

CEQA FINDINGS FOR SUMMERHILL HOMES (APPLICANT) AND SAM MENDES, ET. AL (OWNERS): COUNTY FILES #CDRZ21-03258, CDS21-09559, CDDP21-03001

CEQA FINDINGS

1. The Contra Costa County Board of Supervisors adopts the following findings for certification of the EIR and approval of the Oak Road Townhouse Condominium 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 Oak Road Townhouse Condominium Project did not present any significant impacts that cannot be mitigated to a less-than-significant impact level.

PROJECT AND EIR FINDINGS

Certification of EIR

The Contra Costa County Board of Supervisors ("Board") finds that the EIR has been completed in compliance with CEQA; that the Board 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) is attached to these findings and is hereby adopted by the Board 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 Board 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 Board intends to adopt each of the mitigation measures identified by the EIR.

The various documents and other materials constitute the record upon which the Board bases these findings and the approvals contained herein. These findings cite specific pieces of evidence, but none of the Board's findings are based solely on those pieces of evidence. These findings are adopted based upon the entire record, and the Board 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) 655-2705.

Attachment A
CEQA Findings of Fact
Oak Road Townhouse Condominiums Project
County File Numbers: CDRZ21-03258, CDSD21-09559, CDDP21-03001
Contra Costa County, California
State Clearinghouse Number 2021040684

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CEQA FINDINGS OF FACT

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 proposed 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 proposed project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR (hereinafter referred to as “finding (1)”).
- (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 (hereinafter referred to as “finding (2)”).
- (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 (hereinafter referred to as “finding (3)”).

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

All significant and potentially significant impacts identified in the Draft EIR can be reduced to levels of insignificance through mitigation measures identified in the Draft EIR. The Final EIR incorporates the Draft EIR. References here 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 Contra Costa County (Lead Agency). The Draft EIR for the Oak Road Townhouse Condominiums Project (proposed project) identifies significant effects on the environment which may occur as a result of the proposed project. Sections 1.5 and 1.6 set forth potential environmental effects of the proposed project which are not significant because of the design of the proposed project or which can feasibly be mitigated below a level of significance. 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 proposed project.

The following sets forth all significant effects of the Oak Road Townhouse Condominiums Project and, with respect to each effect, makes one or more of the findings set forth in the Introduction above and states facts in support of such findings.

The Draft EIR provides additional facts in support of the findings herein. The mitigation measures set forth in the Mitigation Monitoring and Reporting Program (MMRP) are incorporated by reference in these findings, and the findings in Section 1.6 refer to individual mitigation measures as appropriate. In the event of any inconsistencies, the MMRP shall control.

1.3 - Project Summary

1.3.1 - Project Description

The proposed project includes construction of 125 townhouse condominium units located in 19 three-story townhome condominium buildings. The buildings would be approximately 37 to 43 feet in height to the ridgeline, although the buildings with a rooftop deck may extend up to 45 feet in height. The 5.94-acre site would be developed with a total of approximately 237,816 square feet of new residential living area (293,139 total gross building square feet), resulting in a net density of 26.3 dwelling units per acre.

As part of the proposed project, the existing eight parcels would be reconfigured into 19 new residential parcels (1–19), ranging in size from 7,706 square feet to 17,294 square feet, as well as 13 street and court lots (A–M), ranging in size from 2,808 and 9,834 square feet.

The building site coverage area would be a maximum of 50 percent of the site (approximately 129,373 square feet). Thirteen of the 125 townhouse condominium units (10 percent) would comply with the Americans with Disabilities Act (ADA). Five unit types are proposed, ranging in size from 1,362 to 2,250 square feet with attached 1- or 2-car garages, 3 to 4 bedrooms, and 3 to 3.5 bathrooms.

- Unit type 1A (27 units) would be 1,362 net square feet and 1,811 gross square feet. This unit type would include 3 bedrooms, 3 bathrooms, and a 449-square-foot tandem 2-car garage.
- Unit type 1B (6 units) would be 1,551 net square feet and 1,840 gross square feet. This unit type would include 4 bedrooms, 3 bathrooms, and a 289-square-foot single car garage.
- Unit type 2 (20 units) would be 1,837 net square feet and 2,311 gross square feet. This unit type would include 3 bedrooms, 3.5 bathrooms, and a 474-square-foot standard 2-car garage.
- Unit type 3 (34 units) would be 2,044 net square feet and 2,493 gross square feet. This unit type would include 4 bedrooms, 3.5 bathrooms, and a 449-square-foot standard 2-car garage.
- Unit type 4 (38 units) would be 2,250 net square feet and 2,690 gross square feet. This unit type would include 4 bedrooms, 3.5 bathrooms, and a 440-square-foot standard 2-car garage.

A total of 272 on-site parking spaces would be provided with available spaces along the street frontage. Primary vehicular access would be provided from main driveways on Jones and Oak Roads, which would also provide for emergency vehicle access.

A minimum of 25 percent of the project site (approximately 92,120 square feet) would function as common landscaped open space and private open space areas. Additional common features would include internal streets, courts, walkways, and drainage improvements. Off-site improvements would include installation of parking stalls along Oak Road and Jones Road.

The proposed project would involve the demolition of all existing improvements currently present on-site, including buildings, foundations, asphalt, concrete, fence poles, and landscaping. In addition, 74 on-site trees would be removed, and one valley oak (*Quercus lobata*) would be relocated within the site. Six trees are located adjacent to the property boundaries and have canopies that extend onto the site. Although construction activities would occur within the drip lines of these trees, they would be afforded protection during construction to ensure their preservation. The trees would be pruned in accordance with arborist recommendations to reduce the size of tree crown over the project site.

The project site is designated as Multiple-Family Residential—High Density (MH). As part of project approvals, the applicant is requesting rezoning of the site to Planned Unit District (P-1). Primary access to the site would be from two driveways: one along Jones Road and one along Oak Road. Off-site improvements would include frontage sidewalk, driveway curb, gutter improvements including retaining existing on-street parking, and street tree planting. A total of approximately 92,120 square feet of landscaped area (25 percent of the site) is proposed, including a central open space area, paseo/walkways, a dog park, and private yards.

1.3.2 - Project Objectives

The objectives of the proposed project are to:

- Develop an appropriate mix of multi-family units (including affordable units) that meets the existing General Plan land use designation and regional housing goals.
- Provide affordable housing units in accordance with the Contra Costa County Housing Element (2014).
- Locate housing in close proximity to transit in order to reduce vehicle miles traveled.
- Provide housing with a variety of floor plans and unit types to enhance the economic viability of the development for long-term sustainability.
- Retain the architectural and visual character of the neighborhood by building 3-story townhouse condominiums with roof-deck elements on selected homes fronting Oak Road and providing replacement landscaping that will mature over time.
- Replace an obsolete private school with new market rate and affordable for-sale townhouse condominium homes consistent with the General Plan and surrounding neighborhood.
- Establish physical and social connections between Jones and Oak Roads by building safe, private streets, walkable landscaped open spaces including stormwater management, and green building components.
- Provide on-site open space amenities for future residents.
- Phase development to allow for managed, orderly, and economically viable growth.

1.3.3 - Required Approvals

Discretionary approvals and permits are required by the Lead Agency, Contra Costa County, for implementation of the proposed project and include but may not be limited to the following:

- EIR Certification
- Rezoning
- Vesting Tentative Map
- Final Development Plan
- Tree permit

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

- Demolition permits
- Grading permits
- Building permits
- Encroachment permits (by the County and City of Walnut Creek)
- Final Map

In addition to the County as Lead Agency, a number of agencies may serve as Responsible and Trustee Agencies, pursuant to CEQA Guidelines, Section 15381 and Section 15386, respectively. It is the intent of the County that this Draft EIR will 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
- Contra Costa County Fire Protection District
- Bay Area Air Quality Management District
- San Francisco Bay Regional Water Quality Control Board
- Contra Costa Water District
- Central Contra Costa Sanitary District

1.4 - Background

1.4.1 - Public Review

A Notice of Preparation (NOP) for the proposed project was distributed on April 28, 2021. The NOP was distributed to the State Clearinghouse, responsible and trustee agencies, and interested entities and individuals for a 30-day public review period extending from April 28, 2021, through May 28, 2021, thus beginning the formal CEQA scoping process. The NOP and copies of comments received are included as Appendix A to the Draft EIR. Several letters were received after the close of the of the 30-day public review period. These letters are part of the Administrative Record.

Pursuant to Section 15083 of the State CEQA Guidelines, the County held a public scoping meeting on May 17, 2021, at 3:30 p.m. To slow the spread of COVID-19, the Health Officer's Shelter Order of March 10, 2021, prevented public gatherings. In lieu of a public gathering, the County Zoning Administrator was accessible live online and by telephone to all members of the public as permitted by the Governor's Executive Order N29-20. During this time, the County Zoning Administrator was available to accept oral and written comments pertaining to environmental concerns related to the proposed project from interested agencies, organizations, and individuals. During this meeting, seven individuals presented verbal comments regarding the proposed project's impacts on aesthetics, air quality and greenhouse gases, biological resources (specifically, the removal of trees), geology and soils, hazards and hazardous materials, land use and planning, noise, public services and recreation, and transportation and traffic. Additionally, public comments were submitted regarding proposed project's building setbacks, height, design, foundations, and location, as well as potential effects on parking and neighborhood parks and trails, and construction impacts. These comments were addressed in the Draft EIR.

The Draft EIR was circulated for a 45-day public review period between October 21, 2021, and December 6, 2021. During the public review period, the Draft EIR, including the technical appendices, was available for review at the Contra Costa County website (<https://www.contracosta.ca.gov/8363/Oak-Road-Townhouse-Condominiums>). Hard copies of the Draft EIR were available at the office of Contra Costa County Department of Conservation and Development and two alternative locations. The address and hours of operation for each location is provided below:

Contra Costa County
Department of Conservation and Development
30 Muir Road
Martinez, CA 94553-4601
Hours:
Monday through Friday: Call 925.655.2700
Saturday and Sunday: Closed

Walnut Creek Library Contra Costa County
1644 North Broadway
Walnut Creek, CA 94596
Hours:
Monday and Tuesday: 10:00 a.m.–8:00 p.m.
Wednesday and Thursday: 10:00 a.m.–6:00 p.m.
Friday and Saturday: 9:00 a.m.–5:00 p.m.
Sunday: Closed

Office of County Supervisor Karen Mitchoff (District 4)
2151 Salvio Street, Suite R
Concord, CA 94520
Hours:
Monday through Friday: Call 925.521.7100 or
Email SUPERVISORMITCHOFF@BOS.CCCOUNTY.US
Saturday and Sunday: Closed

After the close of the public comment period, the County received a single comment letter. Contra Costa County prepared a Final EIR addressing the comment received during the 45-day public review and comment period on the Draft EIR and written responses to that comment.

1.4.2 - County's Independent Review

Contra Costa 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 Final EIR; written and oral testimony given at public meetings and hearings in connection therewith; the submission of comments from the public, organizations and regulatory agencies; and all other relevant information in the administrative record and determined, based on all of the evidence presented, that the following environmental impacts associated with the proposed 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.

Contra Costa County concludes that implementation of the proposed project could result in potentially significant adverse environmental impacts unless mitigation is incorporated. Accordingly, as discussed above, Contra Costa County is required to make certain findings with respect to these impacts pursuant to CEQA Guidelines Section 15091, as set forth in this document ("Findings"). These Findings summarize the environmental determinations about the proposed project's significant impacts before and after mitigation and summarize the proposed 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 Draft EIR and adopted by Contra Costa County and state the conclusions regarding the significance of each impact after incorporation of the identified mitigation measures. A comprehensive explanation of these environmental impact conclusions can be found in the Draft EIR, as supplemented and explained in staff reports and materials presented by the proposed project applicant, Contra Costa County staff, and various project consultants, and other relevant materials in the administrative record.

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

1.4.3 - Incorporation of EIR

For these Findings, the "EIR" shall consist of the Draft EIR, all appendices attached to the Draft EIR, and the Final EIR (consisting of the Introduction 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 proposed project.

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

Contra Costa County has heard, been presented with, reviewed, and considered all 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 Contra Costa County and is deemed adequate for purposes of making decisions on the merits of the proposed 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. 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. Nevertheless, Contra Costa County hereby finds that the proposed project would have either no impact or a less than significant impact as described below.

Therefore, based on its independent judgment and the entire administrative record before it, Contra Costa County has determined that the project will have no impact on the following resources areas in their entirety:

- **Agriculture and Forestry Resources.** No agricultural land or forestland currently exist on the project site. The site is mapped as “Urban and Built-Up Land” by the California Department of Conservation Farmland Mapping and Monitoring Program and is not under a Williamson Act Contract. In addition, the General Plan Conservation Element Figure 8-2 does not delineate the project site as an Important Agricultural Area. As such, construction and operation of the proposed project would not result in the conversion of Prime Farmland, Unique Farmland, or Farmland of Statewide Importance to non-agricultural uses or result in the loss or conversion of forestland to non-forest uses. The proposed project would not conflict with any zoning for agricultural use or a Williamson Act Contract or any zoning for forestland or timberland. Therefore, Contra Costa County determines that substantial evidence supports a finding that no impacts related to agriculture or forestry resources would occur (Draft EIR, Chapter 6: Effects Found not to be Significant, Page 6-1).
- **Mineral Resources.** There are no mineral resource recovery sites on or in the project vicinity. A Mineral Resource Zones and Resources Sectors map prepared by the California Geological Survey indicates that the project site is located in an area that does not contain any known mineral occurrences. There are no mines on the site or in the project vicinity. In addition, the General Plan Conservation Element Figure 8-4 indicates that no mineral resource zones are located on the project site or within the surrounding area. The site is designated as Multiple-Family Residential—High-Density (MH) by the General Plan; as such, construction and operation of the proposed project would not result in the loss of availability of a known mineral resource of value to the region and residents of the State. Therefore, Contra Costa County determines that substantial evidence supports a finding that no impacts related to mineral resources would occur (Draft EIR, Chapter 6: Effects Found not to be Significant, Page 6-2).

Contra Costa County further finds that the EIR thoroughly discusses and analyzes the following impacts within the individual topical sections that would have no impact or less than significant impacts and do not require mitigation. Therefore, based on its independent judgment and the entire administrative record before it, Contra Costa County has determined that the following potential environmental effects will not be significant and no mitigation is necessary for the reasons stated below.

1.5.1 - Aesthetics, Light, and Glare

Potential Effect

Impact AES-1	The proposed project would not have a substantial adverse effect on a scenic resource as identified in the General Plan (Draft EIR, Section 3.1, Aesthetics, Light, and Glare, Page 3.1-9).
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Findings

Less than significant impact.

Facts in Support of Findings

There are no scenic resources, as defined by the General Plan, located on the project site. The nearest designated scenic resource to the project site is Diablo Ridge, located approximately 2.35 miles to the southeast, approximately 3.95 miles to the east, and approximately 7.45 miles to the northeast. The nearest scenic roads designated by the General Plan are Interstate 680 (I-680) and State Route (SR) 24, which intersect approximately 1.9 miles south of the site. Due to distance and intervening development, the project site is not visible from any scenic routes.

During construction, removal of the buildings and vegetation would not adversely impact existing views within the project vicinity because the project site does not contain any designated scenic resources and is not visible from the nearest designated scenic routes, I-680 and SR-24.

During operation, implementation of the proposed project would not result in a substantial adverse effect on a scenic vista because there are no scenic ridges, hillsides, or rock outcroppings on the project site, nor are any scenic resources visible from the project site nor would development of the project site interfere with views of any scenic resources (Draft EIR, Section 3.1, Aesthetics, Light, and Glare, Page 3.1-9).

Potential Effect

Impact AES-2	The proposed project would not substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic building within a State Scenic Highway (Draft EIR, Section 3.1, Aesthetics, Light, and Glare, Page 3.1-10).
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Findings

Less than significant impact.

Facts in Support of Findings

The nearest officially Designated State Scenic Highways are I-680 and SR-24 at their intersection, located approximately 1.9 miles south of the project site; because of the distance to these resources and intervening development, the project site is not visible from either route. In addition, there are no scenic resources, as designated by the General Plan located on the project site. Given the absence of scenic highways proximate to the project site, the lack of designated scenic resources (i.e., ridgelines, hillsides, rock outcroppings) on the project site, and the presence of intervening development between the project site and the nearest scenic highways, the proposed project would not adversely affect views from a State Scenic Highway (Draft EIR, Section 3.1, Aesthetics, Light, and Glare, Page 3.1-10).

Potential Effect

Impact AES-3	The proposed project is in an urbanized area and would not conflict with applicable zoning and other regulations governing scenic quality (Draft EIR, Section 3.1, Aesthetics, Light, and Glare, Page 3.1-10–11).
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Findings

Less than significant impact.

Facts in Support of Findings

Considering the residential character of the project site surroundings, construction activities could temporarily affect existing visual character or quality of the project site and area. However, the area surrounding the project site has a transit-oriented residential character with multi-family apartments located to the north and to the south. The construction of the proposed project would temporarily affect visual character and quality of the area. However, construction-related impacts related to degradation of existing visual character or quality of the project site and area would be nominal, temporary, and less than significant.

The proposed project would change the visual character of the site. However, the proposed project would be consistent with the character of the surrounding area, as the area continues to transition toward higher density multi-family residential uses. The General Plan designates the site as Multiple-Family Residential–High Density (MH). As part of project implementation, the zoning of the project site would be changed to Planned Unit District (P-1). The P-1 Zoning District is intended to support large-scale integrated development in compliance with the General Plan designations. The proposed project would be consistent with the Design Objectives identified in Section 84-66.1402 of the Ordinance Code related to the P-1 Zoning District. For example, the buildings bulk, height, land coverage, and visual appearance is compatible with existing adjoining development. In addition, the design of the buildings provides for harmonious composition of mass, scale, color, and textures.

The proposed project also includes implementation of a landscaping plan, including approximately 250 trees and hundreds of shrubs, vines, and groundcover. The establishment of trees and other plantings would support the transition of the site to reflect the residential character of surrounding properties (Draft EIR, Section 3.1, Aesthetics, Light, and Glare, Page 3.1-10–11).

Potential Effect

Cumulative Impacts

The proposed project, in conjunction with other past, present, planned, and approved projects, would result in a less than significant cumulative impact with respect to aesthetics (Draft EIR, Section 3.1, Aesthetics, Light, and Glare, Page 3.1-13).

Findings

Less than significant impact.

Facts in Support of Findings

Cumulative projects are identified in Table 3-1 of the Draft EIR. The degree to which past projects are included within the list of projects is generally limited, due to the fact that past projects are included in the current environmental conditions already considered as part of the baseline and existing environmental setting. None of the Cumulative Projects would be located within the same visible area as the proposed project. The proposed project and Cumulative Projects 1 and 2, as provided in Table 3-1 of the Draft EIR, would be subject to the same County codes and guidelines related to lighting, building heights, setbacks, undergrounding of utilities, landscaping, signage, and permitted land uses. Cumulative Projects 3–13 in the Draft EIR would be subject to the codes and guidelines associated with the City of Walnut Creek related to lighting, building heights, setbacks, undergrounding of utilities, landscaping, signage, and permitted land uses. Cumulative Projects 14–24 in the Draft EIR would be subject to the codes and guidelines associated with the City of Pleasant Hill related to building heights, setbacks, undergrounding of lighting, utilities, landscaping, signage, and permitted land uses. As such, the proposed project, in conjunction with other planned and approved projects, would result in a less than significant cumulative impact with respect to visual character, views, lighting and glare.

1.5.2 - Air Quality

Potential Effect

Impact AIR-1	The proposed project would not conflict with or obstruct implementation of the applicable air quality plan (Draft EIR, Section 3.2, Air Quality, Page 3.2-37).
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Findings

Less than significant impact.

Facts in Support of Findings

The Bay Area Air Quality Management District (BAAQMD) is responsible for reducing emissions from area, stationary, and mobile sources in the Air Basin to achieve National Ambient Air Quality Standards (NAAQS) and California Ambient Air Quality Standards (CAAQS). The BAAQMD 2017 Clean Air Plan is a regional and multiagency effort to reduce air pollution in the Air Basin. A project would be judged to conflict with or obstruct the 2017 Clean Air Plan implementation if it would result in substantial new regional emissions not foreseen in the air quality planning process. The BAAQMD does not provide a numerical threshold of significance for project-level consistency analysis with Air

Quality Plans (AQPs). Therefore, the following criteria was used for determining the project's consistency with the AQP.

- Criterion 1: Does the project support the primary goals of the AQP?
- Criterion 2: Does the project include applicable control measures from the AQP?
- Criterion 3: Does the project disrupt or hinder implementation of any AQP control measures?

Criterion 1: The proposed project's density and use would be consistent with the General Plan land use designation and the proposed project would not require a General Plan Amendment. The proposed project would not introduce a greater amount of population growth than what was envisioned by the General Plan and, subsequently, the AQP. Therefore, the anticipated population growth facilitated by the proposed project was anticipated in the 2017 Clean Air Plan and the project would not conflict with the goals contained in the AQP. The proposed project is consistent under Criterion 1.

Criterion 2: As shown in the Consistency Analysis on Page 3.2-39 to Page 3.2-42 of the Draft EIR, the proposed project would be consistent with applicable measures in the 2017 Clean Air Plan and would not conflict with or hinder BAAQMD from implementing the control measures in the 2017 Clean Air Plan. The proposed project is consistent under Criterion 2.

Criterion 3: The proposed project would not preclude extension of a transit line or bike path, propose excessive parking beyond parking requirements, or otherwise create an impediment or disruption to implementing any AQP control measures. The proposed project would incorporate several AQP control measures as project design features. Considering this information, the proposed project would not disrupt or hinder the implementation of any AQP control measures. Therefore, the proposed project would be consistent under Criterion 3.

The proposed project would be consistent with all three criteria after the incorporation of identified mitigation, and therefore, the proposed project's related impacts would be less than significant (Draft EIR, Section 3.2, Air Quality, Pages 3.2-37–43).

Potential Effect

Impact AIR-4	The proposed project would not result in other emissions (such as those leading to odors) adversely affecting a substantial number of people (Draft EIR, Section 3.2, Air Quality, Page 3.2-53).
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Findings

Less than significant impact.

Facts in Support of Findings

During construction activities, construction equipment exhaust and application of asphalt and architectural coatings would temporarily generate odors. Any construction-related odor emissions would be temporary and intermittent. Additionally, noxious odors would be confined to the immediate vicinity of the construction equipment. It is anticipated that by the time such emissions

reach any sensitive receptor sites, they would be diluted to well below any level of air quality or odor concern; therefore, impacts would be less than significant.

Operation of the proposed project would likely not generate objectionable odors. The type of uses that are considered to have objectionable odors include wastewater treatment plants, compost facilities, landfills, solid waste transfer stations, fiberglass manufacturing facilities, paint/coating operations (e.g., auto body shops), dairy farms, petroleum refineries, asphalt batch plants, chemical manufacturing, and food manufacturing facilities. As the proposed project is residential in nature, it is not anticipated to generate objectionable odors which may affect a substantial number of people (Draft EIR, Section 3.2, Air Quality, Page 3.2-53).

1.5.3 - Biological Resources

Potential Effect

Impact BIO-2	The proposed project would not have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Wildlife or United States Fish and Wildlife Service (Draft EIR, Section 3.3, Biological Resources, Page 3.3-21).
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Findings

No impact.

Facts in Support of Findings

The project site is developed and is almost entirely covered with impervious surfaces due to existing development to the extent that no natural habitat remains present on-site. The trees that are present are located in pockets surrounded by hardscaped areas. Historical aerial photographs indicate that most of the oak trees on-site appear to be ornamental plantings; thus, they are not part of a natural community (e.g., naturally occurring oak savanna or oak woodland). The project site does not contain riparian habitat or other sensitive natural communities identified in local or regional plans, policies, and regulations or by the California Department of Fish and Wildlife (CDFW) or United States Fish and Wildlife Service (USFWS) (Draft EIR, Section 3.3, Biological Resources, Page 3.3-21). Therefore, the proposed project would have no impact on an identified riparian habitat or sensitive natural community.

Potential Effect

Impact BIO-3	The proposed 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 (Draft EIR, Section 3.3, Biological Resources, Page 3.3-22).
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Findings

No impact.

Facts in Support of Findings

The project site is developed and does not contain jurisdictional drainages, wetlands, or hydrophytic vegetation or soils. On-site stormwater runoff sheet flows across the project site and is captured by drainage inlets connected by municipal underground storm drain pipes that discharge into existing storm drainage infrastructure. As such, the proposed project would not directly or indirectly remove, fill, or hydrologically interrupt State or federally protected wetlands (Draft EIR, Section 3.3, Biological Resources, Page 3.3-22). For these reasons, the proposed project would have no impact on protected wetlands.

Potential Effect

Impact BIO-4	The proposed project would not interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of wildlife nursery sites (Draft EIR, Section 3.3, Biological Resources, Page 3.3-22).
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Findings

Less than significant impact.

Facts in Support of Findings

The project site is in a built out urban area and does not contain any habitat features such as riparian corridors or waterways that could function as wildlife corridors. Moreover, there are multiple barriers to wildlife migration including I-680 and multiple residential and commercial developments, which further precludes wildlife movement (Draft EIR, Section 3.3, Biological Resources, Pages 3.3-22–23). Therefore, the proposed project does not have the potential to substantially reduce the habitat of any species or interfere with movement and impacts are less than significant.

Potential Effect

Impact BIO-6	The proposed 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 (Draft EIR, Section 3.3, Biological Resources, Page 3.3-24).
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Findings

No impact.

Facts in Support of Findings

The project site does not fall within the coverage area of a Habitat Conservation Plan (HCP) or Natural Community Plan (NCCP). The project site is roughly 5 miles west of the East Contra Costa County HCP area, the nearest Habitat Conservation Plan area (Draft EIR, Section 3.3, Biological Resources, Page 3.3-24). Accordingly, no impacts would occur.

Potential Effect

Cumulative Impact

Implementation of the project, in conjunction with other planned and approved projects, would result in less than significant cumulative impacts to biological resources (Draft EIR, Section 3.3, Biological Resources, Page 3.3-26).

Findings

Less than significant impact.

Facts in Support of Findings

Special-status Species

While there are a limited number of isolated pockets of natural habitat that can support special-status wildlife and plant species, the built-up nature of the cumulative project areas precludes the possible cumulative impacts to biological resources related to special-status wildlife and plant species. However, the varying degree of trees present in and around the urban areas may provide suitable nesting habitat for birds protected by the Migratory Bird Treaty Act (MBTA). Standard pre-construction surveys and, if necessary based on the survey results, avoidance procedures would be required for cumulative projects with the potential to impact nesting birds and protected bat species (Draft EIR, Section 3.3, Biological Resources, Page 3.3-25). For these reasons, cumulative impacts are less than significant. Additionally, as discussed above, the project's contribution to the less than significant cumulative impacts is not cumulatively considerable.

Sensitive Natural Communities or Riparian Habitat

Within the County, the City of Pleasant Hill, and the City of Walnut Creek, there are several small waterbodies, including the Walnut Creek waterway, Grayson Creek, and associated riparian habitats. These areas are considered sensitive natural communities. The majority of current developments are designed to address future growth problems, prevent urban sprawl, and minimize developmental impacts to sensitive natural communities. This is accomplished by designing projects to occur in previously developed or highly disturbed areas that the characteristics of lack sensitive natural communities or riparian habitat. As such, the project, in conjunction with other cumulative projects, would result in a less than significant cumulative impact related to sensitive natural communities and associated riparian habitat (Draft EIR, Section 3.3, Biological Resources, Page 3.3-25).

Waters of the United States and Waters of the State

The County, the City of Pleasant Hill, and the City of Walnut Creek contain several areas that would be considered jurisdictional features. As such, current projects are occurring in a highly developed and disturbed area with low potential for jurisdictional features to be impacted by project development. If any issues were to arise due to current development, the applicant would be required to obtain appropriate permits from the United States Army Corp of Engineers (USACE), Regional Water Quality Control Board (RWQCB), and CDFW and to compensate for loss of waters of the United States/State through re-creation or payment of mitigation credits and re-creation of lost habitat. Due to the limited scope of current projects, which are occurring in highly developed and disturbed areas, it is expected there will be a less than significant cumulative impact related to waters of the United States/State (Draft EIR, Section 3.3, Biological Resources, Page 3.3-25).

Local Policies or Ordinances

Many of the current development projects are occurring in previously developed or disturbed areas. As such, a limited number of trees within the geographical scope are likely to occur. Current project developments may require an Arborist report to determine the identity of trees planned for removal or encroachment. Therefore, the project, in conjunction with other future development projects, would be required to adhere to applicable tree ordinances and regulations set by the County and the City of Walnut Creek and City of Pleasant Hill resulting in a less than significant cumulative impact to biological resources related to local policies and ordinances (Draft EIR, Section 3.3, Biological Resources, Pages 3.3-25–26).

Fish and Wildlife Movement Corridors

The main wildlife corridor in the vicinity of the project site is the Walnut Creek waterway, which generally borders the I-680 corridor, stretching from northern San Ramon to Suisun Bay. There are several small water channels and tributaries that are located within the geographical scope of this project. The project site is located to the west of the waterway and due to the size and location of the proposed project it will not result in any potential impacts to wildlife corridors. Any current development that occurs within the geographic scope of the County, the City of Walnut Creek and the City of Pleasant Hill will have to take into account the potential impact to these corridors. The areas surrounding the potential corridors within the previously mentioned geographical scope are highly developed, further impeding the movement of species out from these areas. As such, there will be a less than significant cumulative impact to biological resources related to movement corridors for fish and wildlife (Draft EIR, Section 3.3, Biological Resources, Page 3.3-26). Additionally, because the proposed project site does not contain any habitat or movement corridors, the project's contribution to the less than significant cumulative impacts is not cumulatively considerable.

