CEQA ENVIRONMENTAL CHECKLIST FORM (REVISED JANUARY 7, 2019)

1.	**Project Title:**	Bay Point Multi-Family Residential Mixed Use Project County File #CDLP22-02029
2.	**Lead Agency Name and Address:**	Contra Costa County Department of Conservation and Development 30 Muir Rd. Martinez, CA 94553
3.	**Contact Person and Phone Number:**	Adrian Veliz, Senior Planner; (925) 655-2879
4.	**Project Location:**	2855-2867 Willow Pass Road Bay Point, CA 94565 Assessor's Parcel Numbers: 093-081-027, -028, -029
5.	**Project Sponsors' Names and Address:**	Elevated Entitlements 280 E. Thousand Oaks Boulevard, Suite H Thousand Oaks, CA 91360
6.	**General Plan Designation:**	The subject property is located within the Willow Pass Road Commercial Mixed-Use (M-5) General Plan Land Use designation.
7.	**Zoning:**	The subject property is located within the Bay Point Area Planned Unit (P-1) District

8. Description of Project: The applicant is requesting Development Plan and Land Use Permit approval for the construction of a 100% affordable multi-family apartment complex consisting of 124 units: (60) 1BR, (33) 2BR, and (31) 3BR in a stepped, three and four-story, corridor building. The project proposes an approximately 129,720 square foot building including 2,255 square feet of commercial space. Parking for the proposed residential units will meet State Density Bonus parking ratios and commercial parking will be at a minimum of 3.33 spaces per 1,000 square feet. The proposed building construction is type V-A and will be fully sprinklered. The proposed project will be using a State Density Bonus with parking reduction and incentives for F.A.R. and story increase. Also, the proposed project will be submitted under SB330.

The project also proposes to seek financing from the following sources: HOME Investment Partnerships Act (federal) American Rescue Plan Program (federal), Inclusionary In-Lieu Funds (County Funds), and other possible sources.

9. Surrounding Land Uses and Setting: The project site is located within a developed, urban area of Bay Point, in unincorporated Contra Costa County. The project site and vicinity is located within the Bay Point Planned Unit (P-1) Zoning District. Existing land uses in the vicinity primarily consists of high-density residential development to the south, southeast and southwest - with commercial and light industrial uses nearby to the north, east and west. The Delta de Anza

Regional Trail is approximately ¼ mile south of the project site, and State Highway 4 and the Bay Point BART station are approximately ½ mile south of the project site. The subject property fronts Willow Pass Road, a 4-lane arterial with existing curbs, sidewalks and storm drain improvements.

Project Site: The project is proposed at 2855 and 2867 Willow Pass Road in the Bay Point area of Contra Costa County. The total acreage of the project site is 3.2-acres, and the site encompasses three contiguous undeveloped parcels located at the southeastern corner of Willow Pass Road and Clearland Drive. The project site is generally flat with less than 5%. There are no known animal habitats or historical features.

10. Other public agencies whose approval is required (e.g., permits, financing, approval, or participation agreement:

Contra Costa County Public Works Department, Contra Costa County Department of Health Services, East Contra Costa Fire Protection District, Pacific Gas & Electric Co., California Department of Fish and Wildlife, Bay Area Air Quality Management District.

Financing: HOME Investment Partnerships Program (federal), American Rescue Plan Program (federal), Inclusionary In-Lieu Funds (County Funds), and other possible sources.

11. Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code section 21080.3.1? If so, is there a plan for consultation that includes, for example, the determination of significance of impacts to tribal cultural resources, procedures regarding confidentiality, etc.?

Notice of the proposed project was sent to Native American tribes, as applicable for consultation with Native American tribes under Public Resources Code Sections 21080.3.1. Letters were sent to the Confederated Villages of Lisjan and Wilton Rancheria on October 24, 2022, and November 9, 2022 respectively. Neither tribal groups have provided comments to the Notices sent in relation to this project, nor was any consultation requested.

Environmental Factors Potentially Affected		
The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a “Potentially Significant Impact” as indicated by the checklist on the following pages.		
☐ Aesthetics	☐ Agriculture and Forestry Resources	☒ Air Quality
☒ Biological Resources	☒ Cultural Resources	☐ Energy
☒ Geology/Soils	☐ Greenhouse Gas Emissions	☐ Hazards & Hazardous Materials
☐ Hydrology/Water Quality	☐ Land Use/Planning	☐ Mineral Resources
☒ Noise	☐ Population/Housing	☐ Public Services
☐ Recreation	☐ Transportation	☒ Tribal Cultural Resources
☐ Utilities/Services Systems	☐ Wildfire	☒ Mandatory Findings of Significance

Environmental Determination

On the basis of this initial evaluation:

☐ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

☒ I find that, although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.

☐ I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

☐ I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

☐ I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

09/20/2023

Adrian Veliz
Senior Planner
Contra Costa County
Department of Conservation & Development

Date

ENVIRONMENTAL CHECKLIST

1. ***AESTHETICS –*** *Except as provided in Public Resources Code Section 21099,* ***would the project*:**				
Environmental Issues	**Potentially Significant Impact**	**Less Than Significant With Mitigation Incorporated**	**Less Than Significant Impact**	**No Impact**
a) Have a substantial adverse effect on a scenic vista?	☐	☐	☐	☒
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	☐	☐	☒	☐
c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage points.) If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	☐	☐	☐	☒
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	☐	☐	☒	☐

SUMMARY:

a) Would the project have a substantial adverse effect on a scenic vista? ***(No Impact)***

The proposed Project is located within an area where most of the surrounding parcels are developed. General Plan Figure 9-1 identifies scenic ridges and scenic waterways in unincorporated County. Additionally General Plan Figure 5-4 identifies scenic routes in the County. The project site is not proximate to identified scenic routes, ridgelines or waterways, as identified by the General Plan. The nearest such resources include Suisun Bay (Scenic Waterway located 0.6 miles north) and State Highway 4 (Scenic Route located 0.5 miles south). Considering the generally flat topography of the subject property and the urbanized development that is characteristic of the surrounding area, the project site would not be visible from either of the nearby visual resources. Thus, the project would have no impact resulting in substantial adverse effects on scenic resources in the County.

b) Would the project substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic building within a state scenic highway? ***(Less Than Significant Impact)***

