Table 1: Del Hombre Apartments Project Mitigation Monitoring and Reporting Program

Impacts	Mitigation Measures	Method of Verification	Timing of Verification	Responsible for Verification	Verification of Completion	
					Date	Initial
Section 3.1—Aesthetics						
Impact AES-4: The project could create a new source of substantial light or glare which would adversely affect day or nighttime views in the area.	MM AES-4: Exterior Lighting Proposed exterior lighting shall be directed downward and away from adjacent properties and public/private right-of-way to prevent glare or excessive light spillover.	Incorporation into design review submittal documents for the Contra Costa County Department of Conservation and Development, Community Development Division (CDD)	Prior to issuance of building permit	Contra Costa County Department of Conservation and Development, CDD		
Section 3.2—Air Quality						
Impact AIR-2: The project could result in a cumulatively considerable net increase of any criteria pollutant for which the region is in non-attainment under an applicable federal or State ambient air quality standard.	MM AIR-2: Implement BAAQMD Best Management Practices (BMP) During Construction During construction, the following BMPs, as recommended by the BAAQMD, shall be implemented and stated on the face of the construction plans: <ul style="list-style-type: none">Exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day, or more as needed.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.	Incorporation into project construction documents; submittal of proof of implementation of BMPs during construction	Prior to construction Prior to issuance of occupancy permit	Contra Costa County Department of Conservation and Development, CDD		

Table 1 (cont.): Del Hombre Apartments Project Mitigation Monitoring and Reporting Program

Impacts	Mitigation Measures	Method of Verification	Timing of Verification	Responsible for Verification	Verification of Completion	
					Date	Initial
	<ul style="list-style-type: none"> • All vehicle speeds on unpaved roads and surfaces shall be limited to 15 miles per hour. • All roadways, driveways, and sidewalks shall be paved as soon as possible. • 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 Title 13, Section 2485 of California Code of Regulations. 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 mechanic and determined to be running in proper condition prior to operation. • A publicly visible sign shall be posted with the telephone number and person to contact both at Contra Costa County and at the office of the General Contractor regarding dust complaints. This person shall respond and take corrective action within 2 business days of a complaint or issue notification. The BAAQMD's phone number shall also be visible to ensure compliance with applicable regulations. 					

Table 1 (cont.): Del Hombre Apartments Project Mitigation Monitoring and Reporting Program

Impacts	Mitigation Measures	Method of Verification	Timing of Verification	Responsible for Verification	Verification of Completion	
					Date	Initial
Impact AIR-3: The project would expose sensitive receptors to substantial pollutant concentrations.	<p>Implement MM AIR-2 and the following:</p> <p>MM AIR-3: Use Construction Equipment That Meets Tier IV Interim Off-road Emission Standards</p> <p>During construction activities, all off-road equipment with diesel engines greater than 50 horsepower shall meet either United States Environmental Protection Agency or California Air Resources Board Tier IV Interim off-road emission standards. The construction contractor shall maintain records concerning its efforts to comply with this requirement, including equipment lists. Off-road equipment descriptions and information may include but are not limited to equipment type, equipment manufacturer, equipment identification number, engine model year, engine certification (Tier rating), horsepower, and engine serial number.</p>	Incorporation into bid documents; on-site inspection	Prior to issuance of building permit; prior to any fuel powered grading or construction activities	Contra Costa County Department of Conservation and Development, CDD		
Section 3.3—Biological Resources						
Impact BIO-1: The project could have a substantial adverse effect, either directly or through habitat modifications, on 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 Wildlife or U.S. Fish and Wildlife Service.	<p>MM BIO-1a: Conduct Pre-construction Special-status Bat Surveys</p> <p>The following measures shall be implemented prior to demolition, construction activities, or tree removal:</p> <ul style="list-style-type: none"> A qualified wildlife Biologist shall conduct surveys for special-status bats during the appropriate time of day to maximize detectability to determine if bat species are roosting near the work area no less 	Qualified biologist's pre-construction survey results and submittal of survey documents to the CDD for review and approval; on-site inspection/monito	Prior to demolition, construction, or tree removal	Qualified biologist contracted by project applicant reporting to Contra Costa County Department of Conservation		