Habitat and Natural Community Conservation Plan Consistency

The project site is not located within the East Contra Costa County HCP. The HCP provides for comprehensive species, wetlands, and ecosystem conservation, and contributes to the recovery of endangered species in Eastern Contra Costa County. Any current project sites within the boundaries of the HCP will have to adhere to the additional regulations and guidelines established by the HCP. This may include additional surveys for listed species, developments fees, and various other directives. As such, there will be a less than significant cumulative impact to biological resources relating to developments occurring in Habitat Community Conservation Plans. Additionally, because the proposed project is not located within an HCP or NCCP, the proposed project's contribution to the less than significant cumulative impacts is not cumulatively considerable (Draft EIR, Section 3.3, Biological Resources, Page 3.3-26).

1.5.4 - Energy

Potential Effect

Impact ENER-1	The proposed project would not result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation (Draft EIR, Section 3.5, Energy, Page 3.5-11).
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Findings

Less than significant impact.

Facts in Support of Findings

Construction of the proposed project was assumed to begin in September 2022 and continue through November 2023. If the construction schedule moves to later years, construction energy demand would likely decrease because of improvements in technology and more stringent regulatory requirements. Project construction would require energy for the manufacture and transportation of building materials, preparation of the site (e.g., demolition, site clearing, and grading), and the actual construction of the buildings. Petroleum-based fuels such as diesel fuel and gasoline would be the primary sources of energy for these tasks. Much of the energy consumption is likely to occur in the first year when demolition, site preparation, and grading activities occur.

The types of on-site equipment used during construction of the proposed project could include gasoline- and diesel-powered construction and transportation equipment, including trucks, bulldozers, frontend loaders, forklifts, and cranes. Construction equipment is estimated to consume a total of 36,941 gallons of diesel fuel over the entire construction duration (Draft EIR, Section 3.5, Energy, Page 3.5-11).

Fuel use associated with construction vehicle trips generated by the proposed project was also estimated. In total, the proposed project is estimated to generate 498,347 Vehicle Miles Traveled (VMT) and a combined 23,042 gallons of gasoline and diesel for vehicle travel during construction (Draft EIR, Section 3.5, Energy, Page 3.5-12).

Other equipment could include construction lighting, field services (office trailers), and electrically driven equipment such as pumps and other tools. Singlewide mobile office trailers, which are commonly used in construction staging areas, generally range in size from 160 square feet to 720 square feet. A typical 720-square-foot office trailer would consume approximately 15,722 kilowatt hours (kWh) during the 1.2-year construction phase. This energy use is typical and consistent with other similar energy efficient projects.

Additionally, the proposed project's construction is not anticipated to result in unusually high energy use. Limitations on idling of vehicles and equipment and requirements that equipment be properly maintained would minimize the use of fuel. Similarly, compliance with State regulations would limit idling from both on-road and off-road diesel-powered equipment and are enforced by the California Air Resources Board (ARB). Additionally, the overall construction schedule and process is already designed to be efficient in order to avoid excess monetary costs. For example, equipment and fuel

are not typically used wastefully due to the added expense associated with renting the equipment, maintaining it, and fueling it. Therefore, the opportunities for future efficiency gains during construction are limited (Draft EIR, Section 3.5, Energy, Page 3.5-12).

The proposed project would consume energy as part of building operations and transportation activities. Unmitigated operation of the proposed project would consume an estimated 635,439 kWh of electricity and an estimated 0 kilo-British thermal unit (kBtu) of natural gas on an annual basis. The proposed project's buildings would be designed and constructed in accordance with the County's latest adopted energy efficiency standards, which are based on the State's Building Energy Efficiency Standards. These are widely regarded as the most advanced building energy efficiency standards, and compliance would ensure that building energy consumption would not be wasteful, inefficient, or unnecessary.

The proposed project is designed be all electric construction in the new homes with no natural gas provided. Each home will also have rooftop solar panels (Draft EIR, Section 3.5, Energy, Page 3.5-13).

In total, the proposed project would consume 63,021 gallons of gasoline and diesel per year starting in 2023. The majority of operational fuel consumption would be from employee vehicle emissions, which would be regulated by State and federal policies and could not be feasibly mitigated by the proposed project or County.

The site is served by several County Connection bus routes: 7, 9, 11, 14, 15, and 311. The closest bus stop to the project site is located at Oak Road and Walden Park, approximately 970 feet south of the project site. There are sidewalks on Oak Road that provide connectivity to the bus stop. There are no existing bike lanes on Jones Road. The Iron Horse Regional Trail, located approximately 1,500 feet east of the project site, provides a multiuse bicycle/pedestrian pathway, which access to the Pleasant Hill Bay Area Rapid Transit (BART) station. There is also another bicycle/pedestrian trail, Contra Costa Canal Trail, located approximately 450-600 feet south of the project site, which crosses Oak Road and Jones Road. According to the City of Walnut Creek Bicycle Plan, there are plans to provide a bicycle route on Jones Road between Treat Boulevard and Walden Road. The proposed project would not affect existing and planned bicycle facilities. The project also proposes to include a bike repair space on-site. As a result, the proposed project is located near regional and local roadway. Transportation fuel consumption would not be wasteful, inefficient, or unnecessary (Draft EIR, Section 3.5, Energy, Page 3.5-13). For these reasons, impacts would be less than significant.

Potential Effect

Impact ENER-2	The proposed project would not conflict with or obstruct a State or local plan for renewable energy or energy efficiency (Draft EIR, Section 3.5, Energy, Page 3.5-13).
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Findings

Less than significant impact.

Facts in Support of Findings

The proposed project would be designed in accordance with Title 24, California's Energy Efficiency Standards for Residential Buildings. These standards include minimum energy efficiency

requirements related to building envelope, mechanical systems (e.g., heating, ventilation, and air conditioning [HVAC] and water heating systems), and indoor and outdoor lighting. Furthermore, the proposed rooftop solar panels would supply, at least in part, the additional electricity demand for appliances. The incorporation of the Title 24 standards into the design of the proposed project would ensure that the proposed project would not result in the use of energy in a wasteful manner. Furthermore, the proposed rooftop solar panels would supply the increased electricity demand. (Draft EIR, Section 3.5, Energy, Page 3.5-14).

Compliance with Title 24 standards would ensure that the proposed project would not conflict with any of the Conservation Element energy conservation policies related to the proposed project's building envelope, mechanical systems, and indoor and outdoor lighting. Moreover, the proposed project would be consistent with the greenhouse gas (GHG) emissions reduction measures contained in the County's Climate Action Plan (CAP), which are closely related to and include energy efficiency measures. The proposed project would comply with existing State energy standards and be consistent with the energy efficiency goals and measures contained in the County's General Plan Conservation Element and CAP. As such, the proposed project would not conflict with State or local renewable or energy efficiency objectives (Draft EIR, Section 3.5, Energy, Page 3.5-14) and impacts would be less than significant.

Potential Effect

Cumulative Impacts

The proposed project, in conjunction with other past, present, planned, and approved projects, would result in a less than significant cumulative impact with respect to the wasteful or inefficient use of energy. (Draft EIR, Section 3.5, Energy, Page 3.5-15).

Findings

Less than significant impact.

Facts in Support of Findings

The geographic scope of the cumulative energy analysis is the portion of Pacific Gas and Electric Company (PG&E's) service area that covers incorporated and unincorporated County. Cumulative projects would be required to comply with Title 24 Building Energy Efficiency Standards and the California Green Building Standards Code (CALGreen). The cumulative buildings would be designed in accordance with Title 24, California's Energy Efficiency Standards for Residential Buildings as applicable. These standards include minimum energy efficiency requirements related to building envelope, mechanical systems (e.g., HVAC and water heating systems), and indoor and outdoor lighting. Future development would also be required to meet even more stringent energy efficiency requirements through local and Statewide policy, such as Title 24, Part 6, which would require that newly constructed residential homes include on-site photovoltaic solar systems, with some exceptions. Furthermore, PG&E, which supplies electricity to the project area, would be required by Senate Bill (SB) 100 to incrementally increase the proportion of renewable electricity generation supplying its in-state retail sales until it reaches 100 percent carbon-free electricity generation by 2045 (Draft EIR, Section 3.5, Energy, Page 3.5-14).

All cumulative projects would be required to comply with applicable city ordinances and County policies that address energy conservation and energy efficiency, such as complying with the latest California Energy Code. Cumulative projects would be required to comply with California Code of Regulations Title 13, Sections 2449(d)(3) and 2485, that limit idling from both on-road and off-road diesel-powered equipment and are enforced by the ARB. Additionally, various federal and State regulations, including the low carbon fuel standard (LCFS), Pavley Clean Car Standards, and Low Emission Vehicle (LEV) Program, would serve to reduce the transportation fuel demand of cumulative projects. Compliance with these regulations by the cumulative projects would ensure that the cumulative projects would not result in the inefficient, unnecessary, or wasteful consumption of fuel and the cumulative impact would be less than significant (Draft EIR, Section 3.5, Energy, Page 3.5-15). Accordingly, potential cumulative impacts would be less than significant.

Moreover, the proposed project would not have a significant incremental contribution to cumulative impacts. The proposed project's energy use would be limited to that which is necessary for the construction and operation of the proposed project. The proposed project would comply with Statewide and local policies pertaining to energy efficiency and would reasonably pursue greater energy efficiencies in its operation in the interest of reducing operating costs. Consistency with the local, State, and federal regulations cited above would be required during the design review process to ensure that projects comply with all applicable policies, including requirements in the California Energy Code. Therefore, the proposed project's contribution to cumulative impacts would be considered less than significant.

1.5.5 - Geology and Soils

Potential Effect

Impact GEO-5	The proposed 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 (Draft EIR, Section 3.6, Geology and Soils, Page 3.6-19).
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Findings

No impact.

Facts in Support of Findings

Impacts related to soil capability of supporting the use of alternative wastewater disposal systems are limited to operational impacts; therefore, there are no construction impacts. The proposed project does not include the use of septic tanks or alternative wastewater disposal systems. The proposed project is located within an urbanized portion of the County and would include wastewater infrastructure and connections to the existing sanitary sewer lines contained with Oak Road (Draft EIR, Section 3.6, Geology and Soils, Page 3.6-19). Accordingly, there is no impact.

Potential Effect

Cumulative Impacts

The proposed project, in conjunction with other past, present, planned, and approved projects, would have a less than significant cumulatively considerable impact with respect to significant cumulative impacts related geology and soils (Draft EIR, Section 3.6, Geology and Soils, Page 3.6-21).

Findings

Less than significant impact.

Facts in Support of Findings

The geographic scope of the cumulative analysis related to geology and soils is the project site and its vicinity. Adverse effects associated with geology and soils tend to be localized; therefore, an area generally within a 0.25-mile radius would be the area most affected by activities associated with the proposed project.

Seismic-related Hazards

None of the cumulative projects are located within 0.25 mile of the project site. Cumulative projects, including the proposed project, have the potential to experience moderate to strong ground shaking from earthquakes. Cumulative projects would be exposed to the same ground shaking hazards and would be subject to the same requirements as the proposed project. Cumulative projects would adhere to the provisions of the California Building Standards Code (CBC), policies of the General Plan, and the Municipal Code or Ordinance Code to reduce potential hazards associated with seismic ground shaking and ground failure (Draft EIR, Section 3.6, Geology and Soils, Page 3.6-21). Accordingly, potential cumulative impacts would be less than significant. Moreover, the proposed project would not have a significant incremental contribution to cumulative impacts because adverse effects associated with seismic hazards tend to be localized and there are no cumulative projects within 0.25 mile of the project site.

Soil-related Hazards

Soil conditions associated with the project site, such as expansive soils, corrosive soils, and soil settlement, are specific to the project site and generally do not contribute to a cumulative effect. Some or all other cumulative projects may have similar conditions, but they would not contribute to cumulative soil-related hazards. 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 (Draft EIR, Section 3.6, Geology and Soils, Page 3.6-21). Accordingly, potential cumulative impacts would be less than significant. Moreover, the proposed project would not have a significant incremental contribution to cumulative impacts because the proposed project would be subject to General Plan policies and the Ordinance Code be required during the design review process to ensure that projects comply with all applicable policies to reduce soil-related hazards.

Paleontological Resources and Unique Geologic Feature

None of the cumulative projects would occur within 0.25 mile of the project site. Construction activities associated with development of cumulative projects in the project vicinity may have the

potential to encounter undiscovered geologic resources or paleontological resources. These cumulative projects would be required to mitigate for impacts through compliance with applicable federal and State laws governing geologic resources and paleontological resources. The likelihood that geologic resources or paleontological resources are present on the cumulative project sites is relatively low, given that the majority of soil disturbance associated with these projects will take place within Holocene soils too young to be fossiliferous. Although there is the possibility that previously undiscovered resources could be encountered by subsurface earthwork activities, the implementation of standard construction practices and Mitigation Measure (MM) GEO-6, which requires the cessation of construction activities in the event of an unanticipated discovery, would ensure that undiscovered geologic resources and paleontological resources are not adversely affected by cumulative project-related construction activities. Accordingly, potential cumulative impacts would be less than significant, and no mitigation is necessary. Moreover, the proposed project would not have a significant incremental contribution to cumulative impacts because adverse geological or soils effects tend to be localized or specific to the project site, and there are no cumulative projects located within 0.25 mile of the project site. 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 cumulative impact related to paleontological and geologic resources (Draft EIR, Section 3.6, Geology and Soils, Page 3.6-21).

1.5.6 - Greenhouse Gas Emissions

Potential Effect

Impact GHG-1	The proposed project would not generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment (Draft EIR, Section 3.7, Greenhouse Gas Emissions, Page 3.7-41).
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Findings

Less than significant impact.

Facts in Support of Findings

GHG emissions associated with development of the proposed project would occur over the short term from construction activities, consisting primarily of emissions from equipment exhaust and worker and vendor trips. There would also be long-term operational emissions associated with vehicular traffic within the project vicinity, energy and water usage, and solid waste disposal (Draft EIR, Section 3.7, Greenhouse Gas Emissions, Page 3.7-41).

GHG emissions associated with construction were estimated to be 368 metric tons (MT) of carbon dioxide equivalent (CO₂e) for the total construction period. These would represent the GHG emissions generated from on-site operation of construction equipment, vendor and hauling truck trips, and worker trips.

The proposed project would contribute to global climate change through direct and indirect emissions of GHG from transportation sources (passenger vehicles, trucks), energy (natural gas and purchased energy), water use and wastewater generation, and solid waste generation. According to

the California Emissions Estimator Model (CalEEMod), the proposed project is estimated to consume approximately 635,440 kWh per year, and according to the solar system capacity calculations, the proposed project would generate an estimated 301,400 kWh per year. Therefore, the electricity related GHG emissions estimated for project operation were reduced to reflect the GHG emissions generated from the electricity consumed that would not be covered by the rooftop solar system. As shown in Table 3.7-5, the annual GHG emissions resulting from operation of the proposed project are estimated to be 677 MT of CO₂e in 2024 and would exceed the 660 MT CO₂e/year bright-line threshold (Draft EIR, Table 3.7-5: Annual Project GHG Emissions, Page 3.7-43).

While the proposed project would involve demolition of the existing Palmer School and it is normal practice to include existing emission estimates to demonstrate net GHG emissions resulting from the proposed project, the Palmer School was not in operation at the time the NOP was issued for this project. Nonetheless, because the school could become operational in the future, operational GHG emission estimates for operation of Palmer School are provided in Table 3.7-6 of the Draft EIR for informational purposes (Page 3.7-44).

The proposed project was analyzed against the efficiency threshold which was calculated to demonstrate consistency with the 40 percent below 1990 emission levels reduction target of SB 32. The proposed project would not exceed the efficiency threshold and would be consistent with the GHG emission reductions required under SB 32 (Draft EIR, Table 3.7-5: Annual Project GHG Emissions, Page 3.7-44). Accordingly, the proposed project would not have a significant effect with respect to greenhouse gas emissions.

Potential Effect

Impact GHG-2	The proposed project would not conflict with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases (Draft EIR, Table 3.7-5: Annual Project GHG Emissions, Page 3.7-44).
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Findings

Less than significant impact.

Facts in Support of Findings

The EIR discusses project consistency with applicable plans adopted for the purpose of reducing GHG emissions, which include ARB's Scoping Plan and the Contra Costa County CAP.

The proposed project incorporates several design elements that would reduce GHG emissions, such as conformance to the 2019 Building Energy Efficiency Standards and CALGreen building regulations and installation of a photovoltaics (PV) system. In addition, a development checklist under the County's CAP was filled out for the proposed project to demonstrate compliance. The proposed project would also be consistent with the measures in the County CAP (Draft EIR, Table 3.7-7: Contra Costa County Climate Action Plan Consistency, Page 3.7-45).

Potential Effect

Cumulative Impacts

The proposed project, in conjunction with other present, planned, and approved projects, would result in a less than significant cumulative impact related to GHG emissions generation (Draft EIR, Section 3.7, Greenhouse Gas Emissions, Page 3.7-47).

Findings

Less than significant impact.

Facts in Support of Findings

GHG emissions and global climate change inherently represent cumulative impacts. GHG emissions cumulatively contribute to the significant adverse environmental impacts of global climate change. No single project could generate enough GHG emissions to noticeably change the global average temperature; instead, the GHG emissions from past, present, and future projects and activities have contributed to and would contribute to global climate change and its associated environmental impacts. 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. Thus, the determination of GHG cumulative impacts is based on the State target established by Assembly Bill (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. Projects with GHG emissions in conformance with these thresholds, therefore, would not be considered significant for purposes of CEQA.

As analyzed in Impact GHG-1, the proposed project would have a GHG emissions benefit when compared to the emissions generated by existing land uses, or the environmental baseline, and would not conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing GHG emissions. Although the emissions from cumulative projects would add an incremental amount to the overall GHG emissions that cause global climate change impacts, because emissions from the proposed project are below the applicable GHG significance thresholds, the proposed project would not present a “cumulatively considerable” contribution to GHG emission impacts under CEQA (Draft EIR, Section 3.7, Greenhouse Gas Emissions, Page 3.7-47). Accordingly, the proposed project’s contribution to cumulative greenhouse gas emissions is less than significant.

1.5.7 - Hazards and Hazardous Materials

Potential Effect

Impact HAZ-2	The proposed project would not create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the likely release of hazardous materials into the environment (Draft EIR, Section 3.8, Hazards and Hazardous Materials, Page 3.8-22).
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Findings

Less than significant impact.

Facts in Support of Findings

Construction activity within the project site and within the areas proposed for the off-site improvements would involve the transport, use, and disposal of hazardous materials, such as diesel fuels, aerosols, and paints. The use of these materials would be subject to the Hazardous Materials Transportation Act, California Public Resources Code, and other State and local regulations that would limit the use of hazardous materials and reduce the associated risks of exposure. 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 United States Environmental Protection Agency (EPA), Resource Conservation and Recovery Act (RCRA), California Department of Transportation (Caltrans), the Hazardous Materials Transportation Act, and the Contra Costa County Hazard Mitigation Plan (HMP) (Draft EIR, Section 3.8, Hazards and Hazardous Materials, Page 3.8-22).

The proposed project is residential and does not include industrial or retail development that involves hazardous materials such as gas stations, paint stores, or auto parts stores. Unlike industrial or retail facilities, residential development does not involve the type or quantity of hazardous materials that could pose a significant environmental accident. Small quantities of hazardous materials would be used on-site during operation of the project but not in sufficient quantities to create a significant hazard. These types of materials are common in residential projects and 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. (Draft EIR, Section 3.8, Hazards and Hazardous Materials, Page 3.8-23). Accordingly, impacts are less than significant.

Potential Effect

Impact HAZ-3	The proposed 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 (Draft EIR, Section 3.8, Hazards and Hazardous Materials, Page 3.8-23).
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Findings

Less than significant impact.

Facts in Support of Findings

The project site, including the areas proposed for off-site improvements, are not located within 0.25 mile of an existing or proposed school. The closest school, Fusion Academy (a private school), is located approximately 0.33 mile to the north. Construction activity would be expected to involve the transport, use, and disposal of hazardous materials, such as diesel fuels, aerosols, and paints. The handling, transport, use, and disposal of hazardous materials must comply with the Hazardous Materials Transportation Act, California Public Resources Code, and other State and local regulations, which further limits the risk of emissions. The proposed project does not include industrial or retail development that involves hazardous materials such as gas stations, paint stores, or auto parts stores. Unlike industrial or retail facilities, residential development does not involve the type or quantity of hazardous materials that could pose a significant environmental accident (Draft EIR, Section 3.8, Hazards and Hazardous Materials, Page 3.8-23). As such, the proposed project would not

emit hazardous emissions or handle hazardous materials within 0.25 mile of a school and impacts would be less than significant.

Potential Effect

Impact HAZ-5	The proposed 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 the project area (Draft EIR, Section 3.8, Hazards and Hazardous Materials, Page 3.8-24).
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Findings

No impact.

Facts in Support of Findings

The proposed 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 4.4 miles to the north of the project site (Draft EIR, Section 3.8, Hazards and Hazardous Materials, Page 3.8-25).

Potential Effect

Impact HAZ-6	The proposed project would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan (Draft EIR, Section 3.8, Hazards and Hazardous Materials, Page 3.8-25).
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Findings

Less than significant impact.

Facts in Support of Findings

The proposed project would comply with the Contra Costa County Emergency Plan, ensuring efficient response to emergency incidents associated with emergencies affecting Contra Costa County during construction. Additionally, during operation, the proposed project would adhere to the procedures of the Contra Costa County Operational Area Emergency Operations Plan (EOP). The population growth anticipated with the proposed project would be within the General Plan's 2020 population and dwelling projections for the unincorporated area and, therefore, would not be considered substantial. Furthermore, it would also be within the Association of Bay Area Government (ABAG's) 2020-2040 regional population growth projections. Therefore, the proposed project would not create a permanent increase in population unaccounted for in the General Plan that could lead to overwhelming call for police and fire services. In addition, 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 (Draft EIR, Section 3.8, Hazards and Hazardous Materials, Page 3.8-25). Impacts would be less than significant.

Potential Effect

Impact HAZ-7	The proposed project would not expose people or structures, either directly or indirectly to a significant risk of loss, injury or death involving wildland fires (Draft EIR, Section 3.8, Hazards and Hazardous Materials, Page 3.8-26).
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Findings

Less than significant impact.

Facts in Support of Findings

Fire hazards present a considerable problem throughout the County, primarily within undeveloped areas with natural vegetation and steep slopes. The project site is surrounded by urbanized uses on areas relatively flat in elevation, lacking in woodlands or vegetation that could provide fuel load for wildfire or steep slopes that could cause fire to spread more rapidly. The project site is surrounded by other features that provide fuel breaks in the event of a fire, such as Oak Road and Jones Road. In addition, the Contra Costa Canal is approximately 450 to 650 feet south of the project site.

According to the California Department of Forestry and Fire Protection (CAL FIRE), the project site is not located in a Moderate, High, or Very High Fire Hazard State Responsibility Area. Two miles west of the project site, Briones Regional Park is designated as a High Fire Hazard Severity Zone. Given that the project site is not located on or near steep terrain surrounded by natural vegetation, is surrounded by urban uses, and does not consistently experience high winds, the project site would not be prone to wildfires.

Compliance with applicable State and local plans and regulations would decrease the risk of impacts related to wildland fire hazards. Specifically, the General Plan policies incorporate requirements for fire-safe construction into the land use planning and approval process and ensure special fire protection for high-risk land uses and structures. Contra Costa County also implements the Contra Costa County Operational Area EOP, which addresses the response to emergency incidents associated with emergencies affecting Contra Costa County. Furthermore, the proposed project would be adequately served in terms of fire protection services by the Contra Costa County Fire Protection District (CCCYPD). Finally, proposed structures would be required to comply with the California Fire Code with regard to emergency access and types of building materials (Draft EIR, Section 3.8, Hazards and Hazardous Materials, Pages 3.8-25–26). For these reasons, impacts would be less than significant.

Potential Effect

Cumulative Impacts

The proposed project, in conjunction with other past, present, planned, and approved projects, would result in a less than significant cumulative impact associated with hazards and emergency response (Draft EIR, Section 3.8, Hazards and Hazardous Materials, Page 3.8-28).

Findings

Less than significant impact.

Facts in Support of Findings

The geographic scope of the cumulative analysis related to hazards and hazardous materials is the project vicinity or roughly the western portion of the County. Cumulative development projects primarily consist of residential and commercial development. The types and sizes of development anticipated in the project area would not involve large quantities of hazardous materials or activities that transport or handle hazardous materials. Cumulative projects 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 the HMP. However, cumulative projects may include demolition of existing structures that have the potential to contain hazardous building materials. Building materials may contain asbestos-containing material (ACM) and lead-based paint (LBP). To address potential release of hazardous materials, the County would assess structures and impose standard mitigation (required testing, removal, and proper disposal) to minimize release prior to any demolition. Additionally, regional, State, and federal regulations would apply to countywide development, and, for these reasons cumulative projects would result in a less than significant cumulative impact related to exposure to hazardous materials.

Moreover, the proposed project's incremental contribution would not be significant. To reduce the proposed project's impacts to below a level of significance and ensure a less than significant contribution to cumulative impacts, the proposed project would implement MM HAZ-1a through MM HAZ-1c and comply with all applicable policies related to transport, use, and disposal of hazardous materials (Draft EIR, Section 3.8, Hazards and Hazardous Materials, Page 3.8-28). However, no mitigation is necessary; the impact would be less than significant without any mitigation.

The main arterial streets that would serve as the most likely evacuation routes out of the central portion of the County include I-680, SR-24, and Ygnacio Valley Road. Planned uses as proposed by the cumulative projects are contemplated in the General Plan, would result in predominantly infill development, and would not significantly increase need for emergency services, including those related to wildfires. Furthermore, all construction would adhere to the regulations included in the California Fire Code that are designed to minimize the potential for the release of hazardous materials or uncontrolled fires. Once development is proposed, the County would assess the needs for fire protection services and inform efforts to improve or expand needed facilities.

Cumulative development in the County primarily consists of residential and commercial development. New residential developments would contribute to increases in the County's population. All development would, however, comply with emergency access requirements as projects condition. Furthermore, cumulative development in the County, including the proposed project, would not result in permanent road closures, impede established emergency access routes, or interfere with emergency response requirements. Moreover, the proposed project would fully comply with all applicable regulations (Draft EIR, Section 3.8, Hazards and Hazardous Materials, Page 3.8-28). Therefore, the proposed project would not have a cumulatively considerable contribution to cumulative impacts.

1.5.8 - Hydrology

Potential Effect

Impact HYD-1	The proposed project would not violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality (Draft EIR, Section 3.9, Hydrology and Water Quality, Page 3.9-14).
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Findings

Less than significant impact.

Facts in Support of Findings

The proposed project is designed to comply with all local, State, and federal requirements regarding water quality, including the County's National Pollutant Discharge Elimination System (NPDES) permits, the Contra Costa Clean Water Program (CCCWP) and the Contra Costa County Ordinance Code Chapter 1014-4, which requires the preparation and implementation of a Storm Water Pollution Prevention Plan (SWPPP). The SWPPP includes Best Management Practices (BMPs) to ensure reduction of pollutants from construction activities potentially entering surface waters. Additionally, implementation of the SWPPP would also prevent pollutants from entering the Ygnacio Valley Basin by preventing pollutants from moving off-site. Although construction and operation of the proposed project may have the potential to generate increased sedimentation, compliance with applicable policies and regulations would minimize the potential to degrade water quality in downstream water bodies to the maximum extent possible and result in less than significant impacts.

Additionally, the on-site storm drain system has been designed to meet the County's hydraulic requirements. On-site storage facilities of 2,800 cubic feet would be needed to mitigate the potential increase of post-development flows and to meet the hydromodification requirements. To meet this requirement, two underground storage vaults are proposed to capture, store, and release the post-development storm flow into the existing off-site storm drainage facilities. These two vaults are placed at the downstream ends of the on-site storm drains at the respective discharge points at Oak Road and Jones Road.

The proposed project would utilize and integrate the bioretention technique and approach to meet the Low Impact Development (LID) treatments in compliance with the requirements set forth in the County C.3 Technical Guidance. The stormwater runoff from impervious surface is directed and passed through the bioretention areas and distributed evenly along a ponding area. Stormwater runoff will percolate through the sandy loam treatment soil and eventually be captured by the under drains and discharged into the underground storm drains.

Given the physical constraints and limitations of the project site, stormwater treatment would be optimized by breaking up the new and/or replaced impervious areas in small drainage management areas and using drainage swales, curb openings, and bubble ups to convey the runoff to the treatment areas in paseos, landscape pockets between walkways/buildings and the center open space area on the project site. By implementing this approach, LID bioretention treatment areas are

dispersed throughout the site, enabling the project to treat 100 percent of the impervious surface with the bioretention measures (Draft EIR, Section 3.9, Hydrology and Water Quality, Pages 3.9-14–16). For the above reasons, impacts would be less than significant.

Potential Effect

Impact HYD-2	The proposed project would not substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the proposed project may impede sustainable groundwater management of the basin (Draft EIR, Section 3.9, Hydrology and Water Quality, Page 3.9-17).
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Findings

Less than significant impact.