The site is not adjacent to a state scenic highway. There are no protected rock outcroppings or historic buildings on the Project site. There are no buildings or rock outcroppings on the subject property, which is largely devoid of trees and/or vegetation. The project involves the removal of one Palm tree located along the eastern boundary of the project site. Overall, the proposed Project would not substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings. Thus, the project would result in less than significant impacts to scenic resources.

c) *In non-urbanized areas, would the project substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage points.) If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?* ***(No Impact)***

The proposed project is located in the Bay Point community, which is an urbanized area of unincorporated Contra Costa County. There are no ordinances, General Plan policies, or other regulations governing scenic quality in this area of the County. The proposed Project would not substantially degrade the existing visual character of the site and its surroundings. The proposed Project is substantially consistent with the existing land uses in the immediate vicinity of the site and is not in conflict with existing zoning or with General Plan policies for the Willow Pass Road Commercial Mixed-Use Corridor in which the proposed project is located. Therefore, the project would have no impact resulting in a conflict with policies governing scenic quality.

d) *Would the project create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?* ***(Less Than Significant Impact)***

The proposed project consists of a four-story mixed-use building predominantly consisting of affordable housing with limited ground-level commercial tenant space. The building's exterior consists of lap siding with Portland cement plaster trim. The proposed building composition is typical of multi-family residential development and does not involve the use of reflective building materials that would expectedly result in a substantial source of glare. All proposed project lighting will be shielded away from surrounding uses and will be limited to walkways and security lighting. Since the proposed building footprint is oriented towards the parcel's frontages along Clearland Drive and Willow Pass Road, walkway and security lighting affixed to the building exterior would be between 77-100 feet distant from abutting residential properties to the south and east. All parking lot lighting would be oriented downward and include a shielded lamp fixture which directs light downward and prevents lateral spillover. Additionally, the proposed building design includes a semi-enclosed interior courtyard wherein the eastern and southern wings of the building will screen light from walkways and outdoor recreation areas included with the proposed project, thus limiting the extent to which light may trespass from the proposed project onto adjoining parcels. Further, the project landscaping plan proposes the installation of thirty-four deciduous and evergreen trees along the southern and eastern property lines where the project site is abutted by single-family residential development. In cumulative consideration of the above, the proposed project has been designed in a manner which minimizes the potential for light originating from the site to adversely affect day or nighttime views. Therefore, the project would have less than significant impacts in this respect.

<u>Sources of Information</u>

- Contra Costa County General Plan, 2005-2020. *Open Space Element*.
- Contra Costa County General Plan, 2005-2020. *Transportation and Circulation Element.*
- *Bella Vista Apartments*, Alliant Strategic Development (Project Plans). Received 08/25/2022.

2. ***AGRICULTURAL AND FOREST RESOURCES*** *– Would the project:*				
Environmental Issues	**Potentially Significant Impact**	**Less Than Significant With Mitigation Incorporated**	**Less Than Significant Impact**	**No Impact**
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	☐	☐	☐	☒
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	☐	☐	☐	☒
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g)?	☐	☐	☐	☒
d) Result in the loss of forest land or conversion of forest land to non-forest use?	☐	☐	☐	☒
e) Involve other changes in the existing environment, which due to their location or nature, could result in conversion of farmland, to non-agricultural use?	☐	☐	☐	☒

SUMMARY:

a) Would the project convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use? ***(No Impact)***

According to the California Department of Conservation Farmland Mapping and Monitoring Program and California Farmland Finder Web Map, the proposed Project site is classified as "urban and built-up land" and is not within an area identified as Prime Farmland, Unique Farmland, Farmland of Statewide Importance, or Farmland of Local Importance. As proposed, the Project would not convert Prime Farmland to a non-agricultural use. Therefore, no impacts would occur.

b) Would the project conflict with existing zoning for agricultural use, or a Williamson Act contract? ***(No Impact)***

The project site is not within an agricultural zoning district and is not subject to a Williamson Act contract with the County. Therefore, the project could not result in such impacts, and no further analysis is warranted.

c) Would the project conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g) or conflict with existing zoning for, or cause rezoning of, forest land (as defined

in Public Resources Code section 12220(g), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g)? ***(No Impact)***

The proposed Project would not conflict with existing zoning for, or cause rezoning of, forest land, timberland, or timberland zoned Timberland Production. The proposed Project area has never been designated as forest land or timberland because the site is within an urbanized region which does not contain forested lands. Therefore, no impacts would occur.

d) *Would the project involve or result in the loss of forest land or conversion of forest land to non-forest use?* ***(No Impact)***

The proposed Project would not result in the loss of forest land or conversion of forest land to non-forest use. The proposed Project site is within an urbanized region of the County and does not contain forest lands. There is no impact, and no further analysis is warranted.

e) *Would the project involve other changes in the existing environment, which due to their location or nature, could result in conversion of farmland, to non-agricultural use?* ***(No Impact)***

The proposed Project would not involve other changes in the existing environment, which due to their location or nature, could result in conversion of Farmland to non-agricultural use. Neither the proposed Project site, nor its surroundings contain forested lands. Therefore, there is no impact, and no further analysis is warranted.

Sources of Information

- Contra Costa County Code, Title 8, Zoning Ordinance.
- Contra Costa County General Plan 2005-2020. *Land Use Element*.
- California Department of Conservation. Accessed January 19, 2023. *California Important Farmland Finder*. *https://maps.conservation.ca.gov/DLRP/CIFF/*
- Contra Costa County Department of Conservation and Development. Accessed January 23, 2023. *2016 Agricultural Preserves Map*. http://www.co.contra-costa.ca.us/DocumentCenter/View/882/Map-of-Properties-Under-Contract?bidId=

3. ***AIR QUALITY – Would the project:***				
Environmental Issues	**Potentially Significant Impact**	**Less Than Significant With Mitigation Incorporated**	**Less Than Significant Impact**	**No Impact**
a) Conflict with or obstruct implementation of the applicable air quality plan?	☐	☐	☒	☐
b) 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?	☐	☒	☐	☐
c) Expose sensitive receptors to substantial pollutant concentrations?	☐	☒	☐	☐
d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	☐	☐	☒	☐

SUMMARY:

a) *Would the project conflict with or obstruct implementation of the applicable air quality plan?* ***(Less Than Significant Impact)***