Table 1 (cont.): Del Hombre Apartments Project Mitigation Monitoring and Reporting Program

Impacts	Mitigation Measures	Method of Verification	Timing of Verification	Responsible for Verification	Verification of Completion	
					Date	Initial
	<p>than 7 days and no more than 14 days prior to tree removal, beginning ground disturbance and/or construction. Survey methodology may include visual surveys of bats (e.g., observation of bats during foraging period), inspection for suitable habitat, bat sign (e.g., guano), or use of ultrasonic detectors (Anabat, etc.). Visual surveys shall include trees within 0.25 mile of project construction activities. The type of survey will depend on the condition of the potential roosting habitat. If no bat roosts are found, then no further study is required.</p> <ul style="list-style-type: none"> • If evidence of bat use is observed, the number and species of bats using the roost will be determined. Bat detectors may be used to supplement survey efforts. • If roosts are determined to be present and must be removed, the bats shall be excluded from the roosting site before the facility is removed. A mitigation program addressing compensation, exclusion methods, and roost removal procedures shall be developed prior to implementation. Exclusion methods may include use of one-way doors at roost entrances (bats may leave but cannot reenter), or sealing roost entrances when the site can be confirmed to contain no bats. Exclusion efforts may be restricted 	ring by the qualified biologist if survey results determine bat species are roosting		and Development, CDD		

Table 1 (cont.): Del Hombre Apartments Project Mitigation Monitoring and Reporting Program

Impacts	Mitigation Measures	Method of Verification	Timing of Verification	Responsible for Verification	Verification of Completion	
					Date	Initial
	<p>during periods of sensitive activity (e.g., during hibernation or while females in maternity colonies are nursing young).</p> <ul style="list-style-type: none"> If roosts cannot be avoided or it is determined that construction activities may cause roost abandonment, such activities shall not commence until permanent, elevated bat houses have been installed outside of, but near the construction area. Placement and height shall be determined by a qualified wildlife Biologist, but the height of the bat house will be at least 15 feet. Bat houses will be multi-chambered and will be purchased or constructed in accordance with CDFW standards. The number of bat houses required will be dependent upon the size and number of colonies found, but at least one bat house will be installed for each pair of bats (if occurring individually), or of sufficient number to accommodate each colony of bats to be relocated. 					
	<p>MM BIO-1b: Avoid Active Migratory Bird Nests and Bat Roosts During Construction</p> <p>The following measures shall be implemented for construction work during the nesting season (February 15 through August 31):</p> <ul style="list-style-type: none"> If construction or tree removal is proposed during the breeding/nesting season for migratory birds (typically February 15 through August 31), a qualified Biologist 	Qualified biologist's pre-construction survey results and submittal of survey documents to the CDD for review and approval; on-site	Prior to construction activities and tree removal during nesting season (February 15 through August 31)	Qualified biologist contracted by project applicant reporting to Contra Costa County Department of		

Table 1 (cont.): Del Hombre Apartments Project Mitigation Monitoring and Reporting Program

Impacts	Mitigation Measures	Method of Verification	Timing of Verification	Responsible for Verification	Verification of Completion	
					Date	Initial
	<p>shall conduct pre-construction surveys for northern harrier, pallid bat, Townsend's big-ear bat, and other migratory birds within the construction area, including a survey buffer determined by a qualified Biologist based on professional experience, no more than 14 days prior to the start of ground disturbing activities in the construction area.</p> <ul style="list-style-type: none"> • If an active nest is located during pre-construction surveys, USFWS and/or CDFW (as appropriate) shall be notified regarding the status of the nest. Furthermore, construction activities shall be restricted as necessary to avoid disturbance of the nest until it is abandoned or a qualified Biologist deems disturbance potential to be minimal. Restrictions may include establishment of exclusion zones (no ingress of personnel or equipment at a minimum radius of 300 feet around an active raptor nest and 50-foot radius around an active migratory bird nest) or alteration of the construction schedule. • A qualified Biologist shall delineate the buffer using nest buffer signs, ESA fencing, pin flags, and or flagging tape. The buffer zone shall be maintained around the active nest site(s) until the young have fledged and are foraging independently. 	inspection/monitoring by the qualified biologist if survey results determine bat species are roosting		Conservation and Development, CDD; USFWS and/or CDFW (as appropriate)		