Facts in Support of Findings

Three irrigation wells located on the project site would be decommissioned prior to redevelopment. The proposed project would increase impervious surfaces by 36,420 square feet compared to existing conditions. However, the proposed project would incorporate LID techniques as described above in the Impact HYD-1 discussion. In addition, the Contra Costa Water District 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, 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 (Draft EIR, Section 3.9, Hydrology and Water Quality, Page 3.9-17).

Potential Effect

Impact HYD-4	The proposed project would not be located in a flood hazard zone, tsunami, or seiche zone, or risk release of pollutants due to project inundation (Draft EIR, Section 3.9, Hydrology and Water Quality, Page 3.9-22).
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Findings

Less than significant impact.

Facts in Support of Findings

The Federal Emergency Management Agency (FEMA) designates the project site Zone X—area of minimal flood hazard. The closest designated 100-year flood hazard zone to the project site is Walnut Creek, located approximately 0.46 mile to the east. Therefore, 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 (Draft EIR, Section 3.9, Hydrology and Water Quality, Page 3.9-22).

Potential Effect

Impact HYD-5	The proposed project would not conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan (Draft EIR, Section 3.9, Hydrology and Water Quality, Page 3.9-22).
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Findings

Less than significant impact.

Facts in Support of Findings

The proposed project would not conflict with the County Watershed Program and the County's NPDES program. The proposed project would be required to comply with the terms of the Construction General Permit, which require the preparation and implementation of an SWPPP that includes BMPs to ensure reduction of pollutants from construction activities potentially entering surface or groundwater.

The project site has little potential for groundwater recharge due to shallow groundwater levels. In addition, the Contra Costa Water District would provide potable water to the project site and the project would not use groundwater as a water source. As a result, the project would not conflict with or obstruct a sustainable groundwater management plan (Draft EIR, Section 3.9, Hydrology and Water Quality, Page 3.9-22).

Potential Effect

Cumulative Impacts

The proposed project, in conjunction with other past, present, planned, and approved projects, would result in a less than significant cumulative impact related to hydrology, surface water quality, and groundwater quality (Draft EIR, Section 3.9, Hydrology and Water Quality, Page 3.9-24).

Findings

Less than significant impact.

Facts in Support of Findings

Hydrology

Cumulative impacts related to hydrology and water quality typically occur within a defined watershed. All properties on the cumulative projects list in Table 3-1 of the Draft EIR are located within the Walnut Creek Watershed, and all respective surface water in the watershed eventually discharges into Suisun Bay. Some cumulative projects are located within Contra Costa County, including the project, and would be required to comply with the CCCWP and Contra Costa County General Plan policies, which prevent a project from increasing off-site surface water flow from existing conditions and ensure that projects adhere to best practices during construction to prevent pollutants from being carried off-site. Some cumulative projects are located in the cities of Walnut Creek and Pleasant Hill. Cumulative 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 related to preventing pollutants from being conveyed off-site. Cumulative 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 related to preventing pollutants from being conveyed off-site. The combination of these policies and best practices would prevent significant cumulative impacts to hydrology (Draft EIR, Section 3.9, Hydrology and Water Quality, Page 3.9-23). Accordingly, potential cumulative impacts would be less than significant.

Moreover, the proposed project would not have a significant incremental contribution to cumulative impacts. To ensure a less than significant contribution to cumulative impacts, the proposed project will be required to implement all applicable policies and best practices, as described in Section 3.9, Hydrology and Water Quality, during the design review process. Therefore, the proposed project's contribution to cumulative impacts would be considered less than significant.

Water Quality

The geographic context for consideration of cumulative impacts related to surface water quality is the Walnut Creek Watershed. All cumulative projects, including the project, would involve short-term construction and long-term operational activities that would have the potential to degrade water quality in downstream water bodies, including Walnut Creek and Suisun Bay. All cumulative project construction would be required to obtain a Construction General Permit from the California State Water Resources Control Board (State Water Board), which would require preparation of a SWPPP that would control potential discharges of contaminants into Walnut Creek and Suisun Bay. Operations of these cumulative projects would be required to comply with the CCCWP, County Ordinance Code regarding stormwater, or the cities of Walnut Creek and Pleasant Hill applicable codes, ordinances, and policies related to water quality. Development in the County would be required to implement similar measures in accordance with adopted regulations, while projects would be subject to the Construction General Permit if applicable. Development in the City of Walnut Creek would be required to implement similar measures in accordance with adopted regulations, while projects would be subject to the Construction General Permit if applicable. Development in the City of Pleasant Hill would be required to implement similar measures in accordance with adopted regulations while projects would be subject to the Construction General Permit if applicable (Draft EIR, Section 3.9, Hydrology and Water Quality, Page 3.9-23). Accordingly, potential cumulative impacts would be less than significant. Moreover, the proposed project's compliance with the requirements identified above would ensure that the proposed project would not have a significant incremental contribution to cumulative impacts.

The geographic context for consideration of cumulative impacts related to groundwater quality and management is the Ygnacio Valley Groundwater Basin. All cumulative projects, including the proposed project, would involve short-term construction and long-term operational activities that would have the potential to impact groundwater quality and management. All cumulative project construction would be required to obtain a Construction General Permit from the State Water Board, which would require preparation of a SWPPP that would control pollutants that could seep into groundwater. Operations of cumulative projects in Contra Costa County would be required to comply with the CCCWP and the County Ordinance Code regarding groundwater. Operations of cumulative projects in Walnut Creek would be required to comply with the CCCWP and the City of Walnut Creek Ordinance Code regarding groundwater. Operations of cumulative projects in Pleasant Hill would be required to comply with the CCCWP and the City of Pleasant Hill Ordinance Code regarding

groundwater (Draft EIR, Section 3.9, Hydrology and Water Quality, Page 3.9-24). Accordingly, potential cumulative impacts would be less than significant. Moreover, the proposed project's compliance with the requirements identified above would ensure that the proposed project would not have a significant incremental contribution to cumulative impacts.

1.5.9 - Land Use and Planning

Potential Effect

Impact LAND-1	The proposed project would not physically divide an established community (Draft EIR, Section 3.10, Land Use and Planning, Page 3.10-15).
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Findings

Less than significant impact.

Facts in Support of Findings

The development of the proposed townhouse condominium buildings would not impair access to any established community, impede travel or otherwise constitute division of an established community. Rather, the proposed project would establish connectivity and pedestrian access between Jones Road and Oak Road by providing private street and walkable landscaped open space (Draft EIR, Section 3.10, Land Use and Planning, Page 3.10-16).

Potential Effect

Impact LAND-2	The proposed project would not cause a significant environmental impact due to conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect (Draft EIR, Section 3.10, Land Use and Planning, Page 3.10-16).
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Findings

Less than significant impact.

Facts in Support of Findings

Strict conformity with all aspects of a general plan is not required. A lead agency can find a proposed project consistent with its local general plan if the project furthers one or more policies and does not obstruct other policies. Perfect conformity with every plan policy is not required. Consistency of the proposed project with applicable General Plan policies is evaluated in Table 3.10-5 on Page 3.10-17 through Page 3.10-27 of the Draft EIR. The General Plan designates the project site as MH, which allows for densities between 22.0 and 29.9 multiple-family units per net acre. The proposed project would develop 125 townhouse condominiums, resulting in a total of 237,816 square feet of net new habitable construction on 5.94 acres or a net density of 26.3 dwelling unit per acre. Therefore, the density and use would be consistent with the General Plan land use designation. The proposed project would be consistent with the General Plan goals and policies relative to providing residences in unincorporated area of the County.

The project site is currently zoned R-15, M-17, and M-29. The proposed project would rezone the entire site to P-1 to allow flexibility with respect to use, building types, lot size, and open space while

ensuring the proposed project complies with the General Plan and requirements as set forth in the Ordinance Code. The proposed rezone is intended to achieve project consistency with the Contra Costa County Zoning Ordinance. Additionally, the proposed project would be consistent with County parking standards and with Ordinance Code Section 82-16.412, which sets forth the amounts of bicycle parking that a project must provide.

Overall, the proposed project is consistent with the General Plan and would not conflict with applicable land use plans, policies, or regulations of the General Plan or the Ordinance Code that were adopted for the purpose of avoiding or mitigating an environmental effect (Draft EIR, Section 3.10, Land Use and Planning, Page 3.10-16). Accordingly, impacts are less than significant.

Potential Effect

Cumulative Impacts

The proposed project, in conjunction with other past, present, planned, and approved projects, would result in a less than significant cumulative impact related to land use and planning (Draft EIR, Section 3.10, Land Use and Planning, Page 3.10-29).

Findings

Less than significant impact.

Facts in Support of Findings

The geographic scope of the cumulative land use analysis is the unincorporated area of Contra Costa County with a focus on the area surrounding the project site. Land use decisions for both the proposed project and for some of the other cumulative projects are made at the County level. Some cumulative projects are located in the cities of Walnut Creek and Pleasant Hill, and land use decisions for those projects are made at the relevant city level. Development within the unincorporated County is governed by the General Plan and the Ordinance Code, which ensure logical and orderly development and require discretionary review to ensure that projects do not result in environmental impacts due to inconsistency with the General Plan and other land use planning regulations. This would minimize any cumulative impact related to division of an established community. Development within the unincorporated County would be required to demonstrate consistency with the 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 these cumulative projects comply with applicable planning regulations (Draft EIR, Section 3.10, Land Use and Planning, Page 3.10-28–29). As such, development is not likely to create significant land use conflicts or divide existing communities. For these reasons cumulative impacts with respect to land use would be less than significant.

The proposed project's incremental contribution to cumulative land use impacts would also not be significant. As discussed under Impacts LAND-1 and LAND-2, implementation of the proposed project would not physically divide an established community or conflict with any land use plan,

policy, or regulation, adopted for the purpose of avoiding or mitigating an environmental effect. Accordingly, the proposed project's contribution to cumulative impacts would also be less than significant.

1.5.10 - Noise

Potential Effect

Impact NOI-3	The proposed project would not result in generation of excessive groundborne vibration or groundborne noise levels (Draft EIR, Section 3.11, Noise, Page 3.11-18–21).
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Findings

Less than significant impact.

Facts in Support of Findings

Contra Costa County has not adopted criteria for construction or operational groundborne vibration impacts. Therefore, the Federal Transit Administration (FTA) construction vibration impact criteria are utilized. The FTA threshold of 0.2 inches per second (in/sec) peak particle velocity (PPV) is the potential damage criteria threshold for buildings of non-engineered timber and masonry construction. For operational impacts, a significant impact will occur if project ongoing activities would produce groundborne vibrations that are perceptible without instruments by a reasonable person at the property lines of the site.

Impact equipment, such as pile drivers, are not expected to be used during construction of the project. Therefore, of the variety of equipment used during construction of the project, the small vibratory rollers that would be used in the site preparation phase of construction would produce the greatest groundborne vibration levels. Small vibratory rollers produce groundborne vibration levels ranging up to 0.101 in/sec PPV at 25 feet from the operating equipment. The nearest off-site receptor to where the heaviest construction equipment would operate are the multi-family residential homes, approximately 20 feet south of the nearest construction footprint for the project. As measured at the nearest receptor, operation of a small vibratory roller could result in groundborne vibration levels up to 0.141 in/sec PPV. This is below the FTA's damage threshold criteria of 0.2 in/sec PPV for non-engineered timber and masonry buildings.

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 (Draft EIR, Section 3.11, Noise, Page 3.11-21–22).

Potential Effect

Impact NOI-4	The proposed 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 (Draft EIR, Section 3.11, Noise, Page 3.11-22).
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Findings

No impact.

Facts in Support of Findings

The project site is not located within the vicinity of a private airstrip. The nearest public airport to the project site is the Buchanan Field Airport, located approximately 4.5 miles north of the project site. According to the airport's noise contour map, the project site is located outside of the 65 A-weighted decibels (dBA) Community Noise Equivalent Levels (CNEL) airport noise contours. While aircraft noise is occasionally audible on the project site from aircraft flyovers, aircraft noise associated with nearby airport activity would not expose people to residing or working near the project site to excessive noise levels. Therefore, implementation of the project would not expose persons residing or working in the project vicinity to noise levels from airport activity that would be in excess of normally acceptable standards for the proposed land use development (Draft EIR, Section 3.11, Noise, Page 3.11-22).

1.5.11 - Population and Housing

Potential Effect

Impact POP-1	The proposed 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) (Draft EIR, Section 3.12, Population and Housing, Page 3.12-8).
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Findings

Less than significant impact.

Facts in Support of Findings

The proposed project would add an estimated 357 persons to the County's population. This would represent an increase of 0.2 percent relative to the unincorporated population of 174,423. This amount of population growth would be within the General Plan's 2020 population and dwelling projections for the unincorporated area and, therefore, would not be considered substantial. Furthermore, it would also be within ABAG's 2020-2040 regional population growth projections.

The proposed project is exclusively residential; it would not create new permanent employment opportunities. Thus, no indirect population growth from new employment would occur. The project site has been developed since the 1930s and is located within an urbanized area of the unincorporated County. It is served with urban infrastructure and utilities including potable water, sewer, storm drainage, electricity, and natural gas. As such, the proposed project would not remove a barrier of growth through the extension of infrastructure or utilities to an unserved area. Impacts would be less than significant.

Potential Effect

Impact POP-2	The proposed project would not displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere (Draft EIR, Section 3.12, Population and Housing, Page 3.12-9).
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Findings

No impact.

Facts in Support of Findings

Impacts related to displacement of people or housing necessitating replacement housing are limited to operational impacts. No respective construction impacts would occur. The site contains two existing residential units that are occupied by the property owners' family members serving as caretaker and security for the property and existing improvements. Removal of these existing uses would not result in the displacement of substantial numbers of persons or housing (Draft EIR, Section 3.12, Population and Housing, Page 3.12-9).

Potential Effect

Cumulative Impact

Cumulative impacts associated with the proposed project, in conjunction with other past, present, planned, and approved projects, related to population growth, both direct and indirect, as well as population and housing displacement, would be considered less than significant (Draft EIR, Section 3.12, Population and Housing, Page 3.12-9).

Findings

Less than significant impact.

Facts in Support of Findings

The geographic scope of the cumulative population and housing analysis is Contra Costa County. As of 2021, the County was estimated to have a population of 1,153,854, with unincorporated areas having a population of 174,423. Cumulative projects in conjunction with the proposed project would add residential units and population to the County. None of the listed projects would substantially displace housing units or people within the County. In fact, implementation of the cumulative projects would result in a net increase of housing in the County. The County further requires development that may impact housing to include affordable housing units or pay a related impact fee (see Regulatory Setting). Therefore, cumulative impacts associated with population and housing displacement would be less than significant (Draft EIR, Section 3.12, Population and Housing, Page 3.12-9).

The proposed project would add 357 persons to the County's population, which would represent growth of less than 0.01 percent of the County's population and 0.02 of the unincorporated population. As such, there would not be substantial direct population growth associated with the proposed project in conjunction with the cumulative projects.

Adoption of the proposed project would not result in any policies or physical improvements that would result in direct or indirect or cumulative impacts to regional growth or result in substantial displacement of people or the need to construct additional housing and would not contribute to a cumulative impact. Therefore, cumulative impacts would be no impact.

1.5.12 - Public Services and Recreation

Potential Effect

Impact PUB-1	The proposed project would not result in substantial adverse physical impacts associated with the provision of new or physically altered fire protection facilities, need for new or physically altered fire protection 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 (Draft EIR, Section 3.13, Public Services and Recreation, Page 3.13-17).
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Findings

Less than significant impact.

Facts in Support of Findings

Four fire stations are located within approximately 2 miles of driving distance of the project site: Station No. 1, located at 1330 Civic Drive in Walnut Creek, is approximately 1.7 miles (driving distance) south of the project site; Station No. 2, located at 2012 Geary Road in Pleasant Hill, is approximately 1.4 miles (driving distance) west of project site, Station No. 5, located 205 Boyd Road in Pleasant Hill, is approximately 1.9 miles (driving distance) north of the project site; and Station No. 10, located at 2955 Treat Boulevard in Concord, is approximately 2.2 miles (driving distance) northeast of the project site.

Using an average travel speed of 35 miles per hour (mph), a fire engine would be able to reach construction areas at the project site from Station No. 2 (approximately 1.4 miles of driving distance) in 2 minutes and 24 seconds, which is under the 5-minute response standard set by the County General Plan. As part of project construction, the proposed project would comply with the CBC, which is adopted by the Ordinance Code. In compliance with the California Fire Code, Part 9 of the CBC, during construction the proposed project would follow standards for fire safety related to provision of fire apparatus access and acquisition of building permits. Specifically, CBC Section 105.7.17 requires plans be submitted and a permit is required to install, improve, modify, or remove public or private roadways, driveways, and bridges for which Fire District access is required by the Fire Code; this would ensure adequate driveway/entry turning radius, height clearance, and fire hydrant access for fire trucks and engines at the project site during construction. In addition, CBC Section 105.7.18 requires plans be submitted to the Fire Code Official for all land developments or for the construction, alteration, or renovation of a building within the jurisdiction where a building permit is required; this would ensure that construction and alteration would not obstruct CCCFPD from delivering adequate levels of fire protection services. With an adequate fire engine response time to the project site and adherence to the aforementioned CBC Code sections, construction of the proposed project would not create the need for new or altered fire protection facilities (Draft EIR, Section 3.13, Public Services and Recreation, Page 3.13-17).

The operation of new townhouses on the project site would result in new residents at the project site and could in turn result in an increase in calls for fire protection and emergency medical services. As noted above, Fire Station No. 2, at 2012 Geary Road, is approximately 1.4 miles west of the project site, and could reach the site within 2 minutes and 24 seconds, which is below the 5-minute response standard set by the General Plan.

As part of project operation, the proposed project would comply with the CBC, which is adopted by the Ordinance Code. Specifically, in compliance with the California Fire Code, Part 9 of the CBC, during operation the proposed project would follow standards for fire safety such as fire flow requirements for buildings, fire hydrant location and distribution criteria, automated sprinkler systems, and fire-resistant building materials. Primary vehicle access to the project site would be from a driveway on Oak Road and a driveway on Jones Road. Oak Road is a public local street under the jurisdiction of the City of Walnut Creek. It runs north–south along the project site east frontage. Jones Road is a public County local street that runs along the project site west frontage. Thus, during project operation, emergency vehicles would not have difficulty accessing the project site. As such, it is not expected that the proposed project would adversely affect response times or increase the use of existing fire protection or emergency medical response facilities such that substantial physical deterioration, alteration, or expansion of these facilities would be required, thereby triggering environmental impacts. Furthermore, the project applicant would be required to pay applicable fees toward fire protection facilities and apparatus so that the CCCFPD can maintain fire safety standards. With an adequate fire engine response time to the project site, adherence to the aforementioned CBC Code sections, adequate project site access, and payment of impact fees to the CCCFPD, operation of proposed project would not create a need to construct new or expand existing fire protection or emergency medical services facilities (Draft EIR, Section 3.13, Public Services and Recreation, Page 3.13-18).

Potential Effect

Impact PUB-2	The proposed project would not result in substantial adverse physical impacts associated with the provision of new or physically altered police protection facilities, need for new or physically altered police protection 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 (Draft EIR, Section 3.13, Public Services and Recreation, Page 3.13-18).
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Findings

Less than significant impact.

Facts in Support of Findings

The nearest Sheriff station to the project site is the Valley Station at 150 Alamo Plaza Unit C, located 6.7 miles (driving distance) southeast of the project site; however, response is likely to originate from Sheriff Deputies or Walnut Creek police officers pursuant to mutual aid patrolling the local beat. If response calls originated from the Valley Station, response would be approximately 11 minutes and 29 seconds to the project site, assuming an average travel speed of 35 mph driving speed. During construction, the proposed project would also implement security measures such as provision of a

project-boundary fence to prohibit access to persons other than construction personnel. With an adequate police response time to the project site and provision of adequate security measures, construction of the proposed project would not create the need for new or altered police protection facilities.

The operation of new townhouses on the project site would result in new residents at the project site and could in turn result in an increase in calls for police protection services. The Office of the Sheriff does not set a specific goal for emergency call response times. However, County General Plan Policy 7-59 indicates that when making staffing and beat configuration decisions, the Sheriff should strive for a maximum response time for Priority 1 or 2 calls of 5 minutes for 90 percent of all emergency responses in central business district, urban, and suburban areas. This General Plan Policy indicated response time is a goal, not a requirement.

The proposed project would increase the population of unincorporated Contra Costa County by approximately 357 persons. Accordingly, the proposed project would require 55 square feet of Sheriff station space. This increased demand for Sheriff station space represents approximately 1 percent of the Valley Station's existing square footage and, thus, represents a nominal increase in demand. The Office of the Sheriff did not indicate that the proposed project would result in the need for new or expanded Sheriff facilities in order to maintain acceptable service ratios, response times, or other performance objectives. Furthermore, the project applicant would be required to pay applicable fees to the Office of the Sheriff to help provide for the costs associated with a police facilities building and equipment to 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 proposed project would not create a need to construct new or expand existing police protection facilities (Draft EIR, Section 3.13, Public Services and Recreation, Page 3.13-19–20).

Potential Effect

Impact PUB-3	The proposed project would not result in substantial adverse physical impacts associated with the provision of new or physically altered school facilities, need for new or physically altered school facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios or other performance objectives for schools (Draft EIR, Section 3.13, Public Services and Recreation, Page 3.13-20).
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Findings

Less than significant impact.

Facts in Support of Findings

The project applicant would be required to pay development impact fees to the Walnut Creek School District (WCSD) and Acalanes Union High School District (AUHSD). 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. With payment of impact fees to the WCSD and AUHSD, operation of the proposed project would not create a need to construct new or expand existing school facilities (Draft EIR, Section 3.13, Public Services and Recreation, Page 3.13-21).

Potential Effect

Impact PUB-4	The proposed project would not result in substantial adverse physical impacts associated with the provision of new or physically altered library facilities, need for new or physically altered library facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios or other performance objectives for library facilities (Draft EIR, Section 3.13, Public Services and Recreation, Page 3.13-21).
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Findings

Less than significant impact.

Facts in Support of Findings

Impacts related to provision of and need for construction of new or expanded library facilities are limited to operational impacts. The General Plan does not include a standard or goal for the provision of library services; however, for informational purposes, the County generally provides approximately 319 gross square feet of library space per 1,000 residents. The proposed project's approximately 357 residents is a nominal increase compared with the existing County population of approximately 1.1 million residents served by the Contra Costa County Library system. The proposed project's estimated increase in persons would represent an increase of less than 1 percent relative to the existing residents served by the Contra Costa County Library system. As such, the County's provision of library space per 1,000 residents would not be affected by implementation of the proposed project. Furthermore, the County Librarian anticipates that the proposed project would not have a noticeable effect on the ability of the County Library system to provide library services. With adequate relevant library system capacity, operation of proposed project would not create a need to construct new or expand existing library facilities (Draft EIR, Section 3.13, Public Services and Recreation, Page 3.13-22).

Potential Effect

Impact REC-1	The proposed 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 (Draft EIR, Section 3.13, Public Services and Recreation, Page 3.13-22).
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Findings

Less than significant impact.

Facts in Support of Findings

Impacts related to increased use of existing parks and recreational facilities are limited to operational impacts. Goal 9-K of the General Plan Open Space Element seeks to achieve a level of park facilities equal to 4 acres per 1,000 population or 0.004-acre per person. With a County population of 1,153,854 persons (2021) and approximately 46,624 acres of parks (State, County, East Bay Regional Park District [EBRPD], and local parks), the current ratio is approximately 40.4 acres per 1,000 population, far exceeding the County's goal. The proposed 125 residential units would be

expected to result in a permanent population of 357 persons, resulting in the need for 1.428 acres of parkland to assist in the County's parkland goal.

Nearby recreational facilities total nearly 7,000 acres in available existing parks. Given the wide range of proposed on-site and existing proximate parks and recreational facilities available to project-related residents, the recreational needs of the proposed project's anticipated 357 new residents would be dispersed across these nearly 7,000 total acres of parkland and, thus, not result in an increased use that would cause substantial physical deterioration of existing neighborhood and regional parks or other recreational facilities.

Additionally, the proposed 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 (Draft EIR, Section 3.13, Public Services and Recreation, Page 3.13-23).

Potential Effect

Cumulative Impacts

The proposed project, in conjunction with other past, present, planned, and approved projects, would result in less than significant cumulative impacts related to public services and recreation (Draft EIR, Section 3.13, Public Services and Recreation, Page 3.13-27).

Findings

Less than significant impact.

Facts in Support of Findings

Cumulative development could increase population within the proposed project vicinity by approximately 2,910 persons. The proposed project would add an estimated 357 persons to the County's population (Draft EIR, Section 3.13, Public Services and Recreation, Page 3.13-24).

Fire Protection Facilities

The cumulative increase in population could result in an increased demand for fire protection facilities. To help offset the increased demand, the cumulative projects would be required to pay all applicable fees to the CCCFPD. All developments would also adhere to the California Fire Code, Part 9 of the CBC in terms of meeting standards for fire safety such as fire flow requirements for buildings, fire hydrant location and distribution criteria, automated sprinkler systems, and fire-resistant building materials. With adherence to CBC sections and payment of applicable fees, cumulative projects would not result in need for new or altered fire protection or emergency medical facilities. All cumulative projects would be required to comply with city and county ordinances and General Plan policies that address fire protection services. Therefore, cumulative impacts would be less than significant. Moreover, the proposed project's incremental contribution to less than significant cumulative impacts would not be significant. As discussed under Impact PUB-1, implementation of the proposed project would not create a need for new or physically altered facilities to provide fire protection services to the service area.

Police Protection Facilities

The cumulative increase in population could result in an increased demand for police protection facilities. To help offset the increased demand for police protection facilities, the cumulative projects would be required to pay applicable fees to the Office of the Sheriff. All developments would also be reviewed for impacts on law enforcement services and would be required to address any potential impacts with mitigation. Because demand for law enforcement services is highly dependent on a number of factors that vary substantially by project (clientele, hours of operation, crime prevention measures, etc.), it is unlikely that there would be substantial overlap in demand that would result in a cumulatively significant impact such that new police protection facilities are necessary (Draft EIR, Section 3.13, Public Services and Recreation, Page 3.13-25). All cumulative projects would be required to comply with city ordinances and General Plan policies that address police protection services. Therefore, cumulative impacts would be less than significant. Moreover, the proposed project's incremental contribution to less than significant cumulative impacts would not be significant. As discussed under Impact PUB-2, implementation of the proposed project would not create a need for new or physically altered facilities to provide fire protection services to the service area.

School Facilities

The cumulative increase in population could result in an increased demand for school facilities. Other cumulative projects do not include any educational facilities. All cumulative developments would be required to pay development impact fees toward the two applicable school districts. Under State law, this is the exclusive means of mitigating impacts to school facilities due to increased enrollment. As part of the project entitlement process, the cumulative project applicants would be responsible for paying their fair share of these school facility fees. The payment of school impact fees would ensure that school facilities can accommodate future students. Therefore, cumulative impacts would be less than significant. As discussed in impact PUB-3 the proposed project will be required to pay school impact fees and this requirement is considered to fully mitigate impacts on school facilities. Therefore, impacts of the General Plan on school facilities are not cumulatively considerable.

Library Facilities

The cumulative increase in population could in turn result in an increased demand for library facilities. The County generally provides approximately 319 gross square feet of library space per 1,000 residents. With development of the other cumulative project in conjunction with the proposed project, the County's provision of library space per 1,000 residents would need to be increased by approximately 1,042 square feet. The construction of the new Pleasant Hill Library (scheduled to be completed in 2022) would more than adequately address this need. Therefore, cumulative impacts are less than significant (Draft EIR, Section 3.13, Public Services and Recreation, Page 3.13-26). The proposed project's incremental contribution to less than significant cumulative impacts would not be significant. The proposed project would result in growth of less than 0.01 percent of the County's population and 0.02 of the unincorporated population, which would not significantly increase demand for library services. For these reasons, impacts on library facilities are not cumulatively considerable and the cumulative impact would be less than significant.

Increased Park Use

The increase in permanent population would result in an increased cumulative demand for park facilities. To help offset that demand, Cumulative Project 1, listed in Table 3-1 of the Draft EIR, would be subject to the County 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. Other cumulative projects that are within the City of Walnut Creek and City of Pleasant Hill would similarly be required to provide parkland or pay development 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.

The California Department of Parks and Recreation (DPR), EBRPD, Contra Costa County, and cities in the proposed project vicinity maintain State, regional, and local community parks, trails, and recreational facilities for public use throughout Contra Costa County. County park standards are established in the County's General Plan. Specifically, Goal 9-K of the General Plan Open Space Element, seeks to achieve a level of park facilities equal to 4 acres per 1,000 population or 0.004-acre per person. With a County population of 1,153,854 persons (2021) and approximately 46,624 acres of parks (State, County, various cities, and EBRPD), the current ratio is approximately 40.4 acres per 1,000 population, far exceeding the County goal. The cumulative projects would add approximately 2,910 residents to the area. However, the current high ratio of parks to population would not be significantly impacted by the added residents (Draft EIR, Section 3.13, Public Services and Recreation, Page 3.13-26). Therefore, the proposed project's impacts on park and recreation facilities are not cumulatively considerable and the cumulative impact would be less than significant.