The primary way of determining consistency with the air quality management plan's (AQMP's) assumptions is determining consistency with the applicable General Plan to ensure that the Project's population density and land use are consistent with the growth assumptions used in the APMP's for the air basin. As required by California law, city and county General Plans contain a Land Use Element that details the types and quantities of land uses that the city or county estimates will be needed for future growth, and that designate locations for land uses to regulate growth. Existing and future pollutant emissions computed in the AQMP are based on land uses from area general plans. AQMPs detail the control measures and emission reductions required for reaching attainment of the air standards. The applicable General Plan for the Project is the County's current General Plan. The Project is consistent with the currently adopted General Plan for the County as well as the County's Climate Action Plan and is therefore consistent with the population growth and Vehicle Miles Traveled (VMT) applied in the plan. Therefore, the Project is consistent with the growth assumptions used in the applicable AQMPs. As a result, the Project will not conflict with or obstruct implementation of any air quality plans.

b) Would the project 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? ***(Less Than Significant Impact)***

Construction of the project would result in emissions of ozone precursors including reactive organic gasses (ROG), nitrous oxides (NOx), and fugitive dust emissions (PM10). During operation, the proposed Project would result in emissions of ozone precursors associated with mobile source emissions and other stationary sources. Inconsistency with any of the plans would be considered a cumulatively adverse air quality impact. As discussed above, the Project is consistent with the currently adopted General Plan for the County and is therefore consistent with the population growth and VMT applied in the plan. Project specific emissions that exceed the

thresholds of significance for criteria pollutants would be expected to result in a cumulatively considerable net increase of any criteria pollutant for which the County is in non-attainment under applicable federal or state ambient air quality standards. As shown in Table 1 and Table 2 below, results of the analysis show that emissions generated from construction and operation of the Project will be less than the applicable air district emission thresholds for criteria pollutants. It should be noted that a project is not characterized as cumulatively insignificant when project emissions fall below thresholds of significance. The 2022 BAAQMD further specifies that project's that are consistent with an adopted local GHG reduction strategy that meets the criteria under State CEQA Guidelines Section 18183.5(b) would be consistent with the State's long term climate goals. The County's 2015 Climate Action plan meets the criteria under CEQA guidelines Section 18183.5(b) and includes several guidelines for reducing GHG generation in Contra Costa County. The project is subject to County ordinances requiring all electric (no natural gas) energy sources, Title 24 energy efficiency standards, the provision of electric vehicle charging receptacles, and the installation of solar panels on the residential development, all of which are included as GHG reduction strategies within the County's 2015 Climate Action Plan. Therefore, based on the above, the project will result in less than significant impacts in this respect and no mitigation is required.

Table 1

Project Construction Emissions (tons/year)

Summary Report	**CO**	**NOx**	**ROG**	**SOx**	**PM10**	**PM2.5**	**CO2e**
Maximum Project Construction Emissions	1.61	1.29	1.10	3.31e-003	0.27	0.15	296.35
Threshold	-	10	10	-	15	10	See below
Exceed Threshold?	No	No	No	No	No	No	No

Table 2

Project Operational Emissions (tons/year)

Summary Report	**CO**	**NOx**	**ROG**	**SOx**	**PM10**	**PM2.5**	**CO2e**
Project Operational Emissions	4.07	0.39	1.24	6.70e-003	0.66	0.23	689.84
Threshold	-	10	10	-	15	10	See below
Exceed Threshold?	No	No	No	No	No	No	No

c) *Would the project expose sensitive receptors to substantial pollutant concentrations?* ***(Less Than Significant Impact)***

Sensitive receptors refer to those segments of the population most susceptible to poor air quality (i.e., children, the elderly, and those with pre-existing serious health problems affected by air quality). Land uses that have the greatest potential to attract these types of sensitive receptors include schools, parks, playgrounds, daycare centers, nursing homes, hospitals, and residential

communities. Although the project site is adjacent to residential uses, the fact that no BAAQMD criteria pollutant thresholds or GHG emissions thresholds would be exceeded as a result of either project construction or operations ensures this impact is less than significant and no mitigation is required.

d) *Would the project result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?* ***(Less Than Significant Impact)***

CEQA requires that an analysis of potential odor impacts be conducted for the following two situations: Generators – projects that would potentially generate odorous emissions proposed to be located near existing sensitive receptors or other land uses where people may congregate, and Receivers – residential or other sensitive receptor projects or other projects built for the intent of attracting people located near existing odor sources.

The intensity of an odor source's operations and its proximity to sensitive receptors influences the potential significance of odor emissions. Air districts throughout the state have identified some common types of facilities that have been known to produce odors. The types of facilities that are known to produce odors are typically associated with heavy industry or agriculture. The Project will not generate odorous emissions given the predominantly residential nature of the Project. Therefore, the project would have less than significant impact in this regard and no mitigation is required.

Sources of Information

- Bay Area Air Quality Management District. 2017. *Bay Area 2017 Clean Air Plan.*
- Bay Area Air Quality Management District. 2022 *BAAQMD CEQA Guidelines.*
- Wolf Environmental, Inc, April 20, 2022 - *Air Quality and Greenhouse Gas Assessment*
- California Emissions Estimator Model (CalEEMod: Version 2020.4.0)
- *Bella Vista Apartments*, Alliant Strategic Development (Project Plans). Received 08/25/2022.
- Contra Costa County Geographical Information System (GIS)
- Contra Costa County General Plan 2005-2020 Land Use Element
- Contra Costa County Climate Action Plan

4. *BIOLOGICAL RESOURCES – Would the project:*				
Environmental Issues	**Potentially Significant Impact**	**Less Than Significant With Mitigation Incorporated**	**Less Than Significant Impact**	**No Impact**
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	☐	☒	☐	☐

b) 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 Game or U.S. Fish and Wildlife Service?	☐	☐	☐	☒
c) 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?	☐	☐	☐	☒
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of wildlife nursery sites?	☐	☐	☒	☐
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☐	☒	☐
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	☐	☐	☐	☒

SUMMARY:

a) *Would the project have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?* ***(Less Than Significant With Mitigation)***

Live Oak Associates (LOA) prepared the Biological Resource Assessment for the Project site and found that the Project site includes an overwhelming dominance of non-native plant species, and intermittent disturbances such as community carnivals, mowing, and parking within the site. Therefore, impacts to special status plants from Project buildout is considered to have a less-than-significant impact on sensitive plants and species. Twenty-five (25) special status animal species that occur, or once occurred, regionally were evaluated by LOA. Of these, twenty (20) species are absent or unlikely to occur on the site due to a lack of suitable habitat and/or connectivity to known habitat for these species or because the site occurs outside of the known range of these species.