Table 1 (cont.): Del Hombre Apartments Project Mitigation Monitoring and Reporting Program

Impacts	Mitigation Measures	Method of Verification	Timing of Verification	Responsible for Verification	Verification of Completion	
					Date	Initial
Impact BIO-5: The project could conflict with local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance.	MM BIO-5a: Prepare and Implement a Tree Replacement Plan A Tree Replacement Plan shall be submitted to and approved by Contra Costa County Department of Conservation and Development prior to the removal of trees, and/or prior to issuance of a demolition or grading permit. The Tree Replacement Plan shall designate the approximate location, number, and sizes of trees to be planted. Trees shall be planted prior to requesting a final inspection of the building permit.	CDD's review and approval of Tree Replacement Plan	Prior to tree removal and/or issuance of demolition or grading permits; prior to final inspection of building permit	Contra Costa County Department of Conservation and Development, CDD		
	MM BIO-5b: Implement Tree Protection Guidelines During Construction Tree protection guidelines shall be implemented during construction through the clearing, grading, and construction phases as outlined in the arborist report prepared by HortScience dated May 9, 2019 and shall be stated on the face of the construction plans.	Incorporation into project design and construction documents; on-site inspection of construction site by project arborist	Prior to tree pruning and grading and during clearing, grading, and construction	Project arborist contracted by project applicant reporting to Contra Costa County Department of Conservation and Development, CDD		

Table 1 (cont.): Del Hombre Apartments Project Mitigation Monitoring and Reporting Program

Impacts	Mitigation Measures	Method of Verification	Timing of Verification	Responsible for Verification	Verification of Completion	
					Date	Initial
Section 3.4—Cultural Resources						
Impact CUL-1: The project could cause a substantial adverse change in the significance of a historical resource pursuant to Section 15064.5.	MM CUL-1: Stop Construction Upon Encountering Historical or Archeological Materials An archaeologist who meets the Secretary of the Interior’s Professional Qualification Standards for archaeology should inspect the site once grubbing and clearing are complete, and prior to any grading or trenching into previously undisturbed soils. This may be followed by regular periodic or “spot-check” historic and archaeological monitoring during ground disturbance as needed, but full-time archaeological monitoring is not required at this time. In the event a potentially significant cultural resource is encountered during subsurface earthwork activities, all construction activities within a 100-foot radius of the find shall cease and workers should avoid altering the materials until an archaeologist has evaluated the situation. The project applicant shall include a standard inadvertent discovery clause in every construction contract to inform contractors of this requirement. Potentially significant cultural resources consist of but are not limited to stone, bone, glass, ceramics, fossils, wood, or shell artifacts, or features including hearths, structural remains, or historic dumpsites. The archaeologist shall make recommendations concerning	Qualified archaeologist’s on-site inspection(s); provision of Section 15064.5 permit(s); copy of DPR 523 forms; archeologist’s submittal of findings and documentation; project applicant to notify CDD if historical or archeological materials are encountered	After grubbing and clearing, but prior to grading or trenching; regularly during ground disturbance as needed	Archaeologist who meets the Secretary of the Interior’s Professional Qualification Standards for archaeology (contracted by project applicant, reporting to Contra Costa County Department of Conservation and Development, CDD); Contra Costa County Department of Conservation and Development, CDD		

Table 1 (cont.): Del Hombre Apartments Project Mitigation Monitoring and Reporting Program