1.5.13 - Transportation

Potential Effect

Impact TRANS-1	The proposed project would not conflict with a program plan, ordinance, or policy of the circulation system, including transit, roadway, bicycle and pedestrian facilities (Draft EIR, Section 3.14, Transportation, Page 3.14-14).
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Findings

Less than significant impact.

Facts in Support of Findings

Bicycle Facilities

There are no existing bike lanes on Jones Road. However, there is a pedestrian/bike trail, Iron Horse Regional Trail, located approximately 1,500 feet east of the project site. The bike trail provides access to the Pleasant Hill/Contra Costa Centre BART station. There is also another pedestrian/bike trail, Contra Costa Canal Trail, located approximately 450–600 feet south of the project site and crossing Oak Road and Jones Road. According to the City of Walnut Creek Bicycle Plan, there are plans to provide a bicycle route on Jones Road between Treat Boulevard and Walden Road. The project would not affect existing or planned bicycle facilities.

The project also proposes to include a bike repair space on-site. Oak Road has planned Class II facilities in the vicinity of the project. The planned facilities would be located on Oak Road between Treat Boulevard and the Contra Costa Canal Trail. The four on-street parking spaces proposed along Oak Road would not result in a conflict with future construction of this facility. The Iron Horse Regional Trail, a pedestrian/bike trail, is located approximately 1,500 feet east of the project site. The Iron Horse Regional Trail extends from Marsh Drive in Concord to Santa Rita Road in Pleasanton. The Iron Horse Regional Trail provides access to the Pleasant Hill/Contra Costa Centre BART station. There is also another trail, Contra Costa Canal Trail, located approximately 650 feet south of the project site and crossing Jones Road. The Contra Costa Canal Trail extends from Muir Road in Martinez to Willow Pass Road in Concord. The Contra Costa Canal Trail provides access to Walden Park and the Iron Horse Regional Trail. The Contra Costa Canal Trail also provides good bicycle connectivity to the project site and the Seven Hills School. According to the City of Walnut Creek Bicycle Plan, there are plans to provide a bicycle route on Jones Road between Treat Boulevard and Walden Road.

Pedestrian Facilities

There are sidewalks on the east side of Jones Road within the vicinity of the project site. There are also sidewalks on both sides of Oak Road and Treat Boulevard so that residents at the project site can easily walk to the Pleasant Hill/Contra Costa Centre BART station. The traffic signals at the Oak Road/Jones Road and Oak Road/Treat Boulevard intersections include crosswalks with pedestrian signal heads to facilitate crossing the street. The Iron Horse Regional Trail and Contra Costa Canal Trail described previously are Class I pedestrian/bicycle facilities within project proximity. There are no pedestrian improvement plans along Jones Road or Oak Road along the project frontage, and the project would not affect existing or planned pedestrian facilities. The Seven Hills School is located within a 1-mile radius of the project site, and the Contra Costa Canal Trail provides a pedestrian connection to the school from the project site.

Transit Facilities

The site is served by several County Connection bus routes: 7, 9, 11, 14, 15, and 311. The project site is located with 0.5 mile of a major transit stop, the Pleasant Hill/Contra Costa Centre BART station, which is located north of the project site. The closest bus stop to the project site is located at Oak Road and Walden Park, approximately 970 feet south of the project site. There are sidewalks on Oak Road that provide connectivity to the bus stop. The Pleasant Hill/Contra Costa Centre BART station also provides other bus route connections in addition to other County Connection lines. AC Transit, Solano Express, FAST, and Wheels Express provide connecting transit routes at the Pleasant Hill/Contra Costa Centre BART station (refer to Exhibit 3.14-5 and Table 3.14-6). Paratransit services could also be provided to the residents at the project site. County Connection LINK serves Pleasant Hill, Walnut Creek, Concord, Lafayette, and other central Contra Costa cities. Paratransit service rides are provided within 1.5 miles of a bus stop or train station (Draft EIR, Section 3.14, Transportation, Page 3.14-15).

Potential Effect

Impact TRANS-2	The proposed project would not conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b) (Draft EIR, Section 3.14, Transportation, Page 3.14-17).
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Findings

Less than significant impact.

Facts in Support of Findings

In accordance with new CEQA Guidelines, the County has transitioned from intersection Level of Service (LOS) to VMT for CEQA transportation analysis. The Contra Costa County Transportation Analysis Guidelines (County TAG) also include screening criteria for projects that are expected to result in less than significant VMT impacts. According to the County TAG, a project is expected to result in a less than significant VMT impact if the proposed project is located within 0.5 mile of an existing major transit stop or an existing stop along a high-quality transit corridor. The Pleasant Hill/Contra Costa Centre BART station is located within 0.5 mile of the project site. In addition, there are bicycle and pedestrian facilities between the project site and the Pleasant Hill/Contra Costa Centre BART station, such as continuous sidewalks along Jones Road and Oak Road that connects to the project site to this BART station. At a normal walking pace, it would take approximately 5 minutes to walk from the project site to this BART station (Draft EIR, Section 3.14, Transportation, Page 3.14-17).

The Iron Horse Regional Trail and the Contra Costa Canal Trail also provide access to the Pleasant Hill/Contra Costa Centre BART station. There are also bike racks and bike lockers at the BART station for bicyclists to park their bicycles. Furthermore, the BART system provides quality regional connection to major employment destinations within the Bay Area (i.e., Oakland, San Francisco) and will soon connect to the San José area as well. The Pleasant Hill/Contra Costa Centre BART station also connects to local bus routes that are provided by County Connection. These local bus routes include County Connection weekday routes 7, 9, 11, 14, 15, and 18, County Connection weekend routes 311 and 316, County Connection Early Bird Express routes 702 and 712, Solano Express Blue and Yellow lines, FAST Blue line, Wheels Bus line 70X, and Alameda-Contra Costa Transit District (AC Transit) route 702. The regional transit connectivity available to the project residents, along with availability of bicycle parking on-site and bicycle and pedestrian facilities in the vicinity of the project site, would reduce residents' need to drive (Draft EIR, Section 3.14, Transportation, Page 3.14-18).

Potential Effect

Impact TRANS-3	The proposed 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) (Draft EIR, Section 3.14, Transportation, Page 3.14-18).
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Findings

Less than significant impact.

Facts in Support of Findings

The project-generated traffic would access the site via a new driveway connecting to Jones Road. There would also be a driveway that would connect to the project site on Oak Road. The new driveways on Jones Road and Oak Road would be 26 feet wide, which could accommodate two-way traffic and meet Fire Code standards (Draft EIR, Section 3.14, Transportation, Page 3.14-19).

The project access points would remain free and clear of any obstructions that would materially and adversely affect sight distance, thereby ensuring that exiting vehicles can see pedestrians on the sidewalk and other vehicles traveling on adjacent roadways. As designed, landscaping and parking would not conflict with a driver's ability to locate a gap in traffic and see oncoming pedestrians and bicyclists. Adequate corner sight distance (sight distance triangles) would be provided at all site access points in accordance with the County standards. The line of sight for vehicles exiting the driveway and vehicles traveling northbound on Jones Road are clear and visible. Vehicles exiting the driveway would be visible to the vehicles traveling southbound on Jones Road and Oak Road. There are existing red curbs on both sides of each driveway to provide adequate visibility for vehicles exiting the project site. The proposed project would not substantially increase hazards due to any design features.

The proposed project would provide new streets and alleys within the project site that lead to each unit. Each unit would have its own driveway and a garage. According to the Ordinance Code, the minimum two-way drive aisle width for multi-family uses is 20 feet and 26 feet when portion of the building has human occupancy located more than 30 feet above the access road. The site plan shows the appropriate drive aisle widths within the project site. The site plan demonstrates the proposed project would provide adequate space for garbage trucks, loading trucks and emergency vehicles to circulate throughout the project site (Draft EIR, Section 3.14, Transportation, Page 3.14-19).

Potential Effect

Impact TRANS-4	The proposed project would not result in inadequate emergency access (Draft EIR, Section 3.14, Transportation, Page 3.14-19).
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Findings

Less than significant impact.

Facts in Support of Findings

Emergency vehicle access would be provided via the two proposed driveways on Jones Road and Oak Road. The new driveways would be 26 feet wide, which can accommodate two-way traffic and provide adequate access for emergency vehicles (Draft EIR, Section 3.14, Transportation, Page 3.14-19).

Potential Effect

Cumulative Impacts

The proposed project, in conjunction with other past, present, planned, and approved projects, would result in less than significant cumulative impacts related to transportation (Draft EIR, Section 3.14, Transportation, Page 3.14-20).

Findings

Less than significant impact.

Facts in Support of Findings

The geographic scope of the cumulative transportation analysis is the roadway network and the transit, pedestrian, and bicycle facilities in the vicinity of the project site. All cumulative projects would be required to comply with County and local ordinances and General Plan policies that address potential impacts related to transportation. For these reasons, cumulative impacts with respect to transportation and traffic would be less than significant. Moreover, the proposed project's incremental contribution to cumulative traffic impacts would not be significant.

As discussed in impacts TRANS-1 through TRANS-4, the proposed project would have a less than significant impact on intersection operations, public transit, bicycles, and pedestrians. Therefore, the proposed project would not have a cumulatively considerable contribution. The proposed project's VMT would not result in a significant impact for VMT and therefore would not have a considerable cumulative contribution. The proposed project would implement recommended TDM measures that would facilitate further reductions in VMT by encouraging use of alternate transportation modes. The proposed project's VMT would not result in a significant impact for VMT and therefore would not have a considerable cumulative contribution. The proposed project would provide adequate emergency access via the two proposed driveways on Jones Road and Oak Road and impacts would be less than significant. Therefore, the proposed project would not have a cumulatively considerable contribution to cumulative impacts (Draft EIR, Section 3.14, Transportation, Page 3.14-20).

1.5.14 - Utilities and Service Systems

Potential Effect

Impact UTIL-1	The proposed project would not require or result in the relocation or construction of new or expanded water, wastewater treatment or stormwater drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects (Draft EIR, Section 3.15, Utilities and Service Systems, Page 3.15-18).
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Findings

Less than significant impact.

Facts in Support of Findings

Water

Because the project site is currently served by the Contra Costa Water District (CCWD), its water consumption is factored into the Urban Water Management Plan (UWMP's) planning projections. Thus, adequate water supplies are available to serve the proposed project and no new or expanded water treatment or conveyance facilities would be required. Additionally, the CCWD provided a letter to the applicant dated November 10, 2020, confirming it could serve the proposed project and providing standard requirements for new service connections (e.g., separate metering of domestic, fire, and irrigation).

Wastewater Treatment

The proposed project would install a new on-site sewer collection system consisting of 8-inch diameter pipes that would discharge via service lateral to an existing 18-inch diameter sewer line in Jones Road. Central Contra Costa Sanitary District (Central San) provided comments to the applicant dated August 4, 2020, confirming it could serve the proposed project providing standard requirements for new service connections (e.g., payment of connection fees). Central San would contain sufficient capacity to serve all aspects of the project, and a new or expanded wastewater treatment facility would not be required.

Stormwater Drainage

There would be a net increase of 40,136 square feet of impervious surfaces relative to existing conditions (155,600 square feet vs. 195,736 square feet).

The proposed project would result in 2.2 acres of impervious surfaces draining to Oak Road and 3 acres of impervious surfaces draining to Jones Road. Thus, there would be a net decrease in drainage to Oak Road and a net increase in drainage to Jones Road. The proposed project would install an on-site storm drainage system. Inlets would capture surface runoff, where it would enter an underground piping system ranging from 12 to 18 inches in diameter that would convey stormwater to bioretention basins or hydromodification vaults. The basins and vaults would be designed to promote percolation into the soil and would release runoff into the municipal drainage system at a rate no greater than the pre-development condition of the project site.

In accordance with applicable provisions of Section C.3 of the San Francisco Bay RWQCB Municipal Regional Permit (Order No. R2-2015-0049, NPDES Permit No. CAS612008) (or more recent permit) the proposed project would implement LID stormwater management methods into the on-site storm drainage system consisting of rainwater harvesting and use, infiltration, evapotranspiration, or biotreatment. Collectively, these measures would serve to slow, reduce, and meter the volume of runoff leaving the project site and ensure that downstream storm drainage facilities are not inundated with project-related stormwater (Draft EIR, Section 3.15, Utilities and Service Systems, Page 3.15-18–19).

Electric Power

Electricity services would be provided by PG&E. Existing overhead utility lines along the proposed project frontage on Oak Road and Jones Road would be relocated underground. Impacts related to energy use from electric power would be less than significant (Draft EIR, Section 3.5, Energy, Page 3.5-11). Therefore, the proposed project would not result in the relocation or construction of new or expanded electric power facilities (Draft EIR, Section 3.15, Utilities and Service Systems, Page 3.15-20).

Natural Gas

No gas service would be provided to the proposed project. As discussed in Section 3.5, Energy, the proposed project would not result in the use of any natural gas. Therefore, there would be no impacts related to natural gas facilities (Draft EIR, Section 3.15, Utilities and Service Systems, Page 3.15-20).

Telecommunications

AT&T would provide phone services, and Comcast would provide phone and high-speed internet services to the project site. The proposed project would not require the construction or expansion of telecommunications facilities because it is located in an urban area that already contains sufficient telecommunications facilities (Draft EIR, Section 3.15, Utilities and Service Systems, Page 3.15-20).

Potential Effect

Impact UTIL-2	The proposed project would have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple-dry years (Draft EIR, Section 3.15, Utilities and Service Systems, Page 3.15-20).
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Findings

Less than significant impact.

Facts in Support of Findings

Impacts related to sufficient water supplies are limited to operational impacts. The proposed project would demand a net increase of 64,843 gallons of water per day, which equates to 72.6 acre-feet per year. This amount of water represents less than 1 percent of both CCWD's 2025 average water year supply value of 216,600 acre-feet and CCWD's 2025 single-dry year value of 174,000 (Draft EIR, Section 3.15, Table 3.15-3: Water Consumption Estimate, Page 3.15-20). Accordingly, adequate water supplies would be available to serve the project from existing and planned supplies (Draft EIR, Section 3.15, Utilities and Service Systems, Page 3.15-21).

Potential Effect

Impact UTIL-3	The proposed 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 (Draft EIR, Section 3.15, Utilities and Service Systems, Page 3.15-21).
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Findings

Less than significant impact.

Facts in Support of Findings

Impacts related to sufficient water supplies are limited to operational impacts. The proposed project would generate an estimated 23,344 gallons per day (0.024 million gallons per day [mgd]) (Draft EIR, Section 3.15, Table 3.15-4: Wastewater Generation Estimate, Page 3.15-21). This amount of wastewater represents less than 1 percent of the Central San's treatment plant daily discharge limit of 54 mgd. Thus, no new or expanded wastewater treatment or conveyance facilities would be required and there would be adequate capacity to serve the proposed project's projected demand in addition to the provider's existing commitments. Furthermore, Central San provided comments to the applicant confirming it could serve the proposed project providing standard requirements for new service connections (e.g., payment of connection fees) (Draft EIR, Section 3.15, Utilities and Service Systems, Page 3.15-21).

Potential Effect

Impact UTIL-4	The proposed 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 (Draft EIR, Section 3.15, Utilities and Service Systems, Page 3.15-22).
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Findings

Less than significant impact.

Facts in Support of Findings

During construction, the proposed project would generate 4,480 cubic yards of construction and demolition waste. The three regional landfills have 136.2 million cubic yards of remaining capacity and, thus, can accommodate the construction solid waste generated by the proposed project. Construction and Demolition Debris Recycling practices would divert most, if not all, construction solid waste from landfills (Draft EIR, Section 3.15, Table 3.15-5: Construction and Demolition Solid Waste Generation Estimate, Page 3.15-22).

During operation, the proposed project would generate 321 cubic yards of solid waste annually. The three regional landfills have 136.2 million cubic yards of remaining capacity and, thus, can accommodate the solid waste generated by the proposed project at operation (Draft EIR, Section 3.15, Table 3.15-6: Operational Solid Waste Generation Estimate, Page 3.15-23). Aluminum, glass, plastic, paper, cardboard, and organic waste are collected and diverted from the waste stream. As such, the values discussed above likely overstate the solid waste generation that would be expected to occur from the proposed project (Draft EIR, Section 3.15, Utilities and Service Systems, Page 3.15-23).

Potential Effect

Impact UTIL-5	The proposed project would comply with federal, State, and local statutes and regulations related to solid waste (Draft EIR, Section 3.15, Utilities and Service Systems, Page 3.15-23).
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Findings

Less than significant impact.

Facts in Support of Findings

During construction, the proposed project would be required to comply with the County's Ordinance Code Title 4 Division 418-2.028 related to solid waste reduction and recycling measures. These measures would ensure compliance with the Integrated Waste Management Act by ensuring project construction waste is transferred to facilities that can adequately recycle solid waste.

During project operation, the proposed project would be required to comply with applicable State and local regulations related to solid waste such as the California Integrated Waste Management Act and Title 4 Chapter 418 of the Contra Costa County Ordinance Code. Adherence to the County Ordinance Code would ensure sufficient solid waste collection and transportation is available to the

project and would also ensure that disposal sites contain sufficient capacity through permit review and inspections and recycling programs are implemented in order to divert waste. As such, project operation would not impede the ability of the County to meet waste diversion requirements or cause the County to violate State and local statutes and regulations related to solid waste (Draft EIR, Section 3.15, Utilities and Service Systems, Page 3.15-24).

Potential Effect

Cumulative Impacts

The proposed project, in conjunction with other past, present, planned, and approved projects, would result in a less than significant cumulative impact related to utilities and service systems (Draft EIR, Section 3.15, Utilities and Service Systems, Page 3.15-25).

Findings

Less than significant impact.

Facts in Support of Findings

Water

Cumulative projects are located within the CCWD service area and would create water supply demand. The CCWD 2015 UWMP determined that CCWD would be able to provide adequate water supplies to the County and cumulative projects area. The County would have adequate water supplies to serve the cumulative projects during normal and dry years. In addition, cumulative projects would be required to comply with provisions of the County Code and California Green Building Code related to water conservation. Therefore, cumulative impacts are less than significant. Moreover, the proposed project's incremental contribution to cumulative impacts would not be significant. The proposed project, in conjunction with identified cumulative projects in Contra Costa County, would result in a less than significant cumulative impact related to water supply and water supply facilities less than significant impact (Draft EIR, Section 3.15, Utilities and Service Systems, Page 3.15-24).

Wastewater

Central San provides wastewater collection and treatment services for contracted cities and residents and business in unincorporated County land. Central San considered the existing capacity and future demand for capacity to determine needed updates to wastewater and recycled water facilities. In the course of preparing the Comprehensive Wastewater Master Plan, Central San estimated wastewater generated from future development in the service area and forecast the needed facility upgrades. The forecast included treatment facility upgrades needed to accommodate growth in the County and maintain compliance with applicable regulatory standards for wastewater treatment and discharge. The Comprehensive Wastewater Master Plan determined that capacity exists to service the County and cumulative projects area demand with respect to wastewater treatment facilities. Therefore, cumulative impacts are less than significant. Moreover, the project's incremental contribution to cumulative wastewater impacts would not be significant. The proposed project, in conjunction with identified cumulative projects in Contra Costa County would result in a less than significant cumulative impact related to wastewater generation and wastewater treatment facilities less than significant impact (Draft EIR, Section 3.15, Utilities and Service Systems, Page 3.15-25).

Storm Drainage

Walnut Creek is the watershed the project site lies within. Cumulative projects predominantly consist of commercial and non-residential uses located in unincorporated Contra Costa County, the City of Walnut Creek, or the City of Pleasant Hill that generate volumes of stormwater. The proposed project may be required to construct improvements such that the storm drain line is adequate, which may include an expansion of this stormwater facility to ensure that adequate capacity is maintained. Therefore, cumulative impacts are less than significant. Moreover, the project's incremental contribution to cumulative storm drainage impacts would not be significant. The proposed project, in conjunction with the construction of other projects, would not result in a significant cumulative impact related to stormwater generation and stormwater drainage facilities (Draft EIR, Section 3.15, Utilities and Service Systems, Page 3.15-25).

Solid Waste

Central Contra Costa County Solid Waste Authority (RecycleSmart) oversees regional waste diversion programs and contracts for the solid waste recycling collection services provided within this area of the County. Cumulative projects consist predominantly of residential uses and would generate solid waste that would increase demand on solid waste facilities to receive, process, and dispose solid waste. The three regional landfills that serve the County have a combined remaining capacity of 136.2 million cubic yards. The anticipated waste volume of cumulative projects development would be 321 cubic yards per year that represents less than 1 percent of the available capacity. Existing solid waste facilities provide sufficient capacity to serve cumulative development anticipated in the County. Therefore, cumulative impacts are less than significant. Moreover, the project's incremental contribution to cumulative solid waste impacts would not be significant. The proposed project, in conjunction with identified cumulative projects, would result in a less than significant cumulative impact related to solid waste generation and landfill capacity (Draft EIR, Section 3.15, Utilities and Service Systems, Page 3.15-25).

1.5.15 - Wildfire

Potential Effect

Impact WILD-1	The proposed project would not substantially impair an adopted emergency response plan or emergency evacuation plan (Draft EIR, Section 3.16, Wildfire, Page 3.16-11).
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Findings

Less than significant impact.

Facts in Support of Findings

The proposed project would comply with the County EOP, ensuring efficient response to emergency incidents associated with emergencies affecting the County. Furthermore, blockage of an evacuation route would not occur during project construction because the proposed project would not result in road closures to either Oak Road or Jones Road, the most likely evacuation routes from the project site. Additionally, the project site is not located in a "Fire Hazard Severity Zone" in a State Responsibility Area (SRA) or a "Very High Fire Hazard Severity Zone" in a local, State, or federal responsibility area.

During operation, the proposed project would be adequately served by police and fire services, including respective evacuation or emergency vehicle access. The proposed project would not create a permanent increase in population unaccounted for in the General Plan that could lead to overwhelming calls for emergency services. In addition, the proposed project would be designed in accordance with the County's standards to accommodate emergency vehicle access by providing two points of access to the project site and internal roadways that would be available to emergency vehicles. Furthermore, blockage of an evacuation route would not occur during project operation because the proposed project would not result in road closures to Oak Road or Jones Road, the most likely evacuation routes from the project site. With adherence to General Plan Policy 7-64, and Implementation Measures 7-at and 7-au, which require development fees, fire agency project review, and creation of a safe environment in case of substantial disaster, the proposed project would not conflict with the County EOP or General Plan (Draft EIR, Section 3.16, Wildfire, Page 3.16-12).

Potential Effect

Impact WILD-2	The proposed project would not due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire (Draft EIR, Section 3.16, Wildfire, Page 3.16-12).
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Findings

Less than significant impact.

Facts in Support of Findings

Impacts related to exposure of project occupants to pollutants concentrations from wildfire are limited to operational impacts. The project site is mostly surrounded by urbanized uses on relatively flat areas lacking in woodlands or vegetation that could provide fuel load for wildfire, or steep slopes that could cause fire to spread more rapidly. The project site is surrounded by other features that provide fuel breaks in the event of a fire, such as I-680, the Contra Costa Canal, Oak Road, and Jones Road. The closest open space area (Briones Regional Park) is located approximately 3 miles west of the project site (Draft EIR, Section 3.16, Wildfire, Page 3.16-12).

The project site is not located in an SRA or Local Responsibility Area (LRA) Fire Hazard Severity Zone. The nearest Fire Hazard Severity Zone is located approximately 2 miles west of the project site (Briones Regional Park) and is designated as a High Fire Hazard Severity Zone. The BAAQMD monitors the Bay Area's air quality at a number of stations, and the closest station to the project site is located in the City of Concord, approximately 4 miles to the northeast. The average wind speed at this station varied from month to month and ranged from 7 to 16 mph in 2020. Given that the project site is not located on or near steep terrain surrounded by natural vegetation, is mostly surrounded by urban uses, and does not consistently experience high winds, the project site would not be prone to wildfires.

Compliance with applicable State and local plans and regulations would decrease the risk of impacts related to wildland fire hazards. Specifically, General Plan policies incorporate requirements for fire-

safe construction into the land use planning and approval process and ensure special fire protection for high-risk land uses and structures. The County also implements an EOP, which addresses response to emergency incidents affecting the County. Furthermore, the proposed project would be adequately served in terms of fire protection services by the CCCFPD. Finally, the proposed project would be required to comply with the California Fire Code regarding emergency access and types of building materials (Draft EIR, Section 3.16, Wildfire, Page 3.16-13).

Potential Effect

Impact WILD-3	The proposed 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 (Draft EIR, Section 3.16, Wildfire, Page 3.16-13).
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Findings

Less than significant impact.

Facts in Support of Findings

Impacts related to installation or maintenance of infrastructure that may exacerbate fire risk are limited to operational impacts. The proposed project would include adequate emergency access via existing roads at two access points. The project site is in an urban area surrounded by existing roadways. The proposed project would not require the installation of firebreaks because it is in an urban area surrounded by existing development with little natural vegetation. The proposed project would not require emergency water sources because potable water is currently provided by the CCWD, 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 underground, minimizing potential ignition and related fire risk above ground, at the project site according to the CBC, Uniform Fire Code, and Contra Costa County General Plan Implementation Measure 7-au. Finally, off-site improvements, including frontage sidewalks, driveway curbs, and gutter improvements, would not exacerbate fire risk (Draft EIR, Section 3.16, Wildfire, Page 3.16-14).

Potential Effect

Impact WILD-4	The proposed 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 (Draft EIR, Section 3.16, Wildfire, Page 3.16-14).
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Findings

Less than significant impact.

Facts in Support of Findings

Impacts related to post-fire slope instability are limited to operational impacts. 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 (Draft EIR, Section 3.16, Wildfire, Page 3.16-14).

Potential Effect

Cumulative Impacts

The proposed project, in conjunction with other past, present, planned, and approved projects, would result in a less than significant cumulative impact related to wildfire (Draft EIR, Section 3.16, Wildfire, Page 3.16-15).

Findings

Less than significant impact.

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 the CBC and Uniform Fire Code, and incorporating requirements for fire-safe construction into the land use planning. Cumulative projects consist predominantly of residential and commercial development. Only one of the projects would be located in designated and High or Very High Fire Hazard Zones, and an additional project is located on the edge of a High Fire Hazard Zone. However, these projects would be in areas that are already developed and do not contain significant levels of dry fuel susceptible to ignition or significantly high average wind speeds. The cumulative projects would result in predominantly infill development and would not significantly increase emergency services beyond the existing service area. Furthermore, all cumulative project construction would adhere to the County Building Codes that are designed to minimize the potential for uncontrolled fires. Adherence to 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. Once cumulative development is proposed, the County assesses the needs for fire protection services and informs efforts to improve or expand needed facilities. All development would, however, comply with emergency access requirements, such as two emergency vehicle access points, as a condition of construction. Furthermore, the cumulative projects would not result in permanent road closures 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 the General Plan. As such, there would be a less than significant cumulative impact associated with wildfire hazards and emergency/evacuation response (Draft EIR, Section 3.16, Wildfire, Page 3.16-15). The proposed project's incremental contribution to cumulative wildfire hazard impacts would not be significant. As previously discussed, the proposed project is located in an already developed areas and would involve infill development and redevelopment. As a result, the proposed project would not contribute to or exacerbate the degree of wildland fire hazard, including secondary hazards. For this reason, and those discussed in Impacts WILD-1 through WILD-4, the proposed project's contribution to cumulative impacts would also be less than significant.

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

Contra Costa County hereby finds that feasible mitigation measures have been identified in the Draft EIR that will avoid or substantially lessen the following potentially significant environmental impacts to a less than significant level. 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, Light, and Glare

Potential Effect

Impact AES-4	The proposed project could create a substantial new source of light or glare which would adversely affect day or nighttime views in the area (Draft EIR, Section 3.1, Aesthetics, Light, and Glare, Page 3.1-9).
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Findings

Less than significant with mitigation incorporated (Draft EIR, Section 3.1, Aesthetics, Light, and Glare, Page 3.1-12). Changes or alterations have been required in, or incorporated into, the proposed project which avoid or substantially lessen the significant environmental effects as identified in the EIR. (State CEQA Guidelines, § 15091(a)(1).)

Mitigation Measures

MM AES-4 Prepare Final Lighting Plan

At least 30 days prior to applying for a building permit, the applicant shall submit for review and approval by the Department of Conservation and Development, Community Development Division a Final Lighting Plan. Exterior lighting must 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 proposed project would result in 125 townhouse condominiums with associated windows, as well as exterior lighting and signage. The site is surrounded by residential uses, as well as Oak Road and Jones Road, all of which contribute to the existing daytime glare and nighttime lighting of the area. The proposed project would result in the development of residential uses that would include nighttime security lighting consistent with surrounding uses. Potential sources of light associated with the proposed project would consist of typical sources of lighting associated with a residential development 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. MM AES-4 requires exterior lighting be directed downward and away from adjacent properties and public/private right-of-way to prevent glare (Draft EIR, Section 3.1, Aesthetics, Light, and Glare, Page 3.1-12–13).

The County finds that MM AES-4 is feasible, is adopted, and will further reduce impacts associated with aesthetics, light, and glare. 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 Draft EIR. Therefore, impacts associated with Aesthetics, Light, and Glare would be less than significant with mitigation incorporated.

1.6.2 - Air Quality

Potential Effect

Impact AIR-2	The proposed project could result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or State ambient air quality standard (Draft EIR, Section 3.2, Air Quality, Page 3.2-43).
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Findings

Less than significant with mitigation incorporated (Draft EIR, Section 3.2, Air Quality, Page 3.2-47). Changes or alterations have been required in, or incorporated into, the proposed project which avoid or substantially lessen the significant environmental effects as identified in the EIR. (State CEQA Guidelines, § 15091(a)(1).)