The Swainson's hawk, white-tailed kite, northern harrier, western red bat, and California least tern have the potential to forage onsite. While they could occur, the habitat of the site is of a low value for these species, given the urban setting, isolation from higher quality habitat, and site disturbances. Therefore, the loss of habitat during Project buildout would not result in a significant impact to these five species. Also, Project buildout would not impact any individuals of these species, as each would be expected to safely relocate from the site at the onset of site disturbances, were they to occur onsite at that time. Site buildout is expected to result in a less-than-significant loss of habitat for special status animal species due to the vast areas in the region with equivalent or superior habitat available for these species and the low habitat values present within the site.

The burrowing owl, which is currently considered absent from the site based on the March 2022 survey, is known to occur within 0.4 miles of the site and it is a volant animal that can colonize the site in the future. If a burrowing owl were to over-winter or establish a breeding burrow within the site prior to project ground disturbances, project ground disturbances such as initial grading or vegetation grubbing could directly impact burrowing owls, which would be considered a significant impact. Implementation of Mitigation Measure **BIO-1** would ensure that potential burrowing owls are not impacted during project buildout.

In addition, the site and immediate site vicinity provide potentially suitable nesting habitat for several bird species that occur regionally. Gravel-covered and grassland areas provide habitat for ground nesting species like the killdeer (Charadrius vociferus). The one palm on the Project site, may support a number of other nesting species such as the mourning dove (Zenaida macroura), house finch (Haemorhous mexicanus), and/or black phoebe (Sayornis nigricans). Build-out of the project during the nesting period for migratory birds (i.e., typically between February 1 to August 31), including initial site grading, soil excavation, and/or tree and vegetation pruning or removal poses a potential risk to any nesting birds within or near the site in the form of nest abandonment and mortality of any eggs or young that may be present within the nest. Such an effect would be considered a significant impact. To ensure that any active nests will not be disturbed, and individual birds will not be harmed by construction activities, Mitigation Measure **BIO-2** shall be implemented.

Based on the above, the implementation of the following mitigations ensures that the project will have less than significant impacts on candidate, sensitive, or special status species occurring on or near the project site.

Potential Impact (Burrowing Owl) BIO-1: *The proposed project's construction activities could result in the destruction or abandonment of nests or wintering refugia of burrowing owl.*

Mitigation Measure BIO-1 **- Pre-construction Burrowing Owl Survey**: Prior to the onset of project ground disturbances, including grading, vegetation removal, and/or mobilization of equipment, a qualified biologist shall conduct a pair of pre-construction surveys for burrowing owls within the site and within any potentially suitable location within 250 feet of the site where access is feasible. The first survey shall occur approximately 14 days prior to project initiation, and the second survey shall occur within approximately 48 hours of the start of project activities. If the site and immediate site vicinity are determined by the certified biologist to have no potentially suitable habitat for burrowing owls (i.e., suitable burrows or suitable debris piles that burrowing owls could use for habitat) during the first survey, then no follow-up survey shall be required. If the Project does not commence within 30 days following this survey, a repeat survey shall be needed to ensure site conditions have not changed with regard to burrowing owl habitat.

If burrowing owls are identified utilizing burrows within or near the site, a 250-foot buffer shall be established around the active burrows and the burrows shall be periodically monitored by the qualified biologist. No construction activities, including entrance by project personnel, can occur within the buffer until the biologist has confirmed that the burrows are no longer occupied. Once the biologist has confirmed that the burrowing owls have safely self-relocated (including that

young of the nest—if any—have fledged), the buffer can be removed, and planned project activities within the buffer can commence.

Potential Impact (Migratory Bird Nests) BIO-2*: Development activities occurring during the nesting period for migratory birds, including site grading, soil excavation, and/or tree removal and vegetation pruning/removal poses a potential risk to nesting birds:*

Mitigation Measure BIO-2*:* Pre-construction for Migratory Bird Nests: If initial site disturbance activities, including tree removal, grading, and mobilization of project equipment and materials, are to commence during the breeding season (February 1 to August 31), a certified biologist shall conduct pre-construction surveys for nesting migratory birds onsite and within 250 feet of the construction footprint, including laydown areas and ingress and egress, where accessible. The survey shall occur within 14 days of the onset of ground disturbances if such disturbances are to commence during the nesting bird season. If site impacts will be phased such that impacts to some areas will occur more than 14 days after impacts to other areas, additional surveys shall be conducted such that all areas of the site are surveyed within 14 days of the direct implementation of impacts within those areas.

If an active bird nest is detected during these surveys, an appropriate construction-free buffer shall be established. Actual size of the buffer, which will be determined by the project biologist, would depend on the nesting species, topographical relationship of the nest to the project disturbance area, and the type of activity that would occur in the vicinity of the nest. The buffer shall be monitored periodically by the biologist to ensure compliance, and the buffer shall not be removed until the biologist has confirmed that nesting is complete and young of the nest have fledged.

b) Would the project 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 Game or U.S. Fish and Wildlife Service? ***(No Impact)***

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, regulations or by the California Department of Fish and Game or United States Fish and Wildlife Service because no such habitat has been identified or is known to exist on the Project site. According to General Plan figure 8-1, neither the project site nor the surrounding area are identified as areas of ecological significance within Contra Costa County. There are no defined watercourses on the site. Therefore, no impacts would occur.

c) Would the project 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? ***(No Impact)***

The Project would not have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means, because the proposed project is not within an identified protected wetland. There are no defined watercourses on the site. Therefore, no impacts would occur.

d) Would the project 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? ***(Less Than Significant Impact)***

The Project site is isolated from natural habitats for most species, and it does not provide a connection between any two open space areas. It does not contain or adjoin any established wildlife movement corridors, or any features that would support regular and predictable wildlife movement. The Project will not substantially interfere with wildlife movement. Therefore, the Project will have a less-than-significant impact on the movement of native wildlife.

e) Would the project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? ***(Less Than Significant Impact)***

The site contains a single Mexican fan palm that is approximately 16 inches in diameter (i.e., DBH), which is proposed for removal. Although the tree is considered code protected by the County Tree Ordinance (Section 816-6.6), this species is a non-native tree that appears to have colonized the site as a seed from a tree occurring on an adjacent property to the south. Mexican fan palms are invasive plants with low value to native wildlife. This one tree does not constitute an important regional tree resource. Considering the marginal retention value of this tree and the fact that the project landscaping plans include planting approximately 92 trees on the property, the impacts of tree removal would be less than significant.

f) Would the project conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan? ***(No Impact)***

The Project would 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, because no such plan has been adopted in the area of the Project site. Therefore, no impacts would occur.