Impacts	Mitigation Measures	Method of Verification	Timing of Verification	Responsible for Verification	Verification of Completion	
					Date	Initial
	appropriate measures that will be implemented to protect the resource, including but not limited to excavation and evaluation of the finds in accordance with Section 15064.5 of the CEQA Guidelines. Any previously undiscovered resources found during construction within the project site shall be recorded on appropriate California DPR 523 forms and shall be submitted to Contra Costa County Department of Conservation and Development, the Northwest Information Center, and the State Historic Preservation Office, as required.					
Impact CUL-2: The project could cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5.	Implement MM CUL-1	See MM CUL-1 for method, timing, and entity responsible for verification				
Impact CUL-3: The project could disturb human remains, including those interred outside of formal cemeteries.	MM CUL-3: Stop Construction Upon Encountering Human Remains If during the course of construction activities there is accidental discovery or recognition of any human remains, the following steps shall be taken: 1. There shall be no further excavation or disturbance within 100 feet of the remains until the County Coroner is contacted to determine if the remains are Native American and if an investigation of the cause of death is required. If the coroner determines the remains to be Native American, the coroner shall contact the Native American Heritage Commission (NAHC) within 24 hours, and the NAHC	Project applicant to notify CDD if human remains are encountered; County Coroner contacts NAHC and submits NAHC correspondence to CDD	During construction in the event human remains are discovered	Project applicant; Contra Costa County Office of the Sheriff: Coroner's Division; NAHC; Contra Costa County Department of Conservation and Development, CDD;		

Table 1 (cont.): Del Hombre Apartments Project Mitigation Monitoring and Reporting Program

Impacts	Mitigation Measures	Method of Verification	Timing of Verification	Responsible for Verification	Verification of Completion	
					Date	Initial
	<p>shall identify the person or persons it believes to be the Most Likely Descendant (MLD) of the deceased Native American. The MLD may make recommendations to the landowner or the person responsible for the excavation work within 48 hours, for means of treating or disposing of, with appropriate dignity, the human remains and any associated grave goods as provided in Public Resource Code Section 5097.98.</p> <p>2. Where the following conditions occur, the landowner or his or her authorized representative shall rebury the Native American human remains and associated grave goods with appropriate dignity either in accordance with the recommendations of the most likely descendant or on the project site in a location not subject to further subsurface disturbance:</p> <ul style="list-style-type: none"> • The NAHC is unable to identify a most likely descendent or the most likely descendent failed to make a recommendation within 48 hours after being notified by the commission. • The descendant identified fails to make a recommendation. • The landowner or his authorized representative rejects the recommendation of the descendant, and mediation by the NAHC fails to provide measures acceptable to the landowner. <p>Additionally, California Public Resources Code Section 15064.5 requires the following relative to Native American Remains:</p>					

Table 1 (cont.): Del Hombre Apartments Project Mitigation Monitoring and Reporting Program

Impacts	Mitigation Measures	Method of Verification	Timing of Verification	Responsible for Verification	Verification of Completion	
					Date	Initial
	<ul style="list-style-type: none"> When an initial study identifies the existence of, or the probable likelihood of, Native American Remains within a project, a lead agency shall work with the appropriate Native Americans as identified by the Native American Heritage Commission as provided in Public Resources Code Section 5097.98. The applicant may develop a plan for treating or disposing of, with appropriate dignity, the human remains and any items associated with Native American Burials with the appropriate Native Americans as identified by the Native American Heritage Commission. 					
Section 3.6—Geology and Soils						
<p>Impact GEO-1: The project could directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury or death involving:</p> <ul style="list-style-type: none"> 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. ii) Strong seismic ground shaking. iii) Seismic-related ground failure, including liquefaction. iv) Landslides. 	<p>MM GEO-1: Submittal of a Design-Level Geotechnical Report</p> <p>At least 60 days prior to issuance of construction permits or installation of utility improvements, the project applicant shall submit a design-level geotechnical report that provides geotechnical recommendations for the project based on adequate subsurface exploration, laboratory testing, and engineering analysis. The design-level geotechnical report shall address the following:</p> <ul style="list-style-type: none"> Grading, including removal of existing undocumented fill Consolidation settlement Analysis of liquefaction potential, including estimating total settlement and 	<p>Submittal of design-level geotechnical report for the CDD and County Geologist's review and approval; approval of final grading, drainage, and foundation plans by the County Geologist, Grading Inspection Division;</p> <p>on-site monitoring and inspection</p>	<p>At least 60 days prior to issuance of construction permits or at least 60 days prior installation of utility improvements; prior to issuance of building permits</p>	<p>Contra Costa County Department of Conservation and Development, CDD; County Geologist, Grading Inspection Division;</p> <p>project's Geotechnical</p>		

Table 1 (cont.): Del Hombre Apartments Project Mitigation Monitoring and Reporting Program