Mitigation Measures

MM AIR-2 **Apply Construction Best Management Practices**

The contractor shall implement the following enhanced Best Management Practices (BMPs):

1. During site preparation and grading, all exposed surfaces shall be watered at a frequency adequate to maintain minimum soil moisture of 12 percent. Moisture content can be verified by lab samples or moisture probe.
2. All haul trucks transporting soil, sand, or other loose material off-site shall be covered.
3. All visible mud or dirt tracked 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.
4. All vehicle speeds on unpaved roads shall be limited to 15 miles per hour (mph).
5. All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.
6. 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.
7. Post a publicly visible sign with the telephone number of the Project Manager to contact regarding dust complaints. This person shall respond and take corrective action within 48 hours. The Air District's phone number shall also be visible to ensure compliance with applicable regulations.

8. All excavation, grading, and/or demolition activities shall be suspended when average wind speeds exceed 20 mph.
9. Wind breaks (e.g., trees, fences) shall be installed on the windward side(s) of actively disturbed areas of construction. Wind breaks should have at maximum 50 percent air porosity.
10. Vegetative ground cover (e.g., fast-germinating native grass seed) shall be planted in disturbed areas as soon as possible and watered appropriately until vegetation is established.
11. The simultaneous occurrence of excavation, grading, and ground-disturbing construction activities on the same area at any one time shall be limited. Activities shall be phased to reduce the amount of disturbed surfaces at any one time.
12. All trucks and equipment, including their tires, shall be washed off prior to leaving the site.
13. Site accesses to a distance of 100 feet from the paved road shall be treated with a 6-to-12-inch compacted layer of wood chips, mulch, or gravel.
14. Sandbags or other erosion control measures shall be installed to prevent silt runoff to public roadways from sites with a slope greater than 1 percent.
15. Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 2 minutes. Clear signage shall be provided for construction workers at all access points.

Facts in Support of Findings

Predicted construction period emissions would not exceed the Bay Area Air Quality Management District (BAAQMD) significance thresholds. Construction activities, particularly during site preparation and grading, would temporarily generate fugitive dust in the form of PM₁₀ and PM_{2.5}. Sources of fugitive dust would include disturbed soils at the construction site and trucks carrying uncovered loads of soils. Unless properly controlled, vehicles leaving the site would deposit mud on local streets, which could be an additional source of airborne dust after it dries. The BAAQMD CEQA Air Quality Guidelines consider these impacts to be less than significant if BMPs are implemented to reduce these emissions. For example, these BMPs would reduce fugitive dust, in part, by requiring all exposed surfaces to be watered at a frequency adequate to maintain minimum soil moisture of 12 percent, which would reduce the amount of dust on-site. Additionally, dust would be contained and reduced by requiring all haul trucks transporting soil, sand, or other loose material off-site to be covered.

MM AIR-2 would require the implementation of BAAQMD-recommended BMPs to reduce fugitive dust (PM₁₀ and PM_{2.5}) (Draft EIR, Section 3.2, Air Quality, Page 3.2-43–46). Operational air emissions from the proposed project would be generated primarily from autos driven by future residents and guests. Evaporative emissions (e.g., reactive organic gases [ROG]) from architectural coatings and maintenance products (classified as consumer products) are typical emissions from residential projects. Operational period emissions would not exceed the BAAQMD significance thresholds, and emissions from the proposed project are anticipated to be less than the prior school use operation for all analyzed pollutants except ROG. (Draft EIR, Table 3.2-11: Operational Emissions, Page 3.2-46).

The CO emissions from traffic generated by the project are a concern at the local level. Congested intersections can result in high, localized concentrations of carbon monoxide (CO). The proposed project is estimated to generate a total of 93 AM peak-hour vehicle trips and 124 PM peak-hour vehicle trips. Conservatively assuming that all peak-hour vehicle trips generated by the proposed project would travel through the intersection of Oak Road and Treat Boulevard, the Existing Plus Project traffic volumes would be 6,109 AM peak-hour trips and 5,266 PM peak-hour trips. Therefore, the proposed project would not cause any intersections near the proposed project to experience traffic volumes of 44,000 vehicles per hour. Furthermore, the adjacent roadways are not located in an area where vertical or horizontal atmospheric mixing is substantially limited. Based on the above criteria, the proposed project would not cause an exceedance of the CO screening criteria (Draft EIR, Section 3.2, Air Quality, Page 3.2-47).

The County finds that MM AIR-2 is feasible, is adopted, and will further reduce impacts associated with Air Quality. 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 Draft EIR. Therefore, impacts associated with Air Quality would be less than significant with mitigation incorporated.

Potential Effect

Impact AIR-3	The proposed project could expose sensitive receptors to substantial pollutant concentrations. (Draft EIR, Section 3.2, Air Quality, Page 3.2-48).
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Findings

Less than significant with mitigation incorporated (Draft EIR, Section 3.2, Air Quality, Page 3.2-52). Changes or alterations have been required in, or incorporated into, the proposed project which avoid or substantially lessen the significant environmental effects as identified in the EIR. (State CEQA Guidelines, § 15091(a)(1).)

Mitigation Measures:

MM AIR-3	Selection of equipment during construction to minimize diesel particulate matter (DPM) emissions.
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The project shall implement the following:

1. Prior to the issuance of grading or construction permits, the applicant shall provide the Department of Conservation and Development, Community Development Division (CDD) with documentation to the satisfaction of CDD that all diesel-powered off-road equipment, larger than 25 horsepower, operating on the site for more than two days continuously, at a minimum, meet United States Environmental Protection Agency (EPA) emissions standards for Tier 4 Interim engines. Where Tier 4 equipment is not available, exceptions could be made for equipment meeting Tier 2 or Tier 3 standards that include California Air Resources Board (ARB)-certified Level 3 Diesel Particulate Filters or equivalent.

Equipment that is electrically powered or uses non-diesel fuels would also meet this requirement.

2. Minimize diesel generator use by providing line power to the site during early construction phases.
3. Avoid staging construction equipment near residences (i.e., within 200 feet of homes).

Facts in Support of Findings

As a residential project, the proposed project itself would be considered a sensitive receptor once operational. The project site is surrounded by existing residences to the south, east, and north of the project site. The closest off-site air pollution sensitive receptors in the vicinity of the project site include multi-family apartments north and south of the project site as well as single-family residences east of the project site across Oak Road.

Structures to be demolished sometimes contain ACM. All ACM found on-site must be removed prior to demolition or renovation activity in accordance with BAAQMD Regulation 11, Rule 2, including specific requirements for surveying, notification, removal, and disposal of ACMs. Therefore, projects that comply with BAAQMD Regulation 11, Rule 2 would ensure that ACM would be removed and disposed of appropriately and safely. By complying with BAAQMD Regulation 11, Rule 2, thereby minimizing the release of airborne asbestos emissions during demolition. Furthermore, USGS map indicates that there are several locations within the County that are likely to contain naturally occurring asbestos; however, none of these sites are located within a 1-mile vicinity of the project site. Therefore, the proposed project would not expose sensitive receptors to naturally occurring asbestos during project construction (Draft EIR, Section 3.2, Air Quality, Page 3.2-49).

Activities associated with earthmoving activities and construction would generate short-term emissions of fugitive dust resulting in increased dust fall and locally elevated levels of PM₁₀ and PM_{2.5} downwind of construction activity. Construction dust has the potential for creating a nuisance at nearby properties. As addressed under Impact AIR-2, MM AIR-2 is included to ensure that the BAAQMD BMPs would be implemented to reduce fugitive dust emissions from construction activities (Draft EIR, Section 3.2, Air Quality, Page 3.2-49).

During construction, the proposed project would result in the emissions of toxic air contaminants (TACs) that could potentially impact nearby sensitive receptors. On-site diesel particulate matter (DPM) emissions would be generated by off-road construction equipment and the off-site DPM emissions would be generated by trips associated with the hauling of material, vendor trips, and worker vehicle traffic.

Unmitigated incremental increase in cancer risk from construction was 16.3 per million at the maximally exposed individual (MEI). The maximum annual PM_{2.5} concentration from construction was 0.45 micrograms per cubic meter (µg/m³). Both exceed their respective BAAQMD single-source thresholds of greater than 10 in a million and greater than 0.3 µg/m³ for PM_{2.5} concentration. MM AIR-3 would reduce the generation of DPM during project construction to reduce health risk impacts to less than significant. With the incorporation of MMs AIR-2 and AIR-3, the incremental cancer risk and PM_{2.5} concentration would not exceed the appropriate BAAQMD's single-source thresholds. Both

the unmitigated and mitigated non-cancer hazards from construction activities would be below the BAAQMD's single-source significance threshold of 1.0 (Draft EIR, Section 3.2, Air Quality, Page 3.2-50–51).

The incorporation of MM AIR-3 would not reduce the annual $PM_{2.5}$ concentration to below the BAAQMD's community threshold of $0.8 \mu\text{g}/\text{m}^3$, ultimately resulting in a community annual $PM_{2.5}$ concentration of $1.17 \mu\text{g}/\text{m}^3$. Nonetheless, as shown in Table 3.2-12, the proposed project's contribution to that exceedance in community annual $PM_{2.5}$ concentration constitutes an estimated $0.19 \mu\text{g}/\text{m}^3$. As such, without implementation of the proposed project, the area would otherwise experience an annual $PM_{2.5}$ concentration of $0.98 \mu\text{g}/\text{m}^3$, which is currently above the BAAQMD's threshold of $0.8 \mu\text{g}/\text{m}^3$. Therefore, because the proposed project would be implementing mitigation sufficient to reduce the proposed project's health risk impacts to below the BAAQMD's single-source thresholds and the annual $PM_{2.5}$ concentration would exceed BAAQMD thresholds without implementation of the proposed project, the proposed project would not result in a significant impact or be cumulatively considerable (Draft EIR, Section 3.2, Air Quality, Page 3.2-51).

The proposed project would not generate sufficient carbon monoxide (CO) emissions during project operation to substantiate the creation of a CO hotspot. Therefore, this impact would be less than significant with regard to exposing sensitive receptors to substantial concentrations of CO emissions.

The County finds that MM AIR-3 is feasible, is adopted, and will further reduce impacts associated with Air Quality. 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 Draft EIR. Therefore, impacts associated with Air Quality would be less than significant with mitigation incorporated.

Potential Effect

Cumulative Impacts

The proposed project, in conjunction with other past, present, planned, and approved projects, would not result in significant cumulative air quality or health impacts (Draft EIR, Section 3.2, Air Quality, Page 3.2-54).

Findings

Less than significant with mitigation incorporated (Draft EIR, Section 3.2, Air Quality, Page 3.2-54). Changes or alterations have been required in, or incorporated into, the proposed project which avoid or substantially lessen the significant environmental cumulative effects as identified in the EIR. (State CEQA Guidelines, § 15091(a)(1).)

Mitigation Measures

Implement MM AIR-2 and MM AIR-3 above.

Facts in Support of Findings

The determination of cumulative air quality impacts for construction and operational emissions is based on whether the proposed project would result in regional emissions that exceed BAAQMD regional thresholds of significance for construction and operations on a project level. Projects that generate emissions below the BAAQMD significance thresholds would be considered consistent with regional air quality planning efforts would not generate cumulatively significant emissions. As discussed in Impact AIR-2, with the incorporation of MM AIR-2, the proposed project would result in construction and operational emissions which are less than the respective BAAQMD significance thresholds and would therefore not have a cumulatively considerable contribution to a cumulative impact. The proposed project would therefore result in less than significant cumulative air quality impacts (Draft EIR, Section 3.2, Air Quality, Page 3.2-54).

Regarding impacts to sensitive receptors, the DPM emissions from construction of the proposed project would result in less than significant health impacts after implementation of MM AIR-3 and would not combine with emissions from other cumulative projects to the extent that a significant cumulative impact would occur. In addition, the operational DPM emissions during operation of the proposed project would not result in significant health impacts and would constitute the greatest level of development. Given that the proposed project would be required to implement mitigation that is likely to result in decreased DPM emissions from what is disclosed in this analysis, the combined operation of the proposed project would not result in exposing nearby sensitive receptors to substantial amounts of pollutants. As discussed in Chapter 3, Environmental Impact Analysis, foreseeable future development projects in the area would not place new sensitive receptors near the proposed project that would be exposed to substantial amounts of pollutants. Therefore, the cumulative impact associated with construction and operation of the proposed project would be less than significant.

Odor impacts that would be associated with the proposed project would principally be limited to the combustion of transportation fuels during construction and operation. The impact would be less than significant during project construction and operation would be intermittent and spatially dispersed. Therefore, cumulative odor impacts would be less than significant.

1.6.3 - Biological Resources

Potential Effect

Impact BIO-1	The proposed project could have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or United States Fish and Wildlife Service. (Draft EIR, Section 3.3, Biological Resources, Page 3.3-19).
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Findings

Less than significant with mitigation incorporated (Draft EIR, Section 3.3, Biological Resources, Page 3.3-21). Changes or alterations have been required in, or incorporated into, the proposed project which avoid or substantially lessen the significant environmental effects as identified in the EIR. (State CEQA Guidelines, § 15091(a)(1).)

Mitigation Measures:

MM BIO-1a Roosting Bats

1. A qualified wildlife Biologist shall conduct surveys for special-status bats during the appropriate time of day to maximize detectability to determine whether bat species are roosting near the work area no more than 5 days prior to 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.)
2. Visual surveys will include trees within 100 feet of project construction activities. Prior to building demolition, the applicants for development on any project parcel shall ensure that a qualified Biologist (i.e., one familiar with the identification of bats and signs of bats) survey buildings proposed for demolition for the presence of roosting bats or evidence of bats. If no roosting bats or evidence of bats are found in the structure, demolition may proceed. If the Biologist determines bats are present, the Biologist shall exclude the bats from suitable spaces by installing one-way exclusion devices. After the bats vacate the space, the Biologist shall close off the space to prevent recolonization. Building demolition shall only commence after the Biologist verifies 7 to 10 days later that the exclusion methods have successfully prevented bats from returning. To avoid impacts on non-volant (i.e., nonflying) bats, the Biologist shall only conduct bat exclusion and eviction from September 1 through March 31. Exclusion efforts shall be restricted during periods of sensitive activity.

MM BIO-1b Migratory and Nesting Birds

1. If the project requires vegetation to be removed during the nesting season (February 1–August 31), pre-construction surveys shall be conducted 5 days prior to vegetation removal to determine whether or not active nests are present.
2. If an active nest is located during pre-construction surveys, a qualified Biologist shall determine an appropriately-sized avoidance buffer based on the species and anticipated disturbance level. Based on input from the Biologist, the project applicant will delineate the avoidance buffer using Environmentally Sensitive Area fencing, pin flags, and or yellow caution tape. The buffer zone will be maintained around the active nest site(s) until the young have fledged and are foraging independently. No construction activities shall be allowed within the avoidance buffer(s).
3. The qualified Biologist shall periodically monitor the active nest during construction activities to prevent any potential impacts that may result from the construction of the proposed project, until the young have fledged.

Facts in Support of Findings

Based on the absence of suitable habitat due to past development of the site, special-status plant species have no potential to occur on-site. Suitable habitat requirements for special-status plant species include chaparral, riparian, alkaline, or serpentine soils; these features are absent from the project site. Therefore, no special-status plant species have the potential to occur within the project site and no special-status plant species would be impacted by project construction.

Five special-status wildlife species (pallid bat, Townsend's big-eared bat, big free-tailed bat, hoary bat, and white-tailed kite) as well as other birds protected under the MBTA and Fish and Game Code have potential to occur on the project site and, thus, have the potential to be impacted by project construction.

Potential direct and indirect impacts could occur to roosting bats during project construction due to removal of potential roosting habitat, these impacts would be considered significant under CEQA. Implementation of MM BIO-1a, which requires the project applicant to conduct a pre-construction survey and to implement further avoidance and minimization measures (if bats are present), would reduce potential impacts to roosting bats

Construction activities that occur during the avian nesting season (generally February 1 to August 31) could disturb nesting sites for bird species including special-status species such as the white-tailed kite as well as birds protected under the MBTA and the California Fish and Game Code. Implementation of MM BIO-1b, which requires the project applicant to conduct a pre-construction survey and to implement further avoidance and minimization measures (if necessary), would reduce potential impacts to nesting birds to a less than significant level under CEQA.

The project site is surrounded by residential and commercial developments and is situated in an urban landscape with high amounts of traffic from local business operations, which create a baseline of ambient noise. The proposed project would increase traffic on local roadways and would introduce stationary noise sources through the operation of new a residential facility; however, noise emitted from the operation of the project would be within established standards and would not result in a significant increase in the ambient environment. Therefore, project implementation would not constitute a significant impact to wildlife species from operational noise including traffic noise (Draft EIR, Section 3.3, Biological Resources, Page 3.3-21).

The County finds that MM BIO-1a and MM BIO-1b are feasible, are adopted, and will further reduce impacts associated with Biological Resources. 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 Draft EIR. Therefore, impacts associated with Biological Resources would be less than significant with mitigation incorporated.

Potential Effect

Impact BIO-5	The proposed project could conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance (Draft EIR, Section 3.3, Biological Resources, Page 3.3-23).
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Findings

Less than significant with mitigation incorporated (Draft EIR, Section 3.3, Biological Resources, Page 3.3-23 – 24). Changes or alterations have been required in, or incorporated into, the proposed project which avoid or substantially lessen the significant environmental effects as identified in the EIR (State CEQA Guidelines, § 15091(a)(1).).

Mitigation Measures:

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

A Tree Replacement Plan shall be submitted and approved by Department of Conservation and Development, Community Development Division (CDD) prior to the removal of trees, prior to issuance of a demolition or grading permit, whichever occurs first. 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 Preservation Guidelines During Construction

Tree protection guidelines shall be implemented during construction throughout the clearing, grading, and construction phases as outlined on pages 12 and 13 in the arborist report prepared by HortScience dated January 4, 2021.

Facts in Support of Findings

The Tree Report provides an inventory and preliminary evaluation of all trees over 6 inches in diameter within the project site. Trees that were surveyed were numbered, tagged, identified, measured, and evaluated. According to the Tree Report, a total of 74 trees would be removed as part of project implementation, one tree would be relocated, and six off-site trees would be preserved. Of the trees proposed for removal, 73 trees are considered protected due to their size, the remaining eight trees do not qualify as protected based on the Tree Protection and Preservation Ordinance. If not properly protected, the trees proposed for preservation could also be subject to injury or inadequate maintenance during construction, which represents a potentially significant impact. The response of individual trees would depend on the amount of excavation and grading, the care with which demolition is undertaken, and the construction methods.

As the construction of the proposed 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. In addition, remaining trees that are proposed for preservation on the project site would be preserved through the implementation of the tree preservations guidelines identified and outlined in the Tree Report and in the Contra Costa County Tree Protection and Preservation Ordinance.

As a part of approval for development, the applicant would be required to comply with the County's tree ordinance, including tree removal permits and protection of preserved trees, including implementation of MM BIO-5a requiring the project applicant to implement a tree replacement plan and MM BIO-5b requiring the project applicant to implement tree preservation guidelines during construction.

Impacts related to the consistency of the project with local biological resources policies and ordinances are limited to construction impacts because the project applicant would be required to monitor, protect, and maintain preserved trees (Draft EIR, Section 3.3, Biological Resources, Page 3.3-23).

The County finds that MM BIO-5a and MM BIO-5b are feasible, are adopted, and will further reduce impacts associated with Biological Resources. 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 Draft EIR. Therefore, impacts associated with Biological Resources would be less than significant with mitigation incorporated.

1.6.4 - Cultural Resources and Tribal Cultural Resources

Potential Effect

Impact CUL-1	The proposed project could cause a substantial adverse change in the significance of a historical resource pursuant to Section 15064.5 (Draft EIR, Section 3.4, Cultural Resources and Tribal Cultural Resources, Page 3.4-20).
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Findings

Less than significant with mitigation incorporated (Draft EIR, Section 3.4, Cultural Resources and Tribal Cultural Resources, Page 3.4-21). Changes or alterations have been required in, or incorporated into, the proposed project which avoid or substantially lessen the significant environmental effects as identified in the EIR. (State CEQA Guidelines, § 15091(a)(1).).

Mitigation Measures:

MM CUL-1 Archaeological Spot-Monitoring and Halt of Construction Upon Encountering Historical or Archaeological 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 will be followed by regular periodic or "spot-check" archaeological monitoring as determined by the Archaeologist. If the Archaeologist believes that a reduction in monitoring activities is prudent, then a letter report detailing the rationale for making such a reduction and summarizing the monitoring results shall be provided to the Department of Conservation and Development, Community Development Division (CDD) for concurrence.

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 applicant for the proposed project 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 Department of Parks and Recreation (DPR) 523 forms and will be submitted to the Department of Conservation and Development, Community Development Division (CDD), the Northwest Information Center (NWIC), and the California Office of Historic Preservation (OHP), as required.

Facts in Support of Findings

Archival research identified a total of 15 previously recorded built environment resources within a 0.5-mile radius of the project site. Of these, 14 are historic-age buildings or structures located on the project site (single-family residences, industrial property, unidentified property) that have been previously found ineligible for listing in the National Register of Historic Places (NRHP) and/or California Register of Historical Resources (CRHR) and they do not qualify as historical resources. No previously recorded historical resources are present within or in close proximity to (within 50 feet of) the project site.

The pedestrian survey identified the Palmer School, established in 1939. A review of aerial photographs indicated that some existing on-site buildings and structures date to 1965 or earlier, indicating they are 55 years old or more and above the 50 years age threshold for consideration for listing in the California Register. There are 14 historic-age buildings or structures (single-family residences, industrial property, unidentified property) located on the project site that have been previously found ineligible for listing in the NRHP and/or CRHR, and they do not qualify as historical resources.

While unlikely, subsurface construction activities always have the potential to damage or destroy previously undiscovered historic resources such as wood, stone, foundations, and other structural remains; debris-filled wells or privies; and deposits of wood, glass, ceramic, and other refuse, if encountered. This would represent a potentially significant impact related to historic resources. Implementation of MM CUL-1, which requires an inspection and spot-monitoring by a qualified Archaeologist after clearing and grubbing are complete, but before any digging or trenching begin, would reduce potential impacts to historic resources that may be discovered during project construction, including off-site improvements (Draft EIR, Section 3.4, Cultural Resources and Tribal Cultural Resources, Page 3.4-20).

Impacts related to a project's potential to cause a substantial adverse change in the significance of a historical resource are limited to inadvertent discoveries. No operational impacts would occur (Draft EIR, Section 3.4, Cultural Resources and Tribal Cultural Resources, Page 3.4-21).

The County finds that MM CUL-1 is feasible, is adopted, and will further reduce impacts associated with Cultural Resources and Tribal Cultural Resources. 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 Draft EIR. Therefore, impacts associated with Cultural Resources and Tribal Cultural Resources would be less than significant with mitigation incorporated.

Potential Effect

Impact CUL-2	The proposed project could cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5 (Draft EIR, Section 3.4, Cultural Resources and Tribal Cultural Resources, Page 3.4-21).
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Findings

Less than significant with mitigation incorporated (Draft EIR, Section 3.4, Cultural Resources and Tribal Cultural Resources, Page 3.4-22). Changes or alterations have been required in, or incorporated into, the proposed project which avoid or substantially lessen the significant environmental effects as identified in the EIR. (State CEQA Guidelines, § 15091(a)(1).).

Mitigation Measures

Implement MM CUL-1 above.

Facts in Support of Findings

Records search results indicate that 13 cultural resources have been mapped within a 0.5-mile radius of the project site. One of these is a prehistoric archaeological site and 12 are built environment resources. None of these resources are within or in close proximity to the project site.

No archaeological resources have been recorded within the project site. However, the close proximity to the historical alignment of Walnut Creek, the relatively flat topography within the project site, and the occurrence of a nearby prehistoric archaeological site creates a potential for undiscovered prehistoric resources to occur within the project site. This represents a potentially significant impact related to archaeological resources.

Implementation of MM CUL-1 requires inspection and spot-monitoring by a qualified Archaeologist after clearing and grubbing are complete but before any excavation or trenching begin, would reduce potential impacts to archaeological resources that may be discovered during project construction.

Impacts related to a project's potential to cause a substantial adverse change in the significance of an archaeological resource are limited to construction impacts. No direct or indirect operational

impacts related to archaeological resources would occur (Draft EIR, Section 3.4, Cultural Resources and Tribal Cultural Resources, Page 3.4-22).

The County finds that MM CUL-1 is feasible, is adopted, and will further reduce impacts associated with Cultural Resources and Tribal Cultural Resources. 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 Draft EIR. Therefore, impacts associated with Cultural Resources and Tribal Cultural Resources would be less than significant with mitigation incorporated.

Potential Effect

Impact CUL-3	The proposed project could disturb human remains, including those interred outside of formal cemeteries (Draft EIR, Section 3.4, Cultural Resources and Tribal Cultural Resources, Page 3.4-22).
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Findings

Less than significant with mitigation incorporated (Draft EIR, Section 3.4, Cultural Resources and Tribal Cultural Resources, Page 3.4-24). Changes or alterations have been required in, or incorporated into, the proposed project which avoid or substantially lessen the significant environmental effects as identified in the EIR. (State CEQA Guidelines, § 15091(a)(1).).

Mitigation Measures:

MM CUL-3 Stop Construction Upon Encountering Human Remains

In the event of the accidental discovery or recognition of any human remains, CEQA Guidelines Section 15064.5, Health and Safety Code Section 7050.5, and Public Resources Code Sections 5097.94 and Section 5097.98 shall be followed. If during the course of project construction, 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 whether 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 Resources 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 MLD or on the project site in a location not subject to further subsurface disturbance:

- The NAHC is unable to identify an MLD or the MLD failed to make a recommendation within 48 hours after being notified by the NAHC.
- 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 NAHC 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 NAHC.

Facts in Support of Findings

No human remains or cemeteries are known to exist within or near the project site. However, there is always the possibility that subsurface construction activities associated with the proposed project, such as trenching and grading, could potentially damage or destroy previously undiscovered human remains. This represents a potentially significant impact related to human remains. However, in the unlikely event human remains are discovered, both within the project site and within the areas proposed for the off-site improvements, implementation of MM CUL-3 would require that work be halted, and the County Coroner be called to make a determination as to the nature of the remains and to confirm next steps regarding contacting the NAHC and appropriate tribal representatives.

Impacts related to a project's potential to disturb human remains are limited to construction impacts. No respective direct or indirect operational impacts related to human remains would occur (Draft EIR, Section 3.4, Cultural Resources and Tribal Cultural Resources, Page 3.4-22–23).

The County finds that MM CUL-3 is feasible, is adopted, and will further reduce impacts associated with Cultural Resources and Tribal Cultural Resources. 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 Draft EIR. Therefore, impacts associated with Cultural Resources and Tribal Cultural Resources would be less than significant with mitigation incorporated.

Potential Effect

Impact CUL-4	The proposed project could 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) (Draft EIR, Section 3.4, Cultural Resources and Tribal Cultural Resources, Page 3.4-24).
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Findings

Less than significant with mitigation incorporated (Draft EIR, Section 3.4, Cultural Resources and Tribal Cultural Resources, Page 3.4-24). Changes or alterations have been required in, or incorporated into, the proposed project which avoid or substantially lessen the significant environmental effects as identified in the EIR. (State CEQA Guidelines, § 15091(a)(1)).

Mitigation Measures

Implement MM CUL-1 and MM CUL-3 above.

Facts in Support of Findings

A review of the CRHR, local registers of historic resources, a records search conducted at the NWIC, and an NAHC Sacred Lands File (SLF) search failed to identify any listed Tribal Cultural Resources (TCRs) that may be adversely affected by the proposed project. Moreover, no tribe requested consultation within the 30-day period established by AB 52. However, if a potential resource is identified, construction would be required to stop until appropriate identification and treatment measures are implemented (Draft EIR, Section 3.4, Cultural Resources and Tribal Cultural Resources, Page 3.4-24).

Impacts related to a project's potential to cause a substantial adverse change in the significance of a State listed or eligible TCR are limited to construction impacts. No respective operational impacts would occur (Draft EIR, Section 3.4, Cultural Resources and Tribal Cultural Resources, Page 3.4-24).

The County finds that MM CUL-1 and MM CUL-3 are feasible, are adopted, and will further reduce impacts associated with Cultural Resources and Tribal Cultural Resources. 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 Draft EIR. Therefore, impacts associated with Cultural Resources and Tribal Cultural Resources would be less than significant with mitigation incorporated.

Potential Effect

Impact CUL-5	The proposed project could 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. (Draft EIR, Section 3.4, Cultural Resources and Tribal Cultural Resources, Page 3.4-25).
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Findings

Less than significant with mitigation incorporated (Draft EIR, Section 3.4, Cultural Resources and Tribal Cultural Resources, Page 3.4-25). Changes or alterations have been required in, or incorporated into, the proposed project which avoid or substantially lessen the significant environmental effects as identified in the EIR. (State CEQA Guidelines, § 15091(a)(1)).

Mitigation Measures

Implement MM CUL-1 and MM CUL-3 above.