Sources of Information

- California Department of Fish and Wildlife. Accessed January 24, 2023. CDFW Lands Viewer (ca.gov).
- *Bay Point Affordable Multi-Family Project Biological Evaluation*, by Live Oak Associates, Inc., Dated April 8, 2022.
- County Ordinance Code (Title 8)
- Contra Costa County General Plan 2005-2020. *Conservation Element*.
- *Bella Vista Apartments*, Alliant Strategic Development (Project Plans). Received 08/25/2022.

5. ***CULTURAL RESOURCES – Would the project:***				
Environmental Issues	**Potentially Significant Impact**	**Less Than Significant With Mitigation Incorporated**	**Less Than Significant Impact**	**No Impact**
a) Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?	☐	☒	☐	☐
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	☐	☒	☐	☐
c) Disturb any human remains, including those interred outside of formal cemeteries?	☐	☒	☐	☐

SUMMARY:

a) Would the project cause a substantial adverse change in the significance of a historical resource pursuant to California Environmental Quality Act Guidelines Section 15064.5? ***(Less Than Significant With Mitigation)***

The proposed project has been forwarded to the California Historical Resources Information System (CHRIS) to determine whether any previously recorded cultural resources exist within the project area. In the scope of that review, no historical resources were identified on the project site. While unlikely given the results of the CHRIS research, subsurface construction activities always have the potential to damage or destroy previously undiscovered historic and prehistoric resources. Historic resources can include wood, stone, foundations, and other structural remains; debris-filled wells or privies; and deposits of wood, glass, ceramics, and other refuse. If during project construction, subsurface construction activities damaged previously undiscovered historic and prehistoric resources, there could be a potentially significant impact. The following mitigation measure would reduce the potentially significant impact to a less than significant level.

Potential Impact CUL-1: Subsurface construction activities could potentially damage or destroy previously undiscovered historic and prehistoric resources.

Mitigation Measure CUL-1*: The following Mitigation Measures shall be implemented during project related ground disturbance, and shall be included on all construction plans:*

i. All construction personnel, including operators of equipment involved in grading, or trenching activities will be advised of the need to immediately stop work if they observe any indications of the presence of an unanticipated cultural resource discovery (e.g. wood, stone, foundations, and other structural remains; debris-filled wells or privies; deposits of wood, glass, ceramics). If deposits of prehistoric or historical archaeological materials are encountered during ground disturbance activities, all work within 50 feet of the discovery shall be redirected and a qualified archaeologist, certified by the Society for California Archaeology (SCA) and/or the Society of Professional Archaeology (SOPA), shall be contacted to evaluate the finds and, if necessary, develop appropriate treatment measures in

consultation with the County and other appropriate agencies. If the cultural resource is also a tribal cultural resource (TCR) the representative (or consulting) tribe(s) will also require notification and opportunity to consult on the findings.

If the deposits are not eligible, avoidance is not necessary. If eligible, deposits will need to be avoided by impacts or such impacts must be mitigated. Upon completion of the archaeological assessment, a report should be prepared documenting the methods, results, and recommendations. The report should be submitted to the Northwest Information Center and appropriate Contra Costa County agencies.

ii. Should human remains be uncovered during grading, trenching, or other on-site excavation(s), earthwork within 30 yards of these materials shall be stopped until the County coroner has had an opportunity to evaluate the significance of the human remains and determine the proper treatment and disposition of the remains. Pursuant to California Health and Safety Code Section 7050.5, if the coroner determines the remains may those of a Native American, the coroner is responsible for contacting the Native American Heritage Commission (NAHC) by telephone within 24 hours. Pursuant to California Public Resources Code Section 5097.98, the NAHC will then determine a Most Likely Descendant (MLD) tribe and contact them. The MLD tribe has 48 hours from the time they are given access to the site to make recommendations to the land owner for treatment and disposition of the ancestor's remains. The land owner shall follow the requirements of Public Resources Code Section 5097.98 for the remains.

b) Would the project cause a substantial adverse change in the significance of an archaeological resource pursuant to California Environmental Quality Act Guidelines Section 15064.5? ***(Less Than Significant With Mitigation)***

No Native American archaeological resources were identified in the above-mentioned study. No historic era resources were identified during the site survey, and historic research did not uncover any evidence of historic resources. As stated previously, the project site does not appear to host any historical resources. However, subsurface construction activities always have the potential to damage or destroy previously undiscovered historic and prehistoric resources. In keeping with the CEQA guidelines, if archaeological remains are uncovered, work at the place of discovery should be halted immediately until a qualified archaeologist can evaluate the finds. If during project construction, subsurface construction activities damaged previously undiscovered historic and prehistoric resources, there could be a potentially significant impact. Mitigation Measure *CUL-1* would reduce the potentially significant impact to a less than significant level.

Potential Impact CUL-1: *Surface construction activities could potentially damage or destroy previously undiscovered archeological resources.*

Mitigation Measure CUL-1: *Implementation of mitigations measure* ***CUL- 1*** *would reduce the impact on previously undiscovered archeological resources to a less than significant level.*

c) Would the project disturb any human remains, including those interred outside of formal cemeteries? ***(Less Than Significant Impact With Mitigation)***

There is always a possibility that buried archaeological deposits could be found during construction and earth disturbing activities. In the event that cultural resources are encountered during construction activities, all work must stop, and a qualified archaeologist shall be contacted immediately. Further, if human remains are encountered during construction, State Health and Safety Code Section 7050.5 requires that no further work shall continue at the location of the find until the County Coroner has made all the necessary findings as to the origin and distribution of such remains pursuant to Public Code Resources Code Section 5097.98. Compliance with mitigation measure CUL-1 described below, and monitoring recommendations would reduce impacts to the inadvertent discovery of human remains to less than significant.

Potential Impact CUL-1: *Surface construction activities could potentially damage or destroy previously undiscovered human remains.*

Mitigation Measure CUL-1: *Implementation of mitigations measure* ***CUL-1*** *would reduce the impact on previously undiscovered human remains to a less than significant level.*

Sources of Information

- Contra Costa County General Plan 2005-2020. *Open Space Element*.
- California Historical Resources Information System (CHRIS) project comments dated June 2, 2022.