Impacts	Mitigation Measures	Method of Verification	Timing of Verification	Responsible for Verification	Verification of Completion	
					Date	Initial
	<p>differential settlement and surface manifestation of liquefaction</p> <ul style="list-style-type: none"> • Foundation design • Measures to protect improvements from relatively shallow water table • Further evaluation of expansive soils and corrosion potential of soils, including measures to protect improvements that are in contact with the ground from this hazard • Exploration, testing, and engineering analysis to provide recommendations pertaining to foundation design, including retaining walls and pavement design • Evaluation of the drainage design • Address temporary shoring and support of excavations • Provide updated California Building Code seismic parameters • Outline recommended geotechnical monitoring <p>Prior to issuance of building permits, the project Geotechnical Engineer shall review construction drawings to ensure that the grading, drainage, and foundation plans are consistent with recommendations and specifications in the design level geotechnical report.</p> <p>All grading, excavation and filling shall be conducted during the period of April 15</p>			Engineer (contracted by project applicant, reporting to Contra Costa County Department of Conservation and Development, CDD)		

Table 1 (cont.): Del Hombre Apartments Project Mitigation Monitoring and Reporting Program

Impacts	Mitigation Measures	Method of Verification	Timing of Verification	Responsible for Verification	Verification of Completion	
					Date	Initial
	<p>through October 15 only, and all areas of exposed soils shall be revegetated to minimize erosion and subsequent sedimentation. After October 15, only erosion control work shall be allowed by the grading permit. Any modification to the above schedule shall be subject to review by the Grading Inspection Section, and the review and approval of the Department of Conservation and Development, Community Development Division.</p> <p>A hold shall be placed on the “final” grading inspection, pending submittal of a report from the project Geotechnical Engineer that documents their observation and testing services during construction. Similarly, a hold shall be placed on the final building inspection until the Geotechnical Engineer submits a report documenting the monitoring services provided and implementation of all applicable recommendations. The final grading and construction plans for the project shall be reviewed by the project Geotechnical Engineer. Grading and construction activities shall meet the requirements of the recommendations included in the design-level geotechnical study.</p>					

Table 1 (cont.): Del Hombre Apartments Project Mitigation Monitoring and Reporting Program

Impacts	Mitigation Measures	Method of Verification	Timing of Verification	Responsible for Verification	Verification of Completion	
					Date	Initial
Impact GEO-3: The project could 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.	Implement MM GEO-1	See MM GEO-1 for method, timing, and entity responsible for verification				
Impact GEO-4: The project could be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property.	Implement MM GEO-1	See MM GEO-1 for method, timing, and entity responsible for verification				
Impact GEO-6: The project could directly or indirectly destroy a unique paleontological resource or site or unique geologic feature.	MM GEO-6: Stop Construction Upon Encountering Paleontological Materials A qualified paleontological monitor (as defined by the Society of Vertebrate Paleontology) retained by the project proponent shall be present during all phases of ground disturbance in excess of 15 feet below the existing ground surface or to the depth of Pleistocene deposits, whichever is greater. The role of the paleontological monitor shall be limited to monitoring of known or inferred Pleistocene deposits. This may be followed by regular periodic or “spot-check” paleontological monitoring during ground disturbance as needed, but full-time monitoring is not required at this time. In the event that Pleistocene fossils or fossil-bearing deposits are discovered during construction activities, excavations within a 100-foot radius of the find shall be temporarily halted or	A qualified paleontological monitor will review construction specifications; data recovery plan submitted to CDD; on-site inspection/monitoring	During all excavations that exceed 15 feet below the existing ground surface or to the depth of Pleistocene deposits, whichever is greater	Project’s qualified paleontological monitor (as defined by the Society of Vertebrate Paleontology) contracted by project applicant reporting to Contra Costa County Department of Conservation and Development, CDD		

Table 1 (cont.): Del Hombre Apartments Project Mitigation Monitoring and Reporting Program