Facts in Support of Findings

On August 13, 2020, ESA contacted the NAHC to determine whether any sacred sites are listed on its SLF for the project area. A response was received on August 18, 2020, and indicated that the SLF results failed to indicate the presence of Native American cultural resources in the immediate project area. The NAHC included a list of eight tribal representatives available for consultation. To ensure that all Native American knowledge and concerns over potential TCRs that may be affected by the proposed project are addressed, a letter containing project information and requesting any additional information was sent to each tribal representative on May 11, 2021.

On March 9, 2021, the County notified the Wilton Rancheria pursuant to Public Resources Code Section 21080.3.1 that the proposed project may be within a geographic area in which the tribe may be traditionally and culturally affiliated. On March 11, 2021, the Wilton Rancheria responded that it has no concerns regarding the proposed project. However, 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 TCRs would be less than significant with implementation MM CUL-1 and MM CUL-3.

Impacts related to a project's potential to cause a substantial adverse change in the significance of a State listed or eligible TCR are limited to construction impacts. No operational impacts would occur (Draft EIR, Section 3.4, Cultural Resources and Tribal Cultural Resources, Page 3.4-25).

The County finds that MM CUL-1 and MM CUL-3 are feasible, are adopted, and will further reduce impacts associated with Cultural Resources and Tribal Cultural Resources. 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 Draft EIR. Therefore, impacts associated with Cultural Resources and Tribal Cultural Resources would be less than significant with mitigation incorporated.

Potential Effect

Cumulative Impacts

The implementation of comprehensive mitigation measures for the cumulative projects and the proposed project, in conjunction with other past, present, planned, and approved projects, would result in a less than significant with mitigation cumulative impact related to cultural resources. (Draft EIR, Section 3.4, Cultural Resources and Tribal Cultural Resources, Page 3.4-25).

Findings

Less than significant with mitigation incorporated (Draft EIR, Section 3.4, Cultural Resources and Tribal Cultural Resources, Page 3.4-25). Changes or alterations have been required in, or incorporated into, the proposed project which avoid or substantially lessen the significant environmental effects as identified in the EIR. (State CEQA Guidelines, § 15091(a)(1).).

Mitigation Measures

Implement MM CUL-1 and MM CUL-3 above.

Facts in Support of Findings

The geographic scope of the cumulative cultural resources analysis is the project vicinity. Cultural resource impacts tend to be localized, because the integrity of any given resource depends on what occurs only in the immediate vicinity around that resource, such as disruption of soils; therefore, in addition to the project site itself, the area near the project site would be the area most affected by project activities (generally within a 0.5-mile radius).

Construction activities associated with development projects in the project vicinity 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. Although there is the possibility that previously undiscovered resources could be encountered by subsurface earthwork activities associated with the cumulative projects, the implementation of construction mitigation measures would ensure that undiscovered cultural resources are not adversely affected by cumulative project-related construction activities, which would prevent the destruction or degradation of potentially significant cultural resources (Draft EIR, Section 3.4, Cultural Resources and Tribal Cultural Resources, Page 3.4-26). Therefore, cumulative impacts would be less than significant. Additionally, the proposed project's contribution to these less than significant impacts would not be cumulatively considerable for the reasons details in Impact CUL-1 through CUL-5.

1.6.5 - Geology and Soils

Potential Effect

Impact GEO-1	The proposed project could 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. (Draft EIR, Section 3.6, Geology and Soils, Page 3.6-16).
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Findings

Less than significant with mitigation incorporated (Draft EIR, Section 3.6, Geology and Soils, Page 3.6-12). Changes or alterations have been required in, or incorporated into, the proposed project which avoid or substantially lessen the significant environmental effects as identified in the EIR. (State CEQA Guidelines, § 15091(a)(1).).

Mitigation Measures:

MM GEO-1a Conduct Design-level Geotechnical Exploration

At least 60 days prior to recording the final Subdivision Map or requesting issuance of construction permits or installation of utility improvements, the applicant shall submit a design-level Geotechnical Exploration Report for the proposed project based on adequate subsurface exploration, laboratory testing, and engineering analysis. The scope of the Geotechnical Exploration Report shall address the following potential hazards: (i) grading, including removal of existing undocumented fill that is deemed to be unsuitable for use in engineered fills, preparation to receive fill, compaction standards for fill, etc., (ii) consolidation settlement, (iii) analysis of liquefaction potential, including estimating total settlement and differential settlement, and surface manifestation of liquefaction, (iv) foundation design, (v) measures to protect improvements from the relatively shallow water table, (vi) laboratory testing to evaluate the expansive and corrosion potential soils and measures designed to protect improvements that are in contact with the ground from these hazards, including the building foundation, parking garage slabs, flatwork, pavement, and utilities, (vii) exploration, testing, and engineering analysis aimed at providing recommendations pertaining to foundation design, including foundation retaining walls, and pavement design, (viii) evaluation of the drainage design, including the proposed bioretention facilities and their effect on planned improvements, (ix) address temporary shoring and support of excavations, (x) provide updated California Building Standards Code (CBC) seismic parameters, and (xi) outline the recommended geotechnical monitoring, commencing with clearing

and demolition, extending through final grading, installation of drainage improvements, and including the monitoring of foundation-related work.

MM GEO-1b Conduct Geotechnical Observation and Testing Services During Construction

The design-level geotechnical report required by Mitigation Measure GEO-1a routinely includes recommended geotechnical observation and testing services during construction. These services are essential to the success of the proposed project. They allow the Geotechnical Engineer to (i) ensure geotechnical recommendations for the proposed project are properly interpreted and implemented by contractors, (ii) allow the Geotechnical Engineer to view exposed conditions during construction to ensure that field conditions match those that were the basis of the design recommendations in the approved report, and (iii) provide the opportunity for field modifications of geotechnical recommendations (with Department of Conservation and Development, Community Development Division approval), based on exposed conditions. The monitoring shall commence during clearing, and extend through grading, placement of engineered fill, installation of recommended drainage facilities, and foundation-related work. 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 to that stage of construction, including monitoring and testing of backfilling required for utility and drainage facilities.

Similarly, a hold shall be placed on the final inspection for each residential building, pending submittal of a letter report from the Geotechnical Engineer documenting the monitoring services associated with implementation of final grading, drainage, and foundation-related work. This can be one letter that addresses all residential buildings, or separate letters for each building. The geotechnical monitoring shall include documentation of conformance of retaining wall, pier hole drilling/foundation preparation work, and installation of drainage improvements.

MM GEO-1c Prepare Final Construction Report

The Geotechnical Engineer shall prepare a final report that documents the field observations and testing services provided during construction as well as provide a professional opinion on the compliance of construction with the recommendations in the Preliminary Geotechnical Exploration. The final report can be segmented into an as-graded report that is issued at the end of rough grading, but prior to the installation of the foundations, and a second letter commenting on the inspections made during installation of foundations/parking lot/drainage facilities. The Department of Conservation and Development, Community Development Division (CDD) will place a hold on the final inspection, to ensure that the Geotechnical Engineer's grading-foundation inspection letter report is provided prior to requesting the final building inspection for each building. This requirement may be

satisfied by issuance of one letter for all residential buildings, or separate letters for each residential building.

Facts in Support of Findings

Impacts related to risks associated with seismic-related hazards are limited to operational impacts.

Ground Rupture

Based on the Geologic Peer Review (Appendix E), 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. The closest fault to the project site is the Concord fault, approximately 3 miles from the project site. As such, it is unlikely for ground rupture to occur at the site.

Strong Seismic Ground Shaking

Potential impacts associated with strong seismic shaking at the project site, including the areas proposed for off-site improvements, include the potential to damage structures or improvements or result in the injury or loss of human life, which could represent a potentially significant impact. The risk of damage from ground shaking is controlled by using sound engineering judgment and compliance with the latest provisions of the CBC, as a minimum. MM GEO-1a would ensure that the proposed project would incorporate all applicable seismic safety building standards contained in the CBC including seismic design provisions, which would reduce the risk of loss, injury, or death. MM GEO-1b would require geotechnical observation and testing services be conducted during construction as needed, and MM GEO-1c would require the Project Engineer to prepare a final report that documents the field observations and testing services provided during construction as well as provide a professional opinion on the compliance of construction with the recommendations in the Preliminary Geotechnical Investigation. MM GEO-1a, MM GEO-1b, and MM GEO-1c are also applicable to the off-site improvements. Furthermore, the proposed project would be required to comply with Chapter 74-2 of the Ordinance Code, which requires all construction to conform to the 2019 CBC.

Seismic-related Ground Failure

The potential for liquefaction at the project site is moderate to low. The areas proposed for off-site improvements are likely to contain similar soil conditions and susceptibility to liquefaction. The Preliminary Geotechnical Investigation stated that an investigation would be needed to determine whether liquefiable sands are present and to provide stabilization measures where liquefiable sands are confirmed. MM GEO-1a would require the Project Engineer to prepare a design-level Geotechnical Investigation and to incorporate all recommendation from that report into grading and construction drawings to address the presence of liquefiable sands.

Landslides

The project site is relatively flat with no slopes or varied topography that could be susceptible to slope failure, landslides, or soil creep. Due to the relatively flat nature of the project site, the potential for landslides is low to negligible.

The County finds that MM GEO-1a, MM GEO-1b, and MM GEO-1c are feasible, are adopted, and will further reduce impacts associated with Geology and Soils. 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 Draft EIR. Therefore, impacts associated with Geology and Soils would be less than significant with mitigation incorporated.

Potential Effect

Impact GEO-2 The proposed project could result in substantial soil erosion or the loss of topsoil. (Draft EIR, Section 3.6, Geology and Soils, Page 3.6-16).

Findings

Less than significant with mitigation incorporated (Draft EIR, Section 3.6, Geology and Soils, Page 3.6-16). Changes or alterations have been required in, or incorporated into, the proposed project which avoid or substantially lessen the significant environmental effects as identified in the EIR. (State CEQA Guidelines, § 15091(a)(1).).

Mitigation Measures:

MM GEO-2 Conduct Grading, Excavation, and Filling Only During the Dry Season

All grading, excavation and filling shall be conducted during the dry season (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 Division, and the review/approval of the Department of Conservation and Development, Community Development Division (CDD).

Facts in Support of Findings

Impacts related to soil erosion or loss of topsoil are limited to construction impacts. The proposed project would be required to obtain a Construction General Permit from the State Water 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. To further reinforce protections related to erosion, MM GEO-2 would require grading, excavation, and filling to occur during the dry season. Thus, with adherence to existing regulatory requirements, as well as limiting grading, excavation, and filling to the dry season, impacts from project construction on the project site, including the off-site improvements, would not result in substantial soil erosion or loss of topsoil (Draft EIR, Section 3.6, Geology and Soils, Page 3.6-16).

The County finds that MM GEO-2 is feasible, is adopted, and will further reduce impacts associated with Geology and Soils. 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 Draft EIR. Therefore, impacts associated with Geology and Soils would be less than significant with mitigation incorporated.

Potential Effect

Impact GEO-3	The proposed project could be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the proposed project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse (Draft EIR, Section 3.6, Geology and Soils, Page 3.6-17).
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Findings

Less than significant with mitigation incorporated (Draft EIR, Section 3.6, Geology and Soils, Page 3.6-18). Changes or alterations have been required in, or incorporated into, the proposed project which avoid or substantially lessen the significant environmental effects as identified in the EIR. (State CEQA Guidelines, § 15091(a)(1).).

Mitigation Measures

Implement MM GEO-1a, MM GEO-1b, and MM GEO-1c 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. The potential for liquefaction at the project site will be investigated further as part of the design-level Geotechnical Investigation, with recommendations incorporated into grading and construction drawings to address the potential presence of liquefiable sands. In addition, the potential for lateral spreading to occur as a result of the occurrence of liquefaction below the project site is low. The project site, including the areas proposed for off-site improvements, do not contain steep slopes, exposed hillsides, or vertical cuts. Due to the gently sloping nature of the project site, including the areas proposed for off-site improvements, the potential for landslides is low.

According to the Soil Survey of Contra Costa County, the soil series that occurs on the project site is indicated to be very highly corrosive. Corrosive soil can damage buried metal and result in sulfate attack on foundation concrete. This is a potentially significant impact. In order to reduce or avoid potential impacts related to unstable soils, corrosive soils, or other ground failure, MM GEO-1a would be required to ensure that the proposed project incorporates all applicable seismic safety building standards contained in the CBC as well as all recommendations from a design-level geotechnical exploration. MM GEO-1b would require geotechnical observation and testing services be conducted during construction as needed, and MM GEO-1c would require the Project Engineer to prepare a final report that documents the field observations and testing services provided during construction as well as provide a professional opinion on the compliance of construction with the recommendations in the design-level geotechnical exploration. MM GEO-1a, MM GEO-1b, and MM GEO-1c are also applicable to the off-site improvements (Draft EIR, Section 3.6, Geology and Soils, Page 3.6-17–18).

The County finds that MM GEO-1a, MM GEO-1b, and MM GEO-1c are feasible, are adopted, and will further reduce impacts associated with Geology and Soils. 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 Draft EIR. Therefore, impacts associated with Geology and Soils would be less than significant with mitigation incorporated.

Potential Effect

Impact GEO-4	The proposed 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. (Draft EIR, Section 3.6, Geology and Soils, Page 3.6-18).
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Findings

Less than significant with mitigation incorporated (Draft EIR, Section 3.6, Geology and Soils, Page 3.6-18). Changes or alterations have been required in, or incorporated into, the proposed project which avoid or substantially lessen the significant environmental effects as identified in the EIR. (State CEQA Guidelines, § 15091(a)(1)).

Mitigation Measures

Implement MM GEO-1a, MM GEO-1b, and MM GEO-1c above.

Facts in Support of Findings

Impacts related to risks associated with location on expansive soil are limited to operational impacts. The Preliminary Geotechnical Investigation suggests clayey soil is present at the site, which may exhibit expansive potential. The presence of potentially expansive soil shall be further evaluated during the design-level geotechnical exploration. The soil present on-site, Clear Lake clay, is highly expansive. Expansive soils expand when water is added and shrink when they dry out. This continuous change in soils volume could cause homes and other structures to move unevenly and crack. With implementation of MM GEO-1a, MM GEO-1b, and MM GEO-1c, the proposed project, including the off-site improvements, would not create a substantial risk to life or property from being located on expansive soils (Draft EIR, Section 3.6, Geology and Soils, Page 3.6-18).

The County finds that MM GEO-1a, MM GEO-1b, and MM GEO-1c are feasible, are adopted, and will further reduce impacts associated with Geology and Soils. 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 Draft EIR. Therefore, impacts associated with Geology and Soils would be less than significant with mitigation incorporated.

Potential Effect

Impact GEO-6	The proposed project would not directly or indirectly destroy a unique paleontological resource or site or unique geologic feature (Draft EIR, Section 3.6, Geology and Soils, Page 3.6-19).
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Findings

Less than significant impact with mitigation incorporated (Draft EIR, Section 3.6, Geology and Soils, Page 3.6-19). Changes or alterations have been required in, or incorporated into, the proposed project which avoid or substantially lessen the significant environmental effects as identified in the EIR. (State CEQA Guidelines, § 15091(a)(1).).

Mitigation Measures

MM GEO-6 Stop Construction Upon Encountering Paleontological Materials

In the event that fossils or fossil-bearing deposits are discovered during construction activities, excavations within a 50-foot radius of the find shall be temporarily halted or diverted. The project contractor shall notify a qualified Paleontologist to examine the discovery. The Paleontologist shall document the discovery as needed (in accordance with Society of Vertebrate Paleontology [SVP] standards), evaluate the potential resource, 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 excavation plan shall be submitted to the Lead Agency for review and approval prior to implementation, and the applicant shall adhere to the recommendations in the excavation plan.

Facts in Support of Findings

No known paleontological resources are located within the project site boundaries. The surface area of the project sites consists of solely Holocene alluvium, which is too young to contain significant vertebrate fossils. The 0.5-mile search area around the project site boundary also only contains Holocene alluvium. The nearest area with potential to contain significant fossils are resources is in the outcrop belt of Miocene Monterey Formation shale and sandstone and the Paleocene Martinez Formation. These bedrock exposures occur outside of the search area. The absence of Pleistocene or older deposits in the search area suggests that any potential paleontological resources underlying the project site would be at depths below all the earth-disturbing construction activities at the project site. In addition, there are no unique geological features located on the project site. Nonetheless, development activities have the potential to encounter undiscovered paleontological resources. Accordingly, MM GEO-6 requires the implementation of standard inadvertent discovery measures in the event paleontological resources are encountered during construction. The implementation of this mitigation measure would ensure that construction shall stop in the vicinity of any potential resource until the significance of the resource is confirmed and would ensure that

significant resources will be avoided or excavated and preserved (Draft EIR, Section 3.6, Geology and Soils, Page 3.6-19).

The County finds that MM GEO-6 is feasible, is adopted, and will further reduce impacts associated with Geology and Soils. 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 Draft EIR. Therefore, impacts associated with Geology and Soils would be less than significant with mitigation incorporated.

1.6.6 - Hazards and Hazardous Materials

Potential Effect

Impact HAZ-1	The proposed project could create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials (Draft EIR, Section 3.8, Hazards and Hazardous Materials, Page 3.8-19).
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Findings

Less than significant impact with mitigation incorporated. (Draft EIR, Section 3.8, Hazards and Hazardous Materials, Page 3.8-19.) Changes or alterations have been required in, or incorporated into, the proposed project which avoid or substantially lessen the significant environmental effects as identified in the EIR. (State CEQA Guidelines, § 15091(a)(1).)

Mitigation Measures

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

Prior to the issuance of demolition permits for the existing 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 (ACM) and lead-based paint (LBP), and these materials shall be characterized for asbestos and lead by a reliable method. All activities involving ACM and LBP shall be conducted in accordance with governmental regulations, and all removal shall be conducted by properly licensed abatement contractors.

MM HAZ-1b Proper Disposal of Hazardous Materials Such as Cleaning Supplies and Insecticides

Prior to the issuance of a grading permit, the applicant shall remove and dispose of all materials observed during the site reconnaissance for the Phase I Environmental Site Assessment (Phase I ESA) in accordance with applicable local, State, and federal regulations. The materials include, but are not limited to containers of cleaning supplies and insecticides.

MM HAZ-1c Closure of On-site Irrigation Wells

Prior to the issuance of a grading permit, the three on-site irrigation wells shall be properly closed under permit in accordance with applicable local, State, and federal regulations.

MM HAZ-1d Soil Aeration

The applicant shall complete the soil aeration and soil vapor testing during demolition and rough grading operations. Once the soil aeration is completed which consists of spreading excavated soil on the ground in an approximately 18-inch-thick layer, mixing of the soil (tilling) shall be performed regularly to maintain aerobic conditions (presence of oxygen). The soil shall be thoroughly tilled using equipment such as a Terex RS600 Reclaimer/Stabilizer. An Environmental Health Licensed Professional shall spot-check to ensure that the process is implemented.

A total of six tilling passes shall be performed through the proposed excavation area (approximately 30 feet long by 20 feet wide and 6 feet deep with a total volume of 135 cubic yards). During the tilling operation, air quality monitoring shall be performed with a photo ionization detector (PID) 3 inches above the soils and also in the breathing zone. Dust control measures shall be implemented during the aeration process (as spelled out in MM AIR-2), and dust monitoring shall be performed in the perimeter of the project site.

Soil vapor sampling shall be performed at the end of aeration/tilling operations prior to backfill. If the soil vapor sampling finds no benzene Environmental Screening Level (ESL) exceedances, then the applicant shall have the Phase I Environmental Site Assessment and Phase II Environmental Investigation Report prepared by Roux Associates, Inc. (Roux) in August 2021, updated memorializing the implementation of the mitigation and confirming that no Recognized Environmental Conditions (REC) exist on the site and provide a copy to the Department of Conservation and Development, Community Development Division demonstrating that benzene levels no longer exceed the ESL.

If soil vapor exceedances are identified after soil excavation and aeration, then a Soil Management Plan (SMP) shall be prepared and forwarded to an appropriate environmental oversight agency for disposition. A copy of the SMP will also be provided to the Department of Conservation and Development, Community Development Division.

All construction work shall cease in the area of the underground storage tank (UST) as shown in the Roux report, including the aeration area, until the disposition of the SMP is determined by the environmental oversight agency. Once the issue has been addressed to the satisfaction of the environmental oversight agency, evidence shall be provided to the satisfaction of the Department of Conservation and

Development, Community Development Division and construction activities may resume on the former UST area.

Facts in Support of Findings

During construction, both within the project site and within the areas proposed for the off-site improvements, the proposed project would be expected to involve the transport, use, and disposal of hazardous materials, such as diesel fuels, aerosols, and paints. The proposed 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 HMP.

During project site preparation, all existing structures, pavement, and landscaping would be demolished. Given the age of the existing structures on the project site, it is conceivable that ACM and LBP may exist within these structures, and their removal could potentially create a significant hazard to construction workers. This represents a potentially significant impact. However, implementation of MM HAZ-1a requires the applicant to conduct asbestos and lead paint surveys prior to demolition activities and to safely remove and dispose of any such materials in accordance with State standards (Draft EIR, Section 3.8, Hazards and Hazardous Materials, Page 3.8-19).

No hazardous materials other than small containers of conventional cleaning supplies and insecticides were observed at the project site. HAZ-1b would require proper removal and disposal of these existing materials.

Three irrigation wells were observed on-site: One at a depth of approximately 60 feet below ground surface (bgs) and accompanied by a filter and a pressure tank, and two of unknown depths. One of these wells was observed to be uncovered. Should these groundwater irrigation wells be encountered during ground-disturbing activities, construction workers could potentially be exposed to a significant hazard. This represents a potentially significant impact. MM HAZ-1c requires proper closure of the three irrigation wells in accordance with local, State, and federal regulations.

A 50-gallon underground storage tank (UST) was removed from the site approximately 25 years ago without regulatory oversight. Although no indication of a release has been reported and the tank was relatively small, it is possible that releases from the gasoline UST could have historically occurred, which is considered a Recognized Environmental Condition (REC). Benzene concentrations in soil vapor from all five soil vapor probes in the vicinity of the former UST exceeded the RWQCB Residential ESL. While concentrations were relatively low, to ensure no benzene ESL exceedances, HAZ-1d would require soil aeration to reduce impacts to below a level of significance.

During project operations, hazardous materials may be handled on the project site. Because of the nature of the project, hazardous materials 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 materials are common for residential developments and 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 (General Plan) policies, would provide public protection from hazards associated with the use, transport, treatment, and disposal of hazardous substances (Draft EIR, Section 3.8, Hazards and Hazardous Materials, Page 3.8-20). The County finds that the project, as designed and with implementation of existing regulations and mitigation, would not cause substantial adverse effects on human beings.

The County finds that MM HAZ-1a, MM HAZ-1b, and MM HAZ-1c, and MM HAZ-1d are feasible, are adopted, and will further reduce impacts associated with Hazards and Hazardous Materials. 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 Draft EIR. Therefore, impacts associated with Hazards and Hazardous Materials would be less than significant with mitigation incorporated.

Potential Effect

Impact HAZ-4	The proposed project could 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. (Draft EIR, Section 3.8, Hazards and Hazardous Materials, Page 3.8-24).
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Findings

Less than significant impact with mitigation incorporated (Draft EIR, Section 3.8, Hazards and Hazardous Materials, Page 3.8-24). Changes or alterations have been required in, or incorporated into, the proposed project which avoid or substantially lessen the significant environmental effects as identified in the EIR. (State CEQA Guidelines, § 15091(a)(1).)

Mitigation Measures

Implement MM HAZ-1d above.

Facts in Support of Findings

Impacts related to locating a project on a hazardous materials site per Government Code Section 65962.5 are limited to operational impacts. Based on a regulatory records review as part of the Phase I ESA, benzene concentrations in soil vapor from five soil vapor probes in the vicinity of the former 50-gallon UST exceeded the RWQCB Residential ESL. While concentrations were relatively low, to ensure no benzene ESL exceedances, HAZ-1d would require soil aeration to reduce impacts to below a level of significance (Draft EIR, Section 3.8, Hazards and Hazardous Materials, Page 3.8-24).

The County finds that MM HAZ-1d is feasible, is adopted, and will further reduce impacts associated with Hazards and Hazardous Materials. 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 Draft EIR. Therefore, impacts associated with Hazards and Hazardous Materials would be less than significant with mitigation incorporated.

1.6.7 - Hydrology and Water Quality

Potential Effect

Impact HYD-3	The proposed 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 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? (Draft EIR, Section 3.8, Hazards and Hazardous Materials, Page 3.8-19).
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Findings

Less than significant impact with mitigation incorporated (Draft EIR, Section 3.8, Hazards and Hazardous Materials, Page 3.8-21). Changes or alterations have been required in, or incorporated into, the proposed project which avoid or substantially lessen the significant environmental effects as identified in the EIR. (State CEQA Guidelines, § 15091(a)(1).)

Mitigation Measures

MM HYD-3 Prepare Final Drainage Plan Prior to Grading

- In accordance with Division 914 of the County Ordinance Code, the project 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 obtain a Flood Control Permit from the applicant and Permit Center, 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 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.

- In accordance with Division 1014 of the County Ordinance Code, the applicant shall 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 2); 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 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 the Contra Costa Stormwater C.3 Guidebook of the County's NPDES Permit and the County's Stormwater Management and Discharge Control Ordinance (Division 1014) and be designed to discourage prolonged standing/ponding of water on-site.

Facts in Support of Findings

Construction-related Erosion and Siltation

Construction activity such as grading and excavation could result in an alteration to the existing drainage pattern, potentially resulting in erosion or siltation that could result in polluted runoff exiting the site. MM HYD-3 would ensure the proposed project complies with regulations of the NPDES permit consistent with Division 1014 of the Ordinance Code. Additionally, as part of compliance with Division 1014 of the Ordinance Code, the proposed project would also be required to prepare and implement a SWPPP to ensure that erosion, siltation, and flooding are prevented or minimized to the maximum extent feasible during construction. The SWPPP includes both structural (physical devices or measures) and operational (timing of construction) BMPs that would prevent or reduce the discharge of pollutants directly or indirectly into waterbodies. As part of the SWPPP, erosion and control measures would be implemented throughout the duration of construction, including rock barrier bags placed around the catch basin until the site is paved, temporary sediment basins, placement of coarse aggregate gravel at each driveway entrance to the site such that mud or sediments would not be tracked off-site by construction vehicles, and maintenance of the site to minimize sediment entering any storm drain system in stormwater runoff.

Operation-related Erosion and Siltation

Development of the project site would increase impervious surfaces by 36,420 square feet compared to existing conditions and could result in increased amounts of stormwater runoff that could carry pollutants off-site. MM HYD-3 would ensure the proposed project collects and conveys stormwater entering or originating from the project site consistent with Division 1014 of the Ordinance Code. MM HYD-3 would also require the project applicant to prepare and submit a Final Storm Water Control Plan and Storm Water Control O&M Plan for review and approval by the County Public Works Department and would ensure a permanent funding source for the operation and maintenance of project stormwater facilities, which would result in a reduction of stormwaters flowing from the site compared to the current condition. In addition, the proposed project would

comply with the County's NPDES program and the CCCWP as well as all relevant provisions of the Ordinance Code related to stormwater pollution, and would also be required to pay drainage fees in accordance with Flood Control Ordinance number 89-24.

Construction-related Surface Runoff

MM HYD-3 would ensure compliance with regulations of the NPDES permit. Additionally, the proposed project would be required to prepare and implement a SWPPP to ensure that erosion, siltation, and flooding are prevented or minimized to the maximum extent feasible during construction. The SWPPP would include both structural and operational BMPs that would prevent or reduce the amount of stormwater runoff that could be deposited directly or indirectly into waterbodies. As part of the SWPPP, erosion and control measures would be implemented throughout the duration of construction that would also limit the volume of stormwater that would be discharged. These measures would include rock barrier bags placed around the catch basin until the site is paved and temporary sediment basins that would retain stormwater to prevent significant peak flows.

Operation-related Surface Runoff

Under existing conditions, stormwater runoff generally sheet flows across the site or is captured by small drainage inlets on-site that connect by underground storm drain pipes and discharge into existing storm drain facilities in Jones Road and Oak Road. The proposed project would increase impervious surfaces by 36,420 square feet compared to existing conditions, which could increase surface runoff and potentially cause flooding on- or off-site. The applicant would be required to comply with Division 914 of the Ordinance Code, which addresses drainage, including provisions requiring appropriate collection and conveyance. The applicant would also be required to implement MM HYD-3, which would ensure that the site discharges to facilities with adequate capacity and that downstream facilities, if necessary, be made adequate to accommodate runoff from and through the site. As part of the proposed on-site drainage improvements, runoff from impervious areas on the project site would be routed to 34 bioretention areas for treatment before being discharged into underground storm drains; these improvements would ensure that post-construction surface runoff would be less than existing conditions (Draft EIR, Section 3.8, Hazards and Hazardous Materials, Page 3.8-19).

Construction-related Exceedance of Storm Drain Capacity

During construction, the proposed project could increase stormwater runoff generation, which could potentially lead to flooding on or off-site. However, the proposed project would be required to implement a SWPPP as part of its Construction General Permit to ensure that stormwater generation and pollutants are prevented or minimized to the maximum extent feasible during construction through the implementation of standard BMPs.

Operation-related Exceedance of Storm Drain Capacity

The proposed project would not increase impervious surfaces compared to existing conditions and, therefore, is not likely generate increased amounts of runoff. As described in the Stormwater Control Plan, the proposed project would incorporate LID techniques to allow for stormwater infiltration and treatment in 34 bioretention areas before being discharged to the storm drain system. The proposed

project would use 100 percent LID, meaning 100 percent of project runoff would be contained and treated on-site before being discharged. This would be accomplished by optimizing site layout and using drainage swales, curb openings, and bubble ups to convey the runoff to the treatment areas in paseos, landscape pockets between walkways/buildings, and the center open space area on the project site. Furthermore, compliance with the CCCWP and the 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.