6. *ENERGY – Would the project:*				
Environmental Issues	**Potentially Significant Impact**	**Less Than Significant With Mitigation Incorporated**	**Less Than Significant Impact**	**No Impact**
a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	☐	☐	☒	☐
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	☐	☐	☒	☐

SUMMARY*:*

a) Would the project result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation? ***(Less than Significant Impact)***

The proposed Project would be conditioned to comply with Greenhouse Gas (GHG) operational standards during temporary construction. Adherence would ensure that there would not be a significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during Project construction or operation. Therefore, impacts would be less than significant.

b) *Would the project conflict with or obstruct a state or local plan for renewable energy or energy efficiency?* ***(Less Than Significant Impact)***

The Contra Costa County Climate Action Plan (CAP) includes a number of Green House Gas (GHG) emission reduction strategies. The strategies include measures such as implementing standards for green buildings and energy-efficient buildings, reducing parking requirements, and reducing waste disposal. The project would be required to meet Title 24 Energy Efficiency Requirements applicable at the time when building permits are submitted to develop the proposed project. The project would not conflict with the policies outlined in the CAP. The project is subject to County ordinances requiring all electric (no natural gas) energy sources, Title 24 energy efficiency standards, the provision of electric vehicle charging receptacles, and the installation of solar panels on the residential development, which promote energy efficiency and the use of alternative energy for new development. Thus, the project would not conflict with the CAP and would not be considered to have a significant impact in this respect.

Sources of Information

- Contra Costa County, 2015. *Climate Action Plan*.

7. *GEOLOGY AND SOILS – Would the project:*				
Environmental Issues	**Potentially Significant Impact**	**Less Than Significant With Mitigation Incorporated**	**Less Than Significant Impact**	**No Impact**
a) 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?	☐	☐	☒	☐
ii) Strong seismic ground shaking?	☐	☐	☒	☐
iii) Seismic-related ground failure, including liquefaction?	☐	☐	☒	☐
iv) Landslides?	☐	☐	☐	☒
b) Result in substantial soil erosion or the loss of topsoil?	☐	☒	☐	☐
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	☐	☐	☒	☐
d) 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?	☐	☐	☒	☐

e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	☐	☐	☒	☐
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	☒	☐	☐

SUMMARY:

a) Would the project 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? ***(Less Than Significant Impact)***

The subject site is not located within a State of California Alquist Priolo Earthquake Fault Zone. The subject site will likely experience strong seismic shaking during the design life of the proposed Project. A fault trench investigation will be performed prior to any habitable structures being constructed on the subject property to mitigate any impacts from future fault ruptures. Therefore, less than significant impacts would occur.

ii) Strong seismic ground shaking? ***(Less Than Significant Impact)***

The site has been subjected to past ground shaking by faults that traverse through the region. Strong seismic shaking from nearby active faults is expected to produce strong seismic shaking during the design life of the proposed Project. The site modified peak ground acceleration is estimated to be 0.77g. Adherence to California Building Code Seismic Design Standards, Chapter 16: Structural Design would help to assure a less than significant impact.

iii) Seismic-related ground failure, including liquefaction? ***(Less Than Significant Impact)***

The Project site is not located in an area of high liquefaction susceptibility according to the Honker Bay Quadrangle Map from the United States Georgical Services (USGS) Map. However, adherence to California Building Code Seismic Design Standards, Chapter 16: *Structural Design* would further assure a less than significant impact due to liquefaction. Therefore, less than significant impacts would occur.

iv) Landslides? ***(No Impact)***

The Project site is in a generally level area and is not within close proximity to hillsides, foothills or mountains that could have the potential to slide during a ground disturbing event such as an earthquake. According to the USGS. Landslide Susceptibility Web Map, the subject site does not fall within a low to high-risk landslide area. Therefore, no impact would occur.

b) *Would the project result in substantial soil erosion or the loss of topsoil?* ***(Less Than Significant With Mitigation)***

No signs of flooding or erosion occur on the Project site. A Preliminary Stormwater Control Plan (SWCP) prepared for the project indicates storm drain improvements for this development would collect stormwater and convey it to existing drainage infrastructure within the Willow Pass Road right-of-way. Engineering Services Division staff with the County Department of Public Works have indicated that the project site lies partially within the Formed Watershed Drainage Area (DA) 48B and partially within the Formed Watershed Drainage Area (DA) 48D. County Engineering Services Division staff have further advised that downstream facilities within DA 48B are currently not adequate. For this downstream inadequacy, the applicant has proposed mitigation measure **HYRDRO-1**, a drainage plan to match post-construction flow rates and pre-construction flow rates through the use of an on-site stormwater detention system installed under the project parking lot. Through this effort, the project would have less than significant impacts on the downstream system that could otherwise lead to erosion or flooding downstream. Therefore, with mitigation incorporated, less than significant impacts would occur.

Potential Impact HYDRO-1: *The project would increase stormwater outfall into existing inadequate downstream drainage infrastructure, which could result in flooding, substantial erosion, or polluted runoff.*

Mitigation Measure HYDRO-1: *The implementation of a drainage plan to match post-construction flow rates with pre-construction flow rates through the use of an on-site stormwater detention system will ensure that the project does not increase the volume of stormwater outfall from the project into existing storm drainage infrastructure relative to present conditions.*

c) *Would the project be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?* ***(Less Than Significant Impact)***

The proposed Project is not identified as being located on a geologic unit or soil that has been identified as being unstable or having the potential to result in landslide, lateral spreading, subsidence, liquefaction, or collapse based on the Project location. Therefore, impacts would be less than significant.

d) *Would the project 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?* ***(Less Than Significant Impact)***

The Project site is not located in an area that has been identified by the County Building and Safety Geologist as having the potential for expansive soils as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property. Therefore, impacts would be less than significant.

e) *Would the project 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?* ***(Less Than Significant Impact)***

The Project will utilize existing sewer and sanitation infrastructure along the public right of way within the County of Contra Costa. The Project would not implement septic tanks onsite. Therefore, impacts would be less than significant.

f) *Would the project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?* ***(Less Than Significant Impact With Mitigation)***

Similar to archaeological resources, there is a possibility that previously undiscovered buried fossils and other paleontological resources could be present and accidental discovery could occur. If during project construction, subsurface construction activities damaged previously undiscovered historic and prehistoric resources, there could be a potentially significant impact. Mitigation Measure *Cultural Resources 1* would reduce the potentially significant impact to a less than significant level. No unique geologic features exist on the site. Thus, a less than significant impact would be expected with the included mitigations.