Impacts	Mitigation Measures	Method of Verification	Timing of Verification	Responsible for Verification	Verification of Completion	
					Date	Initial
	diverted. The applicant's construction contractor shall notify a qualified paleontologist to examine the discovery, and shall notify the Department of Conservation and Development within 24 hours of the discovery. The applicant shall include a standard inadvertent discovery clause in every construction contract to inform contractors of this requirement. The paleontologist shall document the discovery as needed in accordance with Society of Vertebrate Paleontology standards and assess the significance of the find under the criteria set forth in CEQA Guidelines Section 15064.5. The paleontologist shall notify the appropriate agencies to determine procedures that would be followed before construction activities are allowed to resume at the location of the find. If the applicant determines that avoidance is not feasible, the paleontologist shall prepare an excavation plan for mitigating the effect of construction activities on the discovery. The plan shall be submitted to the Department of Conservation and Development, Community Development Division for review and approval prior to implementation. The applicant shall adhere to the recommendations in the approved plan.					

Table 1 (cont.): Del Hombre Apartments Project Mitigation Monitoring and Reporting Program

Impacts	Mitigation Measures	Method of Verification	Timing of Verification	Responsible for Verification	Verification of Completion	
					Date	Initial
Section 3.7—Greenhouse Gas Emissions						
Impact GHG-2: Implementation of the project would not conflict with any applicable plan, policy, or regulation of an agency adopted to reduce the emissions of greenhouse gases.	MM GHG-2: Prepare Climate Action Plan (CAP) Development Checklist Prior to issuance of building permits, the applicant shall prepare and submit a CAP Development Checklist completed for the project to the County of Contra Costa that demonstrates to the County’s satisfaction that project would be constructed and operated to be consistent with measures required in the CAP Development Checklist.	Submittal of the County’s CAP Development Checklist for the review and approval of CDD	Prior to issuance of building permits	Contra Costa County Department of Conservation and Development, CDD		
Section 3.8—Hazards and Hazardous Materials						
Impact HAZ-1: The project could create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials.	MM HAZ-1: Conduct Asbestos and Lead Surveys Prior to Demolition Prior to the issuance of demolition permits for the two existing residences and associated structures, the applicant shall retain a licensed professional to conduct asbestos and lead paint surveys. These surveys shall be conducted prior to the disturbance or removal of any suspect asbestos-containing materials and lead-based paint, and these materials shall be characterized for asbestos and lead by a reliable method. All activities involving asbestos-containing materials and lead-based paint shall be conducted in accordance with governmental regulations, and all removal shall be conducted by properly licensed abatement contractors.	Qualified licensed professional to conduct asbestos and lead surveys submitted to CDD	Prior to issuance of demolition permits for the two existing residences and associated structures	Contra Costa County Department of Conservation and Development, CDD		

Table 1 (cont.): Del Hombre Apartments Project Mitigation Monitoring and Reporting Program

Impacts	Mitigation Measures	Method of Verification	Timing of Verification	Responsible for Verification	Verification of Completion	
					Date	Initial
Section 3.9—Hydrology and Water Quality						
Impact HYD-3: The project could substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would: i) result in substantial erosion or siltation on- or off-site; ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite; iii) 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; or iv) impede or redirect flood flows?	MM HYD-3: Prepare Drainage Plan Prior to Grading <ul style="list-style-type: none">• In accordance with Division 914 of the Ordinance Code, the project applicant shall collect and convey all stormwater entering and/or originating on this property, without diversion and within an adequate storm drainage facility, to a natural watercourse having definable bed and banks, or to an existing adequate public storm drainage system that conveys the stormwater to a natural watercourse. Any proposed diversions of the watershed shall be subject to hearing body approval. Prior to issuance of a grading permit, the applicant shall submit improvement plans for proposed drainage improvements, and a drainage report with hydrology and hydraulic calculations to the Engineering Services Division of the Public Works Department for review and approval that demonstrates the adequacy of the in-tract drainage system and the downstream drainage system. The applicant shall verify the adequacy at any downstream drainage facility accepting stormwater from this project between the site and the outfall of the downstream storm drain system to the Walnut Creek Channel prior to discharging runoff. If the downstream system(s) is not adequate to	Submit drainage improvement plans and a drainage report; submit Final Stormwater Control Plan and an O+M Plan for Contra Costa County Public Works Department, Engineering Services Division (PW)'s review and approval	Prior to issuance of grading permit; prior to issuance of building permit	Contra Costa County Public Works Department		