Construction-related Impacts to Flood Flows

Impacts related to impedance of flood flows would only occur during the operational phase of the project. As such, no construction impedance of flood flow impacts would occur.

Operation-related Impacts to Flood Flows

The project site is designated Zone X—area of minimal flood hazard. The project site is not susceptible to inundation from flood hazards, tsunamis, or seiches. As a result, the proposed project is not anticipated to have any effect in terms of impeding or redirecting flood flows.

The County finds that MM HYD-3 is feasible, is adopted, and will further reduce impacts associated with Hydrology and Water Quality. 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 Draft EIR. Therefore, impacts associated with Hydrology and Water Quality would be less than significant with mitigation incorporated.

1.6.8 - Noise

Potential Effect

Impact NOI-1	The proposed 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 (Draft EIR, Section 3.11, Noise, Page 3.11-15).
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Findings

Less than significant impact with mitigation incorporated (Draft EIR, Section 3.11, Noise, Page 3.11-16). Changes or alterations have been required in, or incorporated into, the proposed project which avoid or substantially lessen the significant environmental effects as identified in the EIR. (State CEQA Guidelines, § 15091(a)(1).)

Mitigation Measures

MM NOI-1 Implement Traffic Noise-reduction Measures

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

- The project applicant shall ensure inclusion of ventilation systems that would permit windows to remain closed for prolonged periods. The systems must not compromise sound insulation of the exterior wall assemblies.
- Prior to issuance of building permits, the project applicant shall provide design plans which show that window and exterior door assemblies of units located within 175-feet of the centerline of Jones Road will have ratings of Sound Transmission Class (STC) 39 to reduce project traffic noise levels to meet the interior noise level standards. Alternatively, the project applicant shall provide a design-level noise study that demonstrates the specific window and door assembly sound ratings to achieve the required interior noise threshold for each of these impacted residential units.
- Prior to issuance of building permits, the project applicant shall provide design plans which show that window and exterior door assemblies of units located within 100-feet of the centerline of Oak Road will have ratings of STC 34 to reduce project traffic noise levels to meet the interior noise level standards. Alternatively, the project applicant shall provide a design-level noise study that demonstrates the specific window and door assembly sound ratings to achieve the required interior noise threshold for each of these impacted residential units.

Facts in Support of Findings

Estimated future noise levels at future façades range from 60 A-weighted decibels (dBA) Day-Night Level (DNL) at interior shielded portions of the site to approximately 74 dBA DNL at elevated locations nearest the BART tracks and I-680. This falls into the County's normally acceptable to normally unacceptable land use compatibility categories for multi-family residences.

According to the noise study, window and exterior door assemblies of units located within 175-feet of the centerline of Jones Road will need to have Sound Transmission Class (STC) ratings of STC 39 to reduce project traffic noise levels to meet the interior noise level standards; while units located within 100 feet of the centerline of Oak Road will need to have ratings of STC 34 to reduce project traffic noise levels to meet the interior noise level standards.

Implementation of the project could expose the proposed residential land uses to noise levels that would conflict with the County's established noise land use compatibility standards adopted for the purpose of avoiding or mitigating an environmental effect. MM NOI-1 would reduce this impact to below a level of significance by requiring the project to include a code compliant mechanical ventilation system that would permit windows to remain closed for prolonged periods, as well as upgraded window and door assemblies to ensure compliance with the interior noise standard of 45 dBA DNL. This measure would ensure that potentially impacted interior residential units would meet the interior noise level requirement of 45 dBA DNL. Prior to the issuance of building permits, the project applicant would be required to demonstrate that windows and doors have been incorporated that reduce project traffic noise levels to meet the interior noise level standards. Alternatively, the project applicant would be required to provide a design-level noise study that demonstrates the specific window and door assembly sound ratings to achieve the required interior

noise threshold for each of these impacted residential units. Accordingly, with implementation of MM NOI-1, this impact would be reduced to less than significant (Draft EIR, Section 3.11, Noise, Page 3.11-16).

The County finds that MM NOI-1 is feasible, is adopted, and will further reduce impacts associated with noise. 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 Draft EIR. Therefore, impacts associated with noise would be less than significant with mitigation incorporated.

Potential Effect

Impact NOI-2	The proposed project could 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 (Draft EIR, Section 3.11, Noise, Page 3.11-17).
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Findings

Less than significant impact with mitigation incorporated (Draft EIR, Section 3.11, Noise, Page 3.11-20). Changes or alterations have been required in, or incorporated into, the proposed project which avoid or substantially lessen the significant environmental effects as identified in the EIR. (State CEQA Guidelines, § 15091(a)(1).)

Mitigation Measures

MM NOI-2 Implement Noise-reduction Measures During Construction

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

- The construction contractor shall control noise from construction workers' radios to a point where they are not audible at existing residences bordering the project site.
- The construction contractor shall designate a "disturbance coordinator" who would be responsible for responding to any complaints about construction noise. The disturbance coordinator will determine the cause of the noise complaint (e.g., bad muffler, etc.) and will require that reasonable measures be implemented to correct the problem.
- The construction contractor shall ensure that 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 are limited to the hours of 8:00 a.m. to 5:00 p.m., Monday through Friday, unless otherwise approved by the Department of Conservation and Development, Community Development Division (CDD), with no construction allowed on weekends, federal, and State holidays.

Facts in Support of Findings

Construction

Noise impacts from construction activities associated with the project would be a function of the noise generated by construction traffic, construction equipment, equipment location, sensitivity of nearby land uses, and the timing and duration of the construction activities.

The transport of workers and construction equipment and materials to the project site would incrementally increase noise levels on access roads leading to the site. Because project construction workers and construction equipment would use existing routes, noise from passing trucks would be similar to existing vehicle-generated noise on these local roadways. In addition, these trips would not result in a doubling of daily traffic volumes on any of the local roadways in the project vicinity and would thus not result in a perceptible change in existing traffic noise levels. For this reason, intermittent noise from construction trips would be minor when averaged over a longer time period and would not be expected to result in a perceptible increase in hourly or average daily traffic noise levels in the project vicinity.

Noise levels vary as construction progresses. Despite the variety in the types and sizes of construction equipment, similarities in the dominant noise sources and patterns of operation allow construction noise ranges to be categorized by work phase. The site preparation phase, which includes excavation and grading activities, tends to generate the highest noise levels. Construction of the proposed project is expected to require the use of scrapers, bulldozers, water trucks, haul trucks, and pickup trucks. Assuming that each piece of construction equipment operates at some distance from the other equipment, a reasonable worst-case combined noise level during this phase of construction would be 90 dBA maximum sound level (L_{max}) at a distance of 50 feet from the acoustic center of a construction area. This would result in a reasonable worst-case hourly average of 86 dBA equivalent sound level (L_{eq}).

The nearest off-site noise-sensitive receptor to the project site is the multi-family residence located southeast of the project building, which would be located approximately 70 feet from the acoustic center of construction activity where multiple pieces of heavy machinery would operate. At this distance, construction noise levels at the exterior façade of this nearest residential home would be expected to range up to approximately 87 dBA L_{max} , with a worst-case hourly average of approximately 83 dBA L_{eq} , intermittently, when multiple pieces of heavy construction equipment operate simultaneously at the nearest construction footprint. These noise levels would be intermittent and would be reduced as equipment moves over the project site further from adjacent sensitive receptors. Therefore, restricting construction activities to non-weekend, non-holiday daytime hours of 7:00 a.m. to 6:00 p.m. would ensure that construction noise would not result in a substantial exceedance of the construction noise standards established by General Plan Policy 11-8 and the Walnut Creek Municipal Code. Additionally, MM NOI-2 requires adherence to the County's permissible construction hours and also requires implementation of best management noise reduction techniques and practices that 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 (Draft EIR, Section 3.11, Noise, Page 3.11-18).

Operation

The proposed project would result in an increase in traffic on local roadway segments in the project vicinity. In addition, implementation of the project would introduce new stationary noise sources to the ambient noise environment in the project vicinity, including new mechanical ventilation equipment. The intersection volume data indicates that peak-hour traffic volumes will increase by 3 percent or less, which corresponds with less than a 1 dB increase in the traffic noise levels DNL. Therefore, project-related traffic noise level would result in less than significant increases in traffic noise levels along modeled roadway segments in the project vicinity.

For project-related stationary noise sources, Contra Costa County established a maximum exterior noise performance threshold for receiving residential land uses of 65 dBA DNL. Contra Costa County also established a maximum interior noise threshold of 45 dBA DNL; however, if ambient noise levels exceed 65 dBA DNL due to train noise, the maximum interior noise threshold would be 50 dBA DNL in bedrooms and 55 dBA DNL in other habitable rooms.

Implementation of the project would introduce new stationary noise sources to the ambient noise environment in the project vicinity, including new mechanical ventilation equipment. Noise levels from typical mechanical ventilation equipment range up to approximately 60 dBA L_{eq} as measured at a distance of 25 feet. The building's proposed mechanical ventilation units could be located as close as 30 feet from the nearest noise-sensitive receptor, which is the multi-family residential home located south of the proposed building. At this distance, noise levels generated by this equipment would attenuate to below 58.5 dBA L_{eq} at this closest residential receptor. These noise levels would not exceed Contra Costa County's or the City of Walnut Creek's maximum exterior noise threshold for receiving residential land uses of 65 dBA DNL. They would therefore also not exceed the maximum interior noise threshold of 45 dBA DNL as measured inside the nearest residential receptor (Draft EIR, Section 3.11, Noise, Page 3.11-18–20).

The County finds that MM NOI-2 is feasible, is adopted, and will further reduce impacts associated with noise. 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 Draft EIR. Therefore, impacts associated with noise would be less than significant with mitigation incorporated.

Potential Effect

Cumulative Impacts

The proposed project, in conjunction with other past, present, planned, and approved projects, could contribute to a cumulative impact related to traffic noise land use compatibility (Draft EIR, Section 3.11, Noise, Page 3.11-23).

Findings

Less than significant impact with mitigation incorporated (Draft EIR, Section 3.11, Noise, Page 3.11-16). Changes or alterations have been required in, or incorporated into, the proposed project which avoid or substantially lessen the significant environmental effects as identified in the EIR. (State CEQA Guidelines, § 15091(a)(1).)

Mitigation Measures

Implement MM NOI-1 above.

Facts in Support of Findings

Noise Land Use Compatibility Consistency

Combined cumulative year traffic and BART activity noise levels at the project site would result in noise levels that Contra Costa County considers to be conditionally acceptable for new multi-family residential land uses (with projected noise levels of up to 74 dBA DNL at the highest impacted façade). This impact is potentially significant. However, as discussed under Impact NOI-1, MM NOI-1 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, as well as upgraded window and door assemblies to ensure compliance with the interior noise standard of 45 dBA DNL. This measure would ensure that potentially impacted interior residential units would meet the interior noise level requirement of 45 dBA DNL. Therefore, implementation of MM NOI-1 would ensure that the project would not result in a cumulatively considerable contribution to consistency with noise land use compatibility standards (Draft EIR, Section 3.11, Noise, Page 3.11-23).

Construction Noise Temporary Substantial Increase

The geographic scope of the cumulative noise analysis is the project vicinity, including surrounding sensitive receptors. Noise impacts tend to be localized; therefore, the area near the project area (approximately 0.25 mile) would be the area most affected by proposed plan activities. However, none of the cumulative projects shown in Table 3-1 are located within 0.25 mile of the project site. Therefore, the cumulative impact is less than significant and the project would not have a cumulatively considerable contribution related to cumulative construction noise (Draft EIR, Section 3.11, Noise, Page 3.11-23).

Operational Traffic Noise Permanent Substantial Increase

The intersection volume data indicates that project-related peak-hour traffic volumes will increase roadway traffic volumes by 3 percent or less, which corresponds with less than a 1 dB increase in the traffic noise levels DNL. Therefore, project-related traffic noise level would result in less than significant increases in traffic noise levels along modeled roadway segments in the project vicinity. This would be a less than significant impact, and no mitigation would be required. Given the above information, the project, in conjunction with other existing, planned, and probable future projects, would result in a less than significant cumulative impact related to noise (Draft EIR, Section 3.11, Noise, Page 3.11-23).

Operational Stationary Noise Permanent Substantial Increase

Implementation of the project would introduce new stationary noise sources to the ambient noise environment in the project vicinity, including new mechanical ventilation equipment. However, noise levels generated by this equipment would attenuate to below 58.5 dBA L_{eq} at the closest residential receptor. These noise levels would not exceed documented existing background ambient noise levels. Therefore, implementation of the project would not result in a cumulatively considerable contribution to existing ambient noise conditions in the project vicinity (Draft EIR, Section 3.11, Noise, Page 3.11-24).

Construction and Operational Vibration

The only cumulatively considerable contribution to vibration conditions in the project vicinity would result from introduction of new permanent sources of groundborne vibration in the project site vicinity. The only major sources of groundborne vibration in the project vicinity is railroad activity along the rail line west of the project site. Implementation of the project would not introduce any new permanent sources of groundborne vibration to the project vicinity and would not increase railroad activity. Therefore, implementation of the project would not result in a cumulatively considerable contribution to vibration conditions in the project vicinity (Draft EIR, Section 3.11, Noise, Page 3.11-24).

1.6.9 - Public Services and Recreation

Impact REC-2	The proposed project could include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment (Draft EIR, Section 3.13, Public Services and Recreation, Page 3.13-23).
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Findings

Less than significant impact with mitigation incorporated (Draft EIR, Section 3.13, Public Services and Recreation, Page 3.13-24). Changes or alterations have been required in, or incorporated into, the proposed project which avoid or substantially lessen the significant environmental effects as identified in the EIR. (State CEQA Guidelines, § 15091(a)(1).)

Mitigation Measures

Implement MM AIR-2, MM AIR-3, and MM NOI-2 above.

Facts in Support of Findings

Impacts related to increased use of existing parks and recreational facilities are limited to construction impacts. The proposed project would include approximately 2.1 acres of private recreational facilities, including a central open space area, paseo and walkways, a dog park, and private yards. Impacts associated with the proposed amenities are analyzed in the discussion of air quality, energy, greenhouse gas (GHG) emissions, noise, and transportation-related impacts within the Draft EIR, which are explained in more detail as follows:

- **Air Quality:** Less than significant impact with mitigation incorporated. Impact AIR-3 relates to sensitive receptors. Receptors include residences, schools and schoolyards, parks and playgrounds, daycare centers, nursing homes, and medical facilities. MM AIR-2 and MM AIR-3 would reduce construction impacts to a less than significant level.
- **Energy:** Less than significant impact.
- **GHG Emissions:** Less than significant impact.
- **Noise:** Less than significant impact with mitigation incorporated. Impact NOI-2 relates to construction noise and applicable standards, and MM NOI-2 reduces impacts during construction to a less than significant level.
- **Transportation:** Less than significant impact.

Therefore, the proposed project's construction of parks and recreational facilities on the project site would result in a less than significant impact with mitigation incorporated (Draft EIR, Section 3.13, Public Services and Recreation, Page 3.13-24).

The County finds that MM AIR-2, MM AIR-3, and MM NOI-2 are feasible, are adopted, and will further reduce impacts associated with Public Services and Recreation. 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 Draft EIR. Therefore, impacts associated with Public Services and Recreation would be less than significant with mitigation incorporated.

1.7 - No Significant and Unavoidable Impacts Identified

As explained in the above Findings of Fact, all of the proposed project's impacts on the environment would either be insignificant or, through the incorporation of mitigation measures, can be reduced to less than significant. The Lead Agency hereby finds that the proposed project would not result in any significant and unavoidable impacts. The incorporation of mitigation measures outlined in the Draft EIR and the attached MMRP would fully mitigate impacts to a less than significant level. Therefore, a Statement of Overriding Considerations is not required. Nonetheless, the County has considered the benefits of the proposed project in its determination on the project as discussed in the Draft EIR and these Findings. Having considered the entire administrative record on the proposed project, the County finds that the proposed project should be implemented.

1.8 - Findings Regarding Alternatives

1.8.1 - Introduction

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

- Alternative 1: No Project, No Build Alternative.
- Alternative 2: Reopening the Palmer School Alternative.

In accordance with CEQA Guidelines Section 15126.6, the Draft EIR contained a comparative impact assessment of alternatives to the proposed 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 proposed project's significant adverse environmental effects. Important considerations for this alternatives analysis 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, Project Description.
 - Infeasibility; and
 - Inability to avoid significant environmental effects.

CEQA does not require that an analysis of alternate sites always be included in an EIR. Pursuant to CEQA Guidelines Section 15126.6(f)(2), in making the decision to include or exclude analysis of an alternate site, the "key question and first step in analysis is whether any of the significant effects of the proposed project would be avoided or substantially lessened by putting the proposed project in another location. Only locations that would avoid or substantially lessen any of the significant effects of the proposed project need to be considered for inclusion in the EIR." During the alternatives review process, the County conducted a review of available land near I-680 and in close proximity to the Pleasant Hill/Contra Costa Centre BART station that could support a project similar in size and type as the proposed project, and that had an appropriate General Plan land use designation and zoning classification to allow for multi-family residential land uses. An appropriate alternative vacant site was not identified within the County limits in the general vicinity. Furthermore, CEQA confirms that whether a proponent can reasonably acquire, control, or otherwise have access to an alternative site is a key factor in determining whether an off-site alternative is potentially feasible (State CEQA Guidelines § 15126.6(f)). The County, as Lead Agency, is therefore not required to select an alternative site for the proposed project. Based on CEQA Guidelines Section 15126.6, a potential alternative location was rejected as infeasible (Draft EIR, Section 4.6.3, Alternative Location, Page 4-21).

1.8.2 - Alternative 1: No Project, No Build Alternative.

Under the No Project, No Build Alternative, the proposed project would not be constructed. The closed, vacant private school and its associated structures would remain on-site, and no development of any kind would occur. For the purposes of this alternatives analysis, it is assumed that the existing buildings would remain vacant and no educational, or other alternative, land use activities would occur.

Findings

Except for hazards and hazardous materials and land use and planning, the No Project, No Build Alternative would avoid all the proposed project's less than significant impacts and less than significant impacts with mitigation described in Sections 3.1 through 3.16, as well as avoid the need to implement any mitigation measures. The No Project, No Build Alternative would result in greater impacts than the proposed project associated with hazards and hazardous materials; however, this impact would remain less than significant. Because this alternative would result in vacant and underutilized parcels inconsistent with land use and planning, it would result in a significant and unavoidable impact with respect to land use, which is a greater impact in comparison with the proposed project (Draft EIR, Section 4.3: Alternative 1 – No Project, No Build Alternative, Page 4-5).

The No Project, No Build Alternative would not meet any of the project objectives because the project site would not be developed with 125 townhouse condominium units, including affordable units. Instead, the existing buildings on the project site would remain vacant and no educational land use activities would occur. As such, the No Project, No Build Alternative would not meet the objectives of developing an appropriate mix of multi-family units (including affordable units) that meets regional housing goals, providing affordable housing units in accordance with the Contra Costa County Housing Element (2014), locating housing in close proximity to transit in order to reduce VMT, providing housing with a variety of floor plans and unit types to enhance the economic viability of the development for long-term sustainability, replacing an obsolete private school with new market rate and affordable for-sale townhouse condominium homes consistent with the General Plan and surrounding neighborhood, and establishing physical and social connections between Jones and Oak Roads by building safe, private streets, walkable landscaped open spaces including stormwater management and green building components (Draft EIR, Section 4.3: Alternative 1—No Project, No Build Alternative, Page 4-6).

Accordingly, based on the discussion in the EIR and all other evidence before it, the County finds that the No Project, No Build Alternative does not advance or meet any of the project objectives, and would result in greater impacts than the proposed project associated with land use and planning. The County rejects this alternative as infeasible.

1.8.3 - Alternative 2: Reopening the Palmer School Alternative.

Under the reopening of the Palmer School Alternative, the currently closed school would reopen and resume operations as a private, nonsectarian, co-educational school, serving Junior Kindergarten to Eighth Grade students. All buildings and structures would remain in place, no trees would be removed, and no new development would take place on the project site. The school would resume operations at the same level as at the time of school closure in June 2020. Reopening the Palmer

School would require compliance with and obtaining approvals/permits from the State Department of Education and/ or appropriate local agencies. This process would include obtaining a land use permit from Contra Costa County.

The school would continue its mission to offer an alternative to the larger class size and teacher ratio of public schools. The school would resume operating with a low student-to-faculty ratio and structured academic program that includes on-campus sports and community-based activities.

Under this alternative, the school would return to its pre-closure enrollment of approximately 370-400 students, employing approximately 45-52 staff members. School hours would follow pre-closure hours and would be open Monday through Friday, from 7:00 a.m. until 6:00 p.m., with grade-level specific hours as follows: Junior Kindergarten 8:30 a.m. to 11:30 a.m., Kindergarten 8:30 a.m. to 1:00 p.m., First Grade 8:30 a.m. to 2:00 p.m., Second and Third Grades 8:30 a.m. to 2:30 p.m., and Fourth through Eighth Grades 8:30 a.m. to 3:30 p.m. Consistent with the pre-closure schedule, students would be allowed on campus as early as 8:00 a.m. and could remain until 4:00 p.m. daily. An extended day program would be available before and after these hours (7:00 a.m. to 8:00 a.m. and 4:00 p.m. to 6:00 p.m.). The school would also host nighttime meetings for parents, scouting meetings, and other activities.

Consistent with pre-closure activity, during the summer months, the school would offer a 10-week recreational program for children aged four to eleven years old. Activities would include arts and crafts, organized sports and games, nature study, cooking, science, swimming, camp songs and more. Summer camp would enroll approximately 100-160 students and employ approximately 25 staff members. The camp would operate Monday through Friday (with the exception of Independence Day observance) from 9:00 a.m. to 3:30 p.m. Extended day care would be offered before and after the camp hours similar to school days.

Findings

The Reopening the Palmer School Alternative would result in similar impacts to the proposed project's less than significant impact without mitigation associated with population and housing, transportation, utilities and service systems, and wildfire. This alternative would lessen the severity of the proposed project's less than significant with mitigation impacts associated with respect to aesthetics, biological resources, cultural and tribal cultural resources, geology and soils, hazards and hazardous materials, hydrology and water quality, and public services and recreation. This alternative would result in a greater, although still less than significant, impact related to energy and land use and planning. With respect to GHG emissions, this alternative would require mitigation where the proposed project would not, which would result in a greater impact than the proposed project. This alternative would result in similar or greater impacts with respect to noise.

The Reopening the Palmer School Alternative would not meet any of the project objectives because the project site would not be developed with 125 multi-family residential units, including affordable units. Instead, the currently closed school would reopen and resume operations as a private K-8 school. All buildings and structures would remain in place, no trees would be removed, and no new development would take place on the project site. The school would resume operations at the same level as at the time of school closure in June 2020. As such, the Reopening the Palmer School

Alternative would not meet the objectives of (1) developing an appropriate mix of multi-family units (including affordable units) that meets regional housing goals, (2) providing affordable housing units in accordance with the Contra Costa County Housing Element (2014), (3) locating housing in close proximity to transit in order to reduce VMT, (4) providing housing with a variety of floor plans and unit types to enhance the economic viability of the development for long-term sustainability, (5) replacing an obsolete private school with new market rate and affordable for-sale townhouse condominium homes consistent with the General Plan and surrounding neighborhood, (6) establishing physical and social connections between Jones and Oak Roads by building safe, private streets, walkable landscaped open spaces including stormwater management and green building components, (7) providing on-site open space amenities for future residents, and (8) phase development to allow for managed, orderly, and economically viable growth. This alternative would partially meet the objective related to retaining the architectural and visual character of the neighborhood because the on-site trees would not be removed (Draft EIR, Section 4.4: Alternative 1—Reopening the Palmer School, Page 4-17).

Accordingly, based on the discussion in the EIR and all other evidence before it, the County finds that the Reopening the Palmer School Alternative does not fully meet any of the project objectives. The County rejects this alternative as infeasible.

1.8.4 - 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.

Each of the two project alternatives would lessen the environmental impacts relative to the proposed project to a certain degree (as described above and further in the Draft EIR). If the No Project Alternative is the environmentally superior alternative—which is the case here as it avoids all project impacts but fails to satisfy any of the proposed project objectives—the EIR must also identify another environmentally superior alternative among the remaining alternatives. Overall, based on these Findings, the Reopening the Palmer School Alternative would be considered the environmentally superior alternative, even though it would fail to fully meet all of the project’s objectives and is therefore infeasible.

1.9 - Findings Regarding Cumulative Impacts

Consistent with CEQA’s requirements, the Draft EIR for the proposed project includes an analysis of cumulative impacts. The discussion of cumulative impacts in this subsection analyzes the cumulative impacts of the proposed project, taken together with other past, present, and reasonably foreseeable future projects producing related impacts. The goal of this analysis is to determine whether the overall long-term impacts of all such projects would be cumulatively significant and to determine whether the proposed project itself would cause a “cumulatively considerable” incremental contribution to any such cumulatively significant impacts. To determine whether the overall long-term impacts of all such projects would be cumulatively significant, the analysis generally considers the following:

- The area in which impacts of the proposed project would be experienced.
- The impacts of the proposed project that are expected in the area.
- Other past, proposed, and reasonably foreseeable projects that have had or are expected to have impacts in the same area.
- The impacts or expected impacts of these other projects.
- The overall impact that can be expected if the individual impacts from each project are allowed to accumulate.

“Cumulative impacts” refers to two or more individual impacts that, when considered together, are considerable or that compound or increase other environmental impacts (CEQA Guidelines § 15355). Cumulative impacts can result from individually minor but collectively significant impacts taking place over time (40 Code of Federal Regulations [CFR] 1508.7). If the analysis determines that the potential exists for the project, taken together with other past, present, and reasonably foreseeable future projects, to result in a significant or adverse cumulative impact, the analysis then determines whether the project’s incremental contribution to any significant cumulative impact is itself significant (i.e., “cumulatively considerable”). The cumulative impact analysis for each individual resource topic is presented in each resource section of this chapter immediately after the description of the direct project impacts and identified mitigation measures.

The Draft EIR evaluated potential cumulative impacts by considering the impacts of the proposed project, taken together with other past, present, and reasonably foreseeable future projects producing related impacts. CEQA defines cumulative impacts as “two or more individual effects which, when considered together are considerable” and suggests that cumulative impacts may “result from individually minor but collectively significant projects taking place over a period of time” (State CEQA Guidelines § 15355). Additional guidance on the significance of cumulative impacts is found in CEQA Guidelines Section 15065(a)(3) which provides that a project may be individually limited but have a “cumulatively considerable” impact when the “incremental effects of an individual project are significant when viewed in connection with the effects” of past, current, and probable projects. Cumulative projects are identified in Table 3-1 of the Draft EIR. The degree to which past projects are included within the list of projects is generally limited, due to the fact that past projects are included in the current environmental conditions already considered as part of the baseline and existing environmental setting. To address cumulative impacts, the Draft EIR includes a discussion of potential cumulative effects in each topical section. Specific findings for each topical area are made above in Sections 1.5 and 1.6 of this document.

Based on the Draft EIR and the entire administrative record, the County finds that potentially significant cumulative impacts can be mitigated to less than significant levels and further finds that the project would not have any environmental impacts that are individually limited but cumulatively considerable.

1.10 - Findings Regarding Growth Inducement

State 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.

Direct Population Growth

The proposed project would develop 125 new townhouse condominium units on the project site and would add an estimated 357 persons to the County's population. This would represent an increase of 0.2 percent relative to the unincorporated population of 174,423. This amount of population growth would be within the General Plan's 2020 population and dwelling projections for the unincorporated area and, therefore, would not be considered substantial. Furthermore, it would also be within the ABAG 2020-2040 regional population growth projections. Impacts associated with direct population growth would be less than significant (Draft EIR, Section 5.2: Growth-Inducing impacts, Page 5-2).

Indirect Population Growth

The proposed project is exclusively residential; it would not create new permanent employment opportunities. Thus, no indirect population growth from new employment would occur. The project site has been developed since the 1930s and is located within an urbanized area of the unincorporated County. It is served with urban infrastructure and utilities including potable water, sewer, storm drainage, electricity, and natural gas. As such, the proposed project would not remove a barrier of growth through the extension of infrastructure or utilities to an unserved area. Impacts associated with indirect population growth would be less than significant (Draft EIR, Section 5.2: Growth-Inducing impacts, Page 5-2).

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 proposed project be implemented. Generally, a project would result in significant irreversible environmental changes if any of the following would occur:

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

The proposed project consists of the development of new infill multi-family residential uses on a site that currently supports a closed private school. The site is within an urbanized area of

unincorporated Contra Costa County adjacent to the Walnut Creek city limits and is zoned for residential use.

Construction and demolition debris recycling practices would be expected to allow for the recovery and reuse of building materials such as concrete, lumber, and steel and would limit disposal of these materials, some of which are nonrenewable.

Construction of the proposed project would include the consumption of resources that are not replenishable or which may renew so slowly to be considered nonrenewable. These resources would include the following: certain types of lumber and other forest products; aggregate materials used in concrete and asphalt such as sand, gravel, and stone; metals such as steel, copper, and lead; petrochemical construction materials such as plastics; and water. Fossil fuels such as gasoline and oil would also be consumed in the use of construction vehicles and equipment. Consumption of building materials and energy is common to most other development in the region, and commitments of resources are not unique or unusual to the proposed project. Development would not be expected to involve an unusual commitment of nonrenewable resources, nor be expected to consume any resources in a wasteful manner.