Potential Impact CUL-1: *There is a possibility that buried fossils and other paleontological resources could be present and accidental discovery could occur.*

Mitigation Measure CUL-1: *Implementation of mitigations measure CUL- 1 would reduce the impact on previously undiscovered paleontological resources to a less than significant level.*

Sources of Information

- California Department of Conservation. *EQ Zapp: California Earthquake Hazards Zone Application.* Accessed January 17, 2023.
- Contra Costa County General Plan, 2005-2020. *Safety Element.*
- Contra Costa County Geographic Information System (GIS)

8. *GREENHOUSE GAS EMISSIONS – Would the project:*				
Environmental Issues	**Potentially Significant Impact**	**Less Than Significant With Mitigation Incorporated**	**Less Than Significant Impact**	**No Impact**
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	☐	☐	☒	☐
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	☐	☐	☐	☒

SUMMARY:

a) Would the project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment? ***(Less Than Significant Impact)***

The Proposed Project would directly generate limited amounts of GHGs during short-term construction activities. Wolf Environmental, Inc. prepared an air quality and greenhouse gas assessment for the project wherein it is estimated that the operation of the Proposed Project would result in GHG emissions from area, energy, and mobile sources. GHG emissions from the Proposed Project are presented in Table 1. The BAAQMD 2022 CEQA Guidelines thresholds of significance of 1,100 MT CO2e was based on AB 32 and California Climate Change Scoping Plan reduction targets. The Project is below this threshold and would comply with the County's Climate Action Plan. There would be no increase in severity to greenhouse gas impacts, and implementation of the Project will not result in Project-specific or site-specific significant adverse impacts from greenhouse gas emissions within the Project study area. Therefore, no mitigation measures are needed.

Table 1
Project Operational Greenhouse Gas Emissions

Summary	CO2e
Project Operational Emissions Per Year (plus amortized construction emissions)	709.60 MT/yr.

b) Would the project conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases? ***(Less Than Significant Impact)***

California passed the California Global Warming Solutions Act of 2006. AB 32 requires that statewide GHG emissions be reduced to 1990 levels by 2020. Under AB 32, CARB must adopt regulations by January 1, 2011, to achieve reductions in GHGs to meet the 1990 emission cap by 2020. On December 11, 2008, the California Air Resource Board (CARB) adopted its initial Scoping Plan, which functions as a roadmap of CARB's plans to achieve GHG reductions in California required by AB 32 through subsequently enacted regulations. CARB's 2017 Climate Change Scoping Plan builds on the efforts and plans encompassed in the initial Scoping Plan. SB 375 requires Metropolitan Planning Organizations (MPOs) to adopt a Sustainable Community

Strategy (SCS) or Alternative Planning Strategy (APS) that will prescribe land use allocation in that MPO's regional transportation plan. CARB, in consultation with MPOs, has provided each affected region with reduction targets for GHGs emitted by passenger cars and light trucks in the region for the years 2020 and 2035.

As required by California law, city and county General Plans contain a Land Use Element that details the types and quantities of land uses that the city or county estimates will be needed for future growth, and that designate locations for land uses to regulate growth. The Project is consistent with the currently adopted General Plan for the County and with GHG reduction measures specified within the 2015 Contra Costa County Climate Action Plan and is therefore consistent with the population growth and VMT applied in those plan documents. Therefore, the Project is consistent with the growth assumptions used in the applicable AQP.

Sources of Information

- Bay Area Air Quality Management District, 2017. *Bay Area 2017 Clean Air Plan.*
- Bay Area Air Quality Management District, 2017. *Air Quality Guidelines.*
- Contra Costa County Code, *Title 8. Zoning Ordinance*.
- Contra Costa County, 2015. *Climate Action Plan.*
- Wolf Environmental, Inc, April 20, 2022 - *Air Quality and Greenhouse Gas Assessment*

9. HAZARDS AND HAZARDOUS MATERIALS – *Would the project:*				
Environmental Issues	**Potentially Significant Impact**	**Less Than Significant With Mitigation Incorporated**	**Less Than Significant Impact**	**No Impact**
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	☐	☐	☒
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	☐	☐	☒	☐
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☐	☒	☐
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would create a significant hazard to the public or the environment?	☐	☐	☐	☒
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?	☐	☐	☐	☒

f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☐	☐	☒
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?	☐	☐	☐	☒

SUMMARY:

a) Would the project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials? ***(No Impact)***

The proposed Project would not store or release any hazardous materials onsite. Therefore, no impacts would occur.

b) Would the project 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? ***(Less Than Significant Impact)***

The proposed Project would not store or release any hazardous materials onsite. The use and storage of all hazardous materials is subject to permit and inspection by the Hazardous Materials Division of the County Fire Department. Therefore, less than significant impacts would occur.

c) Would the project emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school? ***(Less Than Significant Impact)***

Emissions and handling of hazardous or acutely hazardous materials, or substances, would have a less than significant impact on any existing or proposed schools that are within a quarter mile from the Project site. The nearest school, Bel-Air Elementary, is located to the southeast and is roughly one half mile distant from the project site. Therefore, less than significant impact would occur.

d) Would the project be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment? ***(No Impact)***

The Project site is not included on the Contra Costa County list of hazardous materials sites compiled pursuant to Government Code 65962.5. Therefore, the Project would not create a significant hazard to the public or environment.

e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area? ***(No Impact)***

The Project site is located approximately 8-miles north of the Buchanan Field Airport and is not located within an Airport Land Use Plan or within two miles of a public use airport. Therefore,

the proposed Project would not result in a safety hazard for people residing or working in the Project area. As a result, no impacts would occur.

f) *Would the project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?* ***(No Impact)***

The Project would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan, because the Project has adequate access from two or more directions. Therefore, no impacts would occur.

g) *Would the project expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?* ***(No Impact)***

The Project site is within an urbanized area and does not fall within a Contra Costa County fire hazard area. The Project would not expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires. Therefore, no impacts would occur.

Sources of Information

- California Department of Forestry and Fire Protection (CalFire). 2009. *Contra Costa County SRA Map, Very High Fire Hazard Severity Zones in Contra Costa County LRA Map.*
- Contra Costa County, 2000. *Contra Costa County Airport Land Use Compatibility Plan.*
- Contra Costa County General Plan, 2005-2020. *Transportation and Circulation Element.*
- *Contra Costa County Geographic Information System (GIS)*
- *Bella Vista Apartments*, Alliant Strategic Development (Project Plans). Received 08/25/2022.