Table 1 (cont.): Del Hombre Apartments Project Mitigation Monitoring and Reporting Program

Impacts	Mitigation Measures	Method of Verification	Timing of Verification	Responsible for Verification	Verification of Completion	
					Date	Initial
	<p>handle the Existing Plus Project condition for the required design storm, improvements shall be constructed to make the system adequate. The applicant shall obtain access rights to make any necessary improvements to off-site facilities.</p> <ul style="list-style-type: none"> • Comply with all rules, regulations and procedures of the National Pollutant Discharge Elimination System (NPDES) for municipal, construction and industrial activities as promulgated by the California State Water Resources Control Board, or any of its Regional Water Quality Control Boards (San Francisco Bay—Region II); and • Submit a Final Stormwater Control Plan and a Stormwater Control Operation and Maintenance Plan (O+M Plan) to the Public Works Department, which shall be reviewed for compliance with the County's National Pollutant Discharge Elimination System (NPDES) Permit and shall be deemed consistent with the County's Stormwater Management and Discharge Control Ordinance (Division 1014) prior to issuance of a building permit. Improvement Plans shall be reviewed to verify consistency with the Final Stormwater Control Plan and compliance with Provision C.3 of the County's NPDES Permit and the County's Stormwater Management and Discharge Control Ordinance (Division 1014). 					

Table 1 (cont.): Del Hombre Apartments Project Mitigation Monitoring and Reporting Program

Impacts	Mitigation Measures	Method of Verification	Timing of Verification	Responsible for Verification	Verification of Completion	
					Date	Initial
Section 3.11—Noise						
Impact NOI-1: The project would generate a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies.	MM NOI-1: Implement Noise-reduction Measures During Construction To reduce potential construction noise impacts, the following multi-part mitigation measure shall be implemented for the project and shall be stated on the face of the construction plans: <ul style="list-style-type: none">• The construction contractor shall ensure that all equipment driven by internal combustion engines shall be equipped with mufflers, which are in good condition and appropriate for the equipment.• The construction contractor shall ensure that unnecessary idling of internal combustion engines (i.e., idling in excess of 5 minutes) is prohibited.• The construction contractor shall utilize “quiet” models of air compressors and other stationary noise sources where technology exists.• At all times during project grading and construction, the construction contractor shall ensure that stationary noise-generating equipment shall be located as far as practicable from sensitive receptors and placed so that emitted noise is directed away from adjacent residences.• The construction contractor shall ensure that the construction staging areas shall be located to create the greatest feasible	CDD to verify construction plans	Prior to issuance of building permits;	Contra Costa County Department of Conservation and Development, CDD		

Table 1 (cont.): Del Hombre Apartments Project Mitigation Monitoring and Reporting Program

Impacts	Mitigation Measures	Method of Verification	Timing of Verification	Responsible for Verification	Verification of Completion	
					Date	Initial
	<p>distance between the staging area and noise-sensitive receptors nearest the project site.</p> <ul style="list-style-type: none"> Restrict noise-generating construction activities (including construction-related traffic, excluding interior work within the building once the building envelope is complete) at the project site and in areas adjacent to the project site to the hours of 7:30 a.m. to 5:00 p.m., Monday through Friday, unless otherwise approved by CDD, with no construction allowed on weekends, federal and State holidays. 					
Impact NOI-2: The project could cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect.	<p>MM NOI-2: Install Mechanical Ventilation System</p> <p>To reduce potential traffic and BART noise impacts, prior to issuance of building permits, the applicant shall submit evidence to the satisfaction of the Department of Conservation and Development to demonstrate that the project includes a code compliant mechanical ventilation system that would permit windows to remain closed for prolonged periods.</p>	Submit evidence of code compliant mechanical ventilation system to CDD and Building Inspection Division (BID)	Prior to issuance of building permits	Contra Costa County Department of Conservation and Development, CDD and BID		
Section 3.14—Recreation						
Impact REC-2: The project would include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment.	Implement MM AIR-2, MM AIR-3, MM NOI-1, and MM TRANS-1a	See specific mitigation measures for method, timing, and entity responsible for verification				

Table 1 (cont.): Del Hombre Apartments Project Mitigation Monitoring and Reporting Program