At operation, day-to-day activities would involve the use of nonrenewable resources such as petroleum and natural gas during operations. The new buildings' uses would be required to adhere to the latest adopted edition of the CBC, 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 would lessen the severity of corresponding environmental effects. Although the proposed project would result in an irretrievable commitment of nonrenewable resources, the commitment of these resources would not be significantly inefficient, unnecessary, or wasteful.

Finally, the proposed project is within walking distance of the Pleasant Hill/Contra Costa Centre BART station. At a normal walking pace, it would take approximately 5 minutes to walk from the project site to the BART station (Draft EIR, Section 3.14, Transportation, Page 3.14-17). It is also within walking distance of the Iron Horse Trail, and the Contra Costa Canal Trail and employment opportunities in Contra Costa Centre. Overall, the proposed project would be expected to result in less consumption of resources than a comparable residential project at the urban edge. (Draft EIR, Section 5.3: Significant Irreversible Environmental Changes, Page 5-3).

1.12 - Custodian of Record; Scope and Content of Record

The documents and materials that constitute the record of proceedings on which this Resolution has been based are located at the Contra Costa County website at <https://www.contracosta.ca.gov/8363/Oak-Road-Townhouse-Condominiums>. 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 all items referenced in Public Resources Code Section 21167.6(e):

- (i) All project application materials;
- (ii) The proposed project EIR (including the Draft EIR, the Final EIR, and all appendices attached thereto);
- (iii) 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 proposed project;
- (iv) 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;
- (v) All documentary and oral evidence received and reviewed at public hearings, public meetings, study sessions, and workshops on the proposed project EIR, and any transcript or minutes of the proceedings at which any advisory body or decision-making body heard testimony on, or considered the proposed project EIR;
- (vi) All notices issued by the lead agency to comply with this division or with any other law governing the processing and approval of the proposed project;
- (vii) All written comments received in response to, or in connection with, the proposed project EIR, including comments on the Draft EIR;
- (viii) All written evidence or correspondence submitted to, or transferred from, the lead agency with respect to compliance with this division or with respect to the proposed project;
- (ix) Any proposed decisions or findings submitted to the decision-makers by lead agency staff, or the proposed project proponent, project opponents, or other interested agencies, organizations and/or individuals;
- (x) The documentation of the final decision, including the proposed project EIR and all documents, in addition to those referenced in paragraph (c), cited or relied on in the findings or in a Statement of Overriding Considerations adopted pursuant to this division;
- (xi) For documentary and informational purposes, all locally adopted land use plans and ordinances, including, without limitation, general plans, specific plans and ordinances, master plans together with environmental review documents, findings, mitigation monitoring programs, and other documentation relevant to planned growth in the area;
- (xii) Any other written materials relevant to the lead agency's compliance with this division or to its decision on the merits of the proposed project, including any drafts of any environmental document or portions thereof, which have been released for public review,

and copies of studies or other documents relied upon in any environmental document prepared for the proposed project and either made available to the public during the public review period or included in the lead agency's files on the proposed project, and all internal agency communications, including staff notes and memoranda related to the proposed project or to compliance with this division;

(xiii) The full written record before any inferior administrative decision-making body whose decision was appealed to a superior administrative decision-making body prior to the filing of litigation; and

(xiv) Any additional items not included above if otherwise required by law.

1.13 - Recirculation Not Required

During the public review period after the Draft EIR was published, the Lead Agency received one comment letter that did not raise any significant environmental issues requiring any changes to or clarifications of the EIR.

The Lead Agency has considered all relevant information including the opinions and comments of interested agencies, organizations, and individuals. The Lead Agency finds that none 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 proposed 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 proposed project (or an alternative), but the proposed project's proponents decline to adopt it.
4. The Draft EIR 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 there was no significant new information nor was there information that required recirculation of the EIR. The additional information merely clarifies or amplifies an adequate EIR.

ATTACHMENT B
Mitigation Monitoring and Reporting Program for the
Oak Road Townhouse Condominiums Project
Draft Environmental Impact Report
County File Numbers: CDRZ21-03258, CDSD21-09559,
CDDP21-03001 Contra Costa County, California

Prepared for:



Contra Costa County
Department of Conservation and Development

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Report Date: January 7, 2022

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PREFACE

Pursuant to Public Resources Code Section 21081.6 and California Environmental Quality Act (CEQA) Guidelines Section 15097, 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 proposed project to the extent feasible for the reasons described in the Draft Environmental Impact Report (Draft EIR) and administrative record. The lead agency intends for each of the mitigation measures to be adopted as recommended in the Draft EIR. In the event of any inconsistencies between the mitigation measures set forth in the Draft EIR and the MMRP, the MMRP shall control.

This MMRP does not discuss those subjects that the environmental analysis demonstrates would result in less than significant impacts and for which no mitigation was proposed or necessary.

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Table 1: Oak Road Townhouse Condominiums Project Mitigation Monitoring and Reporting Program

Mitigation Measures	Method of Verification	Timing of Verification	Responsible for Verification	Verification of Completion	
				Date	Initial
3.1 Aesthetics, Light, and Glare					
MM AES-4: Prepare Final Lighting Plan. At least 30 days prior to applying for a building permit, the applicant shall submit for review and approval by the Department of Conservation and Development, Community Development Division a Final Lighting Plan. Exterior lighting must be directed downward and away from adjacent properties and public/private right-of-way to prevent glare or excessive light spillover.	Submit Final Lighting Plan	At least 30 days prior to applying for building permit.	Contra Costa County Department of Conservation and Development; project applicant		
	On-site inspection	During construction			
3.2 Air Quality					
MM AIR-2: Apply Construction Best Management Practices. The contractor shall implement the following enhanced Best Management Practices (BMPs): - During site preparation and grading, all exposed surfaces shall be watered at a frequency adequate to maintain minimum soil moisture of 12 percent. Moisture content can be verified by lab samples or moisture probe. - All haul trucks transporting soil, sand, or other loose material off-site shall be covered. - All visible mud or dirt tracked out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited. - All vehicle speeds on unpaved roads shall be limited to 15 miles per hour (mph). - All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.	Incorporation into project construction documents	Prior to construction	Contra Costa County Department of Conservation and Development; project applicant; construction contractor		
	On-site inspection	During construction			
	Submittal of proof of implementation during construction	During construction			

6. 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. 7. Post a publicly visible sign with the telephone number of the project manager to contact regarding dust complaints. This person shall respond and take corrective action within 48 hours. The Air District's phone number shall also be visible to ensure compliance with applicable regulations. 8. All excavation, grading, and/or demolition activities shall be suspended when average wind speeds exceed 20 mph. 9. Wind breaks (e.g., trees, fences) shall be installed on the windward side(s) of actively disturbed areas of construction. Wind breaks should have at maximum 50 percent air porosity. 10. Vegetative ground cover (e.g., fast-germinating native grass seed) shall be planted in disturbed areas as soon as possible and watered appropriately until vegetation is established. 11. The simultaneous occurrence of excavation, grading, and ground-disturbing construction activities on the same area at any one time shall be limited. Activities shall be phased to reduce the amount of disturbed surfaces at any one time. 12. All trucks and equipment, including their tires, shall be washed off prior to leaving the site. 13. Site accesses to a distance of 100 feet from the paved road shall be treated with a 6-to-12-inch compacted layer of wood chips, mulch, or gravel. 14. Sandbags or other erosion control measures shall be installed to prevent silt runoff to public roadways from sites with a slope greater than 1 percent. 15. Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 2 minutes. Clear signage shall be provided for construction workers at all access points.					
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Mitigation Measures	Method of Verification	Timing of Verification	Responsible for Verification	Verification of Completion	
				Date	Initial
MM AIR-3: Selection of equipment during construction to minimize diesel particulate matter (DPM) emissions. The project shall implement the following: 1. Prior to the issuance of grading or construction permits, the applicant shall provide the Department of Conservation and Development, Community Development Division (CDD) with documentation to the satisfaction of CDD that all diesel-powered off-road equipment, larger than 25 horsepower, operating on the site for more than two days continuously, at a minimum, meet United States Environmental Protection Agency (EPA) emissions standards for Tier 4 Interim engines. Where Tier 4 equipment is not available, exceptions could be made for equipment meeting Tier 2 or Tier 3 standards that include California Air Resources Board (ARB)-certified Level 3 Diesel Particulate Filters or equivalent. Equipment that is electrically powered or uses non-diesel fuels would also meet this requirement. 2. Minimize diesel generator use by providing line power to the site during early construction phases. 3. Avoid staging construction equipment near residences (i.e., within 200 feet of homes).	Incorporation into project construction documents On-site inspection Submittal of proof of implementation during construction	Prior to issuance of grading or construction permits During construction During construction	Contra Costa County Department of Conservation and Development; project applicant; construction contractor		
3.3 Biological Resource					
MM BIO-1a: Roosting Bats 1. A qualified wildlife Biologist shall conduct surveys for special-status bats during the appropriate time of day to maximize detectability to determine whether bat species are roosting near the work area no more than 5 days prior to 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.).	Incorporation into project construction documents Qualified Biologist's pre-construction bat survey and submittal of survey documents; on-site monitoring by the qualified Biologist if survey finds bat species	Prior to ground disturbance and/or construction 5 days prior to beginning ground disturbance and/or construction	Contra Costa County Department of Conservation and Development; project applicant; construction contractor; Qualified Biologist		

Mitigation Measures	Method of Verification	Timing of Verification	Responsible for Verification	Verification of Completion	
				Date	Initial
2. Visual surveys will include trees within 100 feet of project construction activities. Prior to building demolition, the applicants for development on any project parcel shall ensure that a qualified Biologist (i.e., one familiar with the identification of bats and signs of bats) survey buildings proposed for demolition for the presence of roosting bats or evidence of bats. If no roosting bats or evidence of bats are found in the structure, demolition may proceed. If the Biologist determines bats are present, the Biologist shall exclude the bats from suitable spaces by installing one-way exclusion devices. After the bats vacate the space, the Biologist shall close off the space to prevent recolonization. Building demolition shall only commence after the Biologist verifies seven to 10 days later that the exclusion methods have successfully prevented bats from returning. To avoid impacts on non-volant (i.e., nonflying) bats, the Biologist shall only conduct bat exclusion and eviction from September 1 through March 31. Exclusion efforts shall be restricted during periods of sensitive activity.	On-site inspection	During tree removal and building removal			
MM BIO-1b: Migratory and Nesting Birds 1. If the project requires vegetation to be removed during the nesting season (February 1–August 31), pre-construction surveys shall be conducted 5 days prior to vegetation removal to determine whether or not active nests are present. 2. If an active nest is located during pre-construction surveys, a qualified Biologist shall determine an appropriately-sized avoidance buffer based on the species and anticipated disturbance level. Based on input from the Biologist, the project applicant will delineate the avoidance buffer using Environmentally Sensitive Area fencing, pin flags, and or yellow caution tape. The buffer zone will be maintained around the active nest site(s) until the young have fledged	Qualified Biologist's pre-construction survey and submittal of survey documents; on-site monitoring by the qualified Biologist if survey finds migratory or nesting birds	Prior to ground disturbance during nesting season (February 1 through August 31)	Contra Costa County Department of Conservation and Development; project applicant; construction contractor; Qualified Biologist		

Mitigation Measures	Method of Verification	Timing of Verification	Responsible for Verification	Verification of Completion	
				Date	Initial
and are foraging independently. No construction activities shall be allowed within the avoidance buffer(s). 3. The qualified Biologist shall periodically monitor the active nest during construction activities to prevent any potential impacts that may result from the construction of the proposed project, until the young have fledged.					
MM BIO-5a: Prepare and Implement a Tree Replacement Plan A Tree Replacement Plan shall be submitted to and approved by Department of Conservation and Development, Community Development Division (CDD) prior to the removal of trees, prior to issuance of a demolition or grading permit, whichever occurs first. 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.	Submittal and approval of Tree Replacement Plan Plant replacement trees	Prior to the removal of trees or prior to issuance of a demolition or grading permit, whichever occurs first Prior to final inspection of building permit	Contra Costa County Department of Conservation and Development; project applicant		
MM BIO-5b: Implement Tree Preservation Guidelines During Construction Tree protection guidelines shall be implemented during construction through the clearing, grading, and construction phases as outlined on pages 12 and 13 in the arborist report prepared by HortScience dated January 4, 2021.	Incorporation into project construction documents On-site inspection Submittal of proof of implementation during construction	Prior to construction During construction During construction	Contra Costa County Department of Conservation and Development; project applicant; construction contractor		
3.4 Cultural Resources and Tribal Cultural Resources					
MM CUL-1: Archaeological Spot-Monitoring and Halt of Construction Upon Encountering Historical or Archaeological 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	Inclusion of discovery clause in all construction contracts	Before construction	Contra Costa County Department of Conservation and Development; Qualified Archaeologist;		

Mitigation Measures	Method of Verification	Timing of Verification	Responsible for Verification	Verification of Completion	
				Date	Initial
prior to any grading or trenching into previously undisturbed soils. This will be followed by regular periodic or “spot-check” archaeological monitoring as determined by the Archaeologist. If the Archaeologist believes that a reduction in monitoring activities is prudent, then a letter report detailing the rationale for making such a reduction and summarizing the monitoring results shall be provided to the Department of Conservation and Development, Community Development Division (CDD) for concurrence. 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 applicant for the proposed project 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 Department of Parks and Recreation (DPR) 523 forms and will be submitted to the Department of Conservation and Development, Community Development Division, the Northwest Information Center (NWIC), and the California Office of Historic Preservation (OHP), as required.	Qualified Archaeologist’s on-site inspection(s) and submittal of documents Qualified Archaeologist’s “spot-check” monitoring County notification if historical or archaeological materials encountered Provision of Section 15064.5 permit(s) and copy of DPR 523 forms; Qualified Archaeologist’s submittal of findings and documentation	After grubbing and clearing, but prior to grading or trenching Regularly during ground disturbance as needed During construction During construction	project applicant; construction contractor		

MM CUL-3: Stop Construction upon Encountering Human Remains In the event of the accidental discovery or recognition of any human remains, CEQA Guidelines Section 15064.5, Health and Safety Code Section 7050.5, and Public Resources Code Sections 5097.94 and Section 5097.98 shall be followed. If during the course of project construction, 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 whether 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 Resources 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 MLD or on the project site in a location not subject to further subsurface disturbance: • The NAHC is unable to identify an MLD or the MLD failed to make a recommendation within 48 hours after being notified by the NAHC. • The descendant identified fails to make a recommendation.	Inclusion of discovery clause in all construction contracts County notification if human remains encountered County Coroner contacts NAHC and submits NAHC correspondence to County	Prior to construction During construction During construction	Contra Costa County Department of Conservation and Development; project applicant; construction contractor; Contra Costa County Office of the Sheriff: Coroner's Division; NAHC		
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Mitigation Measures	Method of Verification	Timing of Verification	Responsible for Verification	Verification of Completion	
				Date	Initial
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 NAHC 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 NAHC.					
3.6 Geology and Soils					
MM GEO-1a: Conduct Design-level Geotechnical Exploration At least 60 days prior to recording the final Subdivision Map, or requesting issuance of construction permits or installation of utility improvements, the applicant shall submit a design-level Geotechnical Exploration Report for the proposed project, based on adequate subsurface exploration, laboratory testing and engineering analysis. The scope of the Geotechnical Exploration Report shall address the following potential hazards: (i) grading, including removal of existing undocumented fill that is deemed to be unsuitable for use in engineered fills, preparation to receive fill, compaction standards for fill, etc., (ii) consolidation settlement, (iii) analysis of liquefaction potential, including estimating total settlement and differential settlement, and surface manifestation of liquefaction, (iv) foundation design, (v) measures to protect improvements from the relatively	Submit design-level Geotechnical Exploration Report	At least 60 days prior to recording the final Subdivision Map, or requesting issuance of construction permits or installation of utility improvements	Contra Costa County Department of Conservation and Development; County Geologist; project applicant; project Geotechnical Engineer		

Mitigation Measures	Method of Verification	Timing of Verification	Responsible for Verification	Verification of Completion	
				Date	Initial
shallow water table, (vi) laboratory testing to evaluate the expansive and corrosion potential soils, and measures designed to protect improvement that are in contact with the ground from these hazard, including the building foundation, parking garage slabs, flatwork, pavement and utilities, (vii) exploration/testing/and engineering analysis aimed at providing recommendations pertaining to foundation design, including foundation retaining walls, and pavement design, (viii) evaluation of the drainage design, including the proposed bio-retention facilities and their effect on planned improvements, (ix) address temporary shoring and support of excavations, (x) provide updated California Building Standards Code (CBC) seismic parameters, and (xi) outline the recommended geotechnical monitoring, commencing with clearing and demolition, extending through final grading, installation of drainage improvements, and including the monitoring of foundation-related work.					
MM GEO-1b: Conduct Geotechnical Observation and Testing Services During Construction The design-level geotechnical report required by Mitigation Measure GEO-1a routinely includes recommended geotechnical observation and testing services during construction. These services are essential to the success of the proposed project. They allow the Geotechnical Engineer to (i) ensure geotechnical recommendations for the proposed project are properly interpreted and implemented by contractors, (ii) allow the Geotechnical Engineer to view exposed conditions during construction to ensure that field conditions match those that were the basis of the design recommendations in the approved report, and (iii) provide the opportunity for field modifications of geotechnical recommendations (with Department of Conservation and Development, Community Development Division approval), based on exposed conditions. The monitoring shall commence during clearing, and extend through grading,	Incorporation into project construction documents On-site inspection Submittal of report from the project Geotechnical Engineer that documents their observation and testing services to that stage of construction, including monitoring and testing of backfilling required for utility and drainage facilities	Prior to issuance of grading permit During construction Prior to the "final" grading inspection	Contra Costa County Department of Conservation and Development; County Geologist; project applicant; construction contractor; project Geotechnical Engineer		

Mitigation Measures	Method of Verification	Timing of Verification	Responsible for Verification	Verification of Completion	
				Date	Initial
placement of engineered fill, installation of recommended drainage facilities, and foundation-related work. 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 to that stage of construction, including monitoring and testing of backfilling required for utility and drainage facilities. Similarly, a hold shall be placed on the final inspection for each residential building, pending submittal of a letter-report from the Geotechnical Engineer documenting the monitoring services associated with implementation of final grading, drainage, and foundation-related work. This can be one letter that addresses all residential buildings, or separate letters for each building. The geotechnical monitoring shall include documentation of conformance of retaining wall, pier hole drilling/ foundation preparation work and installation of drainage improvements.					
MM GEO-1c: Prepare Final Construction Report The Geotechnical Engineer shall prepare a final report that documents the field observations and testing services provided during construction as well as provide a professional opinion on the compliance of construction with the recommendations in the Preliminary Geotechnical Exploration. The final report can be segmented into an as-graded report that is issued at the end of rough grading, but prior to the installation of the foundations, and a second letter commenting on the inspections made during installation of foundations/parking lot/drainage facilities. The Department of Conservation and Development, Community Development Division (CDD) will place a hold on the final inspection, to ensure that the Geotechnical Engineer's grading-foundation inspection letter-report is provided prior to requesting the final building inspection for each building. This requirement may be satisfied by issuance of one letter for all residential buildings, or separate letters for each residential building.	Prepare final report that documents field observation and testing services provided during construction	Prior to final building inspections for each building	Contra Costa County Department of Conservation and Development; County Geologist; project applicant; project Geotechnical Engineer		

Mitigation Measures	Method of Verification	Timing of Verification	Responsible for Verification	Verification of Completion	
				Date	Initial
MM GEO-2: Conduct Grading, Excavation, and Filling Only During the Dry Season All grading, excavation and filling shall be conducted during the dry season (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 Division, and the review/approval of the Department of Conservation and Development, Community Development Division (CDD).	Incorporation into project construction documents On-site inspection	Prior to issuance of grading permit During construction	Contra Costa County Department of Conservation and Development; County Geologist; project applicant; project contractor		
MM GEO-6: Stop Construction Upon Encountering Paleontological Materials In the event that fossils or fossil-bearing deposits are discovered during construction activities, excavations within a 50-foot radius of the find shall be temporarily halted or diverted. The project contractor shall notify a qualified Paleontologist to examine the discovery. The Paleontologist shall document the discovery as needed (in accordance with Society of Vertebrate Paleontology [SVP] standards), evaluate the potential resource, 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 excavation plan shall be submitted to the Lead Agency for review and approval prior to implementation, and the applicant shall adhere to the recommendations in the excavation plan.	Incorporation into project construction documents On-site inspection Notify Qualified Paleontologist if fossils or fossil-bearing deposits are discovered; if avoidance is not feasible, the Qualified Paleontologist shall prepare an excavation plan	Prior to issuance of grading permit During construction During construction	Contra Costa County Department of Conservation and Development; project applicant; project contractor; Qualified Paleontologist		

Mitigation Measures	Method of Verification	Timing of Verification	Responsible for Verification	Verification of Completion	
				Date	Initial
3.8 Hazards and Hazardous Materials					
MM HAZ-1a: Conduct Asbestos and Lead Surveys Prior to Demolition Prior to the issuance of demolition permits for the existing 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 (ACM) and lead-based paint (LBP), and these materials shall be characterized for asbestos and lead by a reliable method. All activities involving ACM and LBP 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 Removal shall be conducted by properly licensed abatement contractor	Prior to the issuance of demolition permits Prior to the disturbance or removal of any suspect ACM and LBP	Contra Costa County Department of Conservation and Development; project applicant; qualified licensed professional; licensed abatement contractor; Contra Costa Environmental Health		
MM HAZ-1b: Proper Disposal of Hazardous Materials Such As Cleaning Supplies and Insecticides Prior to the issuance of a grading permit, the applicant shall remove and dispose of all materials observed during the site reconnaissance for the Phase I Environmental Site Assessment (Phase I ESA) in accordance with applicable local, State, and federal regulations. The materials include, but are not limited to containers of cleaning supplies and insecticides.	Qualified licensed professional to remove and dispose of materials On-site inspection	Prior to issuance of grading permit Prior to grading activities	Contra Costa County Department of Conservation and Development; project applicant; qualified licensed professional; Contra Costa Environmental Health		
MM HAZ-1c: Closure of On-site Irrigation Wells Prior to the issuance of a grading permit, the three on-site irrigation wells shall be properly closed under permit in accordance with applicable local, State, and federal regulations.	Closure of irrigation wells by qualified licensed professional On-site inspection	Prior to issuance of grading permit Prior to grading activities	Contra Costa County Department of Conservation and Development; project applicant; qualified licensed professional; Contra Costa Environmental Health		

Mitigation Measures	Method of Verification	Timing of Verification	Responsible for Verification	Verification of Completion	
				Date	Initial
MM HAZ-1d Soil Aeration The applicant shall complete the soil aeration and soil vapor testing during demolition and rough grading operations. Once the soil aeration is completed which consists of spreading excavated soil on the ground in an approximately 18-inch-thick layer, mixing of the soil (tilling) shall be performed regularly to maintain aerobic conditions (presence of oxygen). The soil shall be thoroughly tilled using equipment such as a Terex RS600 Reclaimer/Stabilizer. An Environmental Health Licensed Professional shall spot check to ensure that the process is implemented. A total of six tilling passes shall be performed through the proposed excavation area (approximately 30 feet long by 20 feet wide and 6 feet deep with a total volume of 135 cubic yards). During the tilling operation, air quality monitoring shall be performed with a photo ionization detector (PID) 3 inches above the soils and also in the breathing zone. Dust control measures shall be implemented during the aeration process (as spelled out in MM AIR-2), and dust monitoring shall be performed in the perimeter of the project site. Soil vapor sampling shall be performed at the end of aeration/tilling operations prior to backfill. If the soil vapor sampling finds no benzene Environmental Screening Level (ESL) exceedances, then the applicant shall have the Phase I Environmental Site Assessment and Phase II Environmental Investigation Report prepared by Roux Associates, Inc. (Roux) in August 2021, updated memorializing the implementation of the mitigation and confirming that no Recognized Environmental Conditions (REC) exist on the site and provide a copy to the Department of Conservation and Development, Community Development Division demonstrating that benzene levels no longer exceed the ESL.	Incorporation into project construction documents On-site inspection for soil tilling, air quality monitoring, and dust control measures Conduct soil vapor sampling Preparation of updated Phase I ESA and Phase II ESA if no soil vapor exceedances identified Preparation of an SMP if soil vapor exceedances identified	Prior to issuance of grading permit During demolition and rough grading At the end of aeration/tilling operations prior to backfill At the end of aeration/tilling operations prior to backfill At the end of aeration/tilling operations prior to backfill	Contra Costa County Department of Conservation and Development; project applicant; project contractor; Environmental Health Licensed Professional; Contra Costa Environmental Health		

Mitigation Measures	Method of Verification	Timing of Verification	Responsible for Verification	Verification of Completion	
				Date	Initial
If soil vapor exceedances are identified after soil excavation and aeration, then a Soil Management Plan (SMP) shall be prepared and forwarded to an appropriate environmental oversight agency for disposition. A copy of the SMP will also be provided to the Department of Conservation and Development, Community Development Division. All construction work shall cease in the area of the underground storage tank (UST) as shown in the Roux report, including the aeration area, until the disposition of the SMP is determined by the environmental oversight agency. Once the issue has been addressed to the satisfaction of the environmental oversight agency, evidence shall be provided to the satisfaction of the Department of Conservation and Development, Community Development Division and construction activities may resume on the former UST area.					
3.9 Hydrology and Water Quality					
MM HYD-3 Prepare Final Drainage Plan Prior to Grading In accordance with Division 914 of the County Ordinance Code, the project 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 obtain a Flood Control Permit from the applicant and Permit Center, 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	Obtain Flood Control Permit Prepare and submit Final Stormwater Control Plan and a Stormwater Control O&M Plan On-site inspection to ensure compliance with rules, regulations and procedures of the NPDES for municipal, construction and industrial activities	Prior to issuance of grading permit Prior to issuance of grading permit During construction	Contra Costa County Department of Conservation and Development; project applicant; Engineering Services Division of the Public Works Department; RWQCB		

Mitigation Measures	Method of Verification	Timing of Verification	Responsible for Verification	Verification of Completion	
				Date	Initial
downstream drainage system. The applicant shall verify the adequacy at any downstream drainage facility accepting stormwater from this project 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. • In accordance with Division 1014 of the County Ordinance Code, the applicant shall 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 2); 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 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 the Contra Costa Stormwater C.3 Guidebook of the County's NPDES Permit and the County's Stormwater Management and Discharge Control Ordinance (Division 1014) and be designed to discourage prolonged standing/ponding of water on-site.					

Mitigation Measures	Method of Verification	Timing of Verification	Responsible for Verification	Verification of Completion	
				Date	Initial
3.11 Noise					
MM NOI-1: Implement Traffic Noise-reduction Measures To reduce potential traffic noise impacts, the following multi-part mitigation measure shall be implemented for the proposed project: • The project applicant shall ensure inclusion of ventilation systems that would permit windows to remain closed for prolonged periods. The systems must not compromise sound insulation of the exterior wall assemblies. • Prior to issuance of building permits, the project applicant shall provide design plans which show that window and exterior door assemblies of units located within 175-feet of the centerline of Jones Road will have ratings of Sound Transmission Class (STC) 39 to reduce project traffic noise levels to meet the interior noise level standards. Alternatively, the project applicant shall provide a design-level noise study that demonstrates the specific window and door assembly sound ratings to achieve the required interior noise threshold for each of these impacted residential units. • Prior to issuance of building permits, the project applicant shall provide design plans which show that window and exterior door assemblies of units located within 100-feet of the centerline of Oak Road will have ratings of STC 34 to reduce project traffic noise levels to meet the interior noise level standards. Alternatively, the project applicant shall provide a design-level noise study that demonstrates the specific window and door assembly sound ratings to achieve the required interior noise threshold for each of these impacted residential units.	Incorporation into project construction documents On-site inspection Submittal of proof that interior noise threshold achieved	Prior to construction During construction Prior to issuance of building permits	Contra Costa County Department of Conservation and Development; project applicant; Professional acoustic consultant		

MM NOI-2: Implement Noise-reduction Measures During Construction To reduce potential construction noise impacts, the following multi-part mitigation measure shall be implemented for the proposed 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. • The construction contractor shall control noise from construction workers' radios to a point where they are not audible at existing residences bordering the project site. • The construction contractor shall designate a "disturbance coordinator" who would be responsible for responding to any complaints about construction noise. The disturbance coordinator will determine the cause of the noise complaint (e.g., bad muffler, etc.) and will require that reasonable measures be implemented to correct the problem. • The construction contractor shall ensure that noise-generating construction activities (including construction-related traffic, excluding interior work within the building once the building envelope is complete) at the project site	Incorporation into project construction documents On-site inspection	Prior to issuance of grading permit During construction	Contra Costa County Department of Conservation and Development; project applicant; construction contractor		
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Mitigation Measures	Method of Verification	Timing of Verification	Responsible for Verification	Verification of Completion	
				Date	Initial
and in areas adjacent to the project site are limited to the hours of 8:00 a.m. to 5:00 p.m., Monday through Friday, unless otherwise approved by the Department of Conservation and Development, Community Development Division (CDD), with no construction allowed on weekends, federal, and State holidays.					