Impacts	Mitigation Measures	Method of Verification	Timing of Verification	Responsible for Verification	Verification of Completion	
					Date	Initial
Section 3.15—Transportation						
Impact TRANS-1: The project would conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities.	MM TRANS-1a: Prepare and Implement Construction Traffic Control Plan Prior to issuance of building permits, the applicant shall prepare and submit a Construction Traffic Control Plan. The plan shall include the following items. The approved plan shall be implemented during construction. <ul style="list-style-type: none">• Project staging plan to maximize on-site storage of materials and equipment• Permitted construction hours• Location of construction staging• Identification of parking areas for construction employees, site visitors, and inspectors, including on-site locations• Provisions for street sweeping to remove construction related debris on public streets• A set of comprehensive traffic control measures including preparation of traffic control plans, as needed; scheduling of major truck trips and deliveries to avoid peak-hours; lane closure proceedings; signs, cones, and other warning devices for drivers; and designation of construction haul routes.• Survey of the pavement condition on roadways to be used as part of haul route prior to the commencement of any work on site. The survey shall include a video tape of the roadways. The applicant shall complete any remedial work prior to initiation of use and provide a bond assuring completion of	PW’s review and approval of Construction Traffic Control Plan; periodic on-site inspection	Prior to issuance of building permits; during construction	Contra Costa County Public Works Department		

Table 1 (cont.): Del Hombre Apartments Project Mitigation Monitoring and Reporting Program

Impacts	Mitigation Measures	Method of Verification	Timing of Verification	Responsible for Verification	Verification of Completion	
					Date	Initial
	<p>the remediation work, the amount which shall be deemed sufficient by the Public Works Department.</p> <ul style="list-style-type: none"> The applicant shall provide a pavement analysis for those roads along the proposed haul routes or any alternate route(s) that are proposed to be utilized by hauling operation. This study shall analyze the existing pavement conditions and determine what impact the hauling operation will have over the construction period of the project. The study shall provide recommendations to mitigate identified impacts. 					
	<p>MM TRANS-1b: Implement Las Juntas Way Improvements Prior to Final Inspection Prior to requesting a final inspection, the following improvements shall be installed on Las Juntas Way between Coggins Drive and Del Hombre Lane:</p> <ul style="list-style-type: none"> The Iron Horse Trail crossing of Las Juntas Way shall be enhanced with one or more of the following measures, as approved by the Public Works Department: <ul style="list-style-type: none"> - Advance stop bars - Narrowed travel lanes - Curb extensions - Improved crosswalk lighting - A pedestrian/bicyclist actuated trail crossing warning device, - Other similar measures as approved by the Public Works Department. 	Identification on site circulation plans and site plan review and approval by PW	Prior to request for final site inspection	Contra Costa County Public Works Department		

Table 1 (cont.): Del Hombre Apartments Project Mitigation Monitoring and Reporting Program

Impacts	Mitigation Measures	Method of Verification	Timing of Verification	Responsible for Verification	Verification of Completion	
					Date	Initial
	MM TRANS-1c: Relocate and Align Del Hombre Lane Crosswalk Prior to Construction Prior to requesting a final inspection, the project applicant shall install a crosswalk across Del Hombre Lane, with curb ramps on either end. The crosswalk's eastern curb ramp shall be located south of the parking garage entry for the project and north of the corner of Del Hombre Lane and Honey Trail Lane. The applicant will work with the Public Works Department on the optimal location to serve pedestrians while minimizing impacts to existing trees on the west side of Del Hombre Lane.	Identification on site circulation plans and site plan review and approval by PW; review project at buildout to confirm installation of crosswalk	Prior to requesting final inspection	Contra Costa County Public Works Department		
	MM TRANS-1d: Prepare Pedestrian Path Design and Lighting Plan Prior to Construction Prior to issuance of building permits, the applicant shall prepare and submit plans to the Contra Costa County Public Works Department depicting street lighting along the project frontages to provide a lit pedestrian path of travel along the project frontage, connecting to the Iron Horse Trail. The approved plans shall be incorporated into the project.	Identification on site circulation plans and site plan review and approval by PW	Prior to issuance of building permits	Contra Costa County Public Works Department		

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