10. *HYDROLOGY AND WATER QUALITY – Would the project:*				
Environmental Issues	**Potentially Significant Impact**	**Less Than Significant With Mitigation Incorporated**	**Less Than Significant Impact**	**No Impact**
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	☐	☒	☐	☐
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	☐	☒	☐	☐
c) Substantially alter the existing drainage pattern of 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?	☐	☒	☐	☐
iv) Impede or redirect flood flows?	☐	☒	☐	☐
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	☐	☒	☐	☐
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	☐	☒	☐	☐

SUMMARY:

a-e) Division 914 of the County Ordinance Code requires that all storm water entering and/or originating on the project site be collected and conveyed, without diversion and within an adequate storm drainage system, to an adequate natural watercourse having a definable bed and banks or to an existing adequate public storm drainage system which conveys the storm water to an adequate natural watercourse. A preliminary stormwater control plan (SWCP) prepared for the project indicates storm drainage improvements for this development would collect stormwater and convey it to existing drainage infrastructure within the Willow Pass Road right-of-way. Engineering Services Division staff with the County Department of Public Works have indicated that the project site lies partially within the Formed Watershed Drainage Area (DA) 48B and partially within the Formed Watershed Drainage Area (DA) 48D. County Engineering Services Division staff have further advised that downstream facilities within DA 48B are currently not adequate. For this downstream inadequacy, the applicant has proposed mitigation measure **HYRDRO-1**, a drainage plan to match post-construction flow rates and pre-construction flow rates through the use of an on-site stormwater detention system installed under the project parking lot. Through this effort, the project would have less than significant impacts on the downstream system that could otherwise lead to erosion or flooding downstream.

Based on comments received from County Engineering Services Division staff indicating no opposition to the granting of an exception to collect and convey requirements provided that the applicant verifies adequacy of the proposed mitigation. Accordingly, if approved, the developer will be required to submit a drainage report with hydrology and hydraulic calculations, prior to the issuance of a grading permit, to verify the adequacy of the proposed mitigation.

In the event the on-site stormwater detention system is not sufficient to mitigate downstream flows, mitigation measure **HYDRO-2** will be implemented. The applicant shall be required to improve the downstream DA 48B to accept project post-construction flows. The applicant shall be responsible for all costs related to the construction and/or right-of-way acquisition related to any improvements to any necessary improvements to make the system adequate.

In complying with California Regional Water Quality Board C.3 requirements for stormwater design elements, the preparation of a final SWCP and requisite review by County staff ensures

that the project will regulate surface runoff in a manner that prevents erosion, siltation and on- or off-site flooding. The proposed project is not located within a floodplain or special flood hazard area, and thus will not impede or redirect flood flows in the area. Therefore, the potential for the proposed project significantly altering existing drainage patterns in a manner than would result in substantial erosion, polluted runoff, or flooding is less than significant with the implementation of the following mitigation measures:

Potential Impact HYDRO-1: *The project would increase stormwater outfall into existing inadequate downstream drainage infrastructure, which could result in flooding, substantial erosion, or polluted runoff.*

Mitigation Measure HYDRO-1: *The implementation of a drainage plan to match post-construction flow rates with pre-construction flow rates through the use of an on-site stormwater detention system will ensure that the project does not increase the volume of stormwater outfall from the project into existing storm drainage infrastructure relative to present conditions. Prior to the issuance of a building or grading permit (whichever occurs first), the applicant shall submit a final drainage plan with hydrology and hydraulic calculations for the review and approval of the County Department of Public Works, Engineering Services Division.*

Potential Impact HYDRO-2: *The project, including on-site detention described in* ***HYDRO-1****, may increase stormwater outfall into existing inadequate downstream drainage infrastructure, which could result in flooding, substantial erosion, or polluted runoff.*

Mitigation Measure HYDRO-2: *In the event that the on-site stormwater detention system described in Mitigation Measure* ***HYDRO-1*** *does not sufficiently mitigate downstream flows, the applicant shall be required to improve the downstream DA 48B to accept post construction flows. Prior to the issuance of a building or grading permit (whichever occurs first), the applicant shall submit a final drainage plan with hydrology and hydraulic calculations for the review and approval of the County Department of Public Works, Engineering Services Division.*

Sources of Information

- Contra Costa County Ordinance Code
- Contra Costa County Geographical Information System
- *Preliminary Storm Water Control Plan* (SWCP), by KPFF Consulting Engineers, May 3, 2022
- *Bella Vista Apartments*, Alliant Strategic Development (Project Plans). Received 08/25/2022.

11. *LAND USE AND PLANNING – Would the project:*				
Environmental Issues	**Potentially Significant Impact**	**Less Than Significant With Mitigation Incorporated**	**Less Than Significant Impact**	**No Impact**
a) Physically divide an established community?	☐	☐	☐	☒

b) 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?	☐	☐	☐	☒

SUMMARY:

a) Would the project physically divide an established community? ***(No Impact)***

The proposed Project would not physically divide an established community, because the Project site is vacant and there is no displacement of units. In fact, the proposed Project will provide 100% affordable housing and will help create a sense of community in the Bay Point area. Additionally, the development is consistent and compatible with residential development abutting the project site to the south, east and west, as well as with development guidelines for the Willow Pass mixed use corridor in which the project is located. Therefore, no such impacts would occur.

b) Would the project 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? ***(No Impact)***

The Project would not conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the Project adopted for the purpose of avoiding or mitigating an environmental effect because the Project is consistent with all applicable land use policies and regulations of the County Ordinance Code, and General Plan. Therefore, no impacts would occur.

Sources of Information

- Contra Costa County Code, Title 8, Zoning Ordinance.
- *Bella Vista Apartments*, Alliant Strategic Development (Project Plans). Received 08/25/2022.
- Contra Costa County General Plan 2005-2020. *Land Use Element*.

12. *MINERAL RESOURCES – Would the project:*				
Environmental Issues	**Potentially Significant Impact**	**Less Than Significant With Mitigation Incorporated**	**Less Than Significant Impact**	**No Impact**
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	☐	☐	☐	☒
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	☐	☐	☐	☒

SUMMARY:

a) *Would the project result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?* ***(No Impact)***

Neither the project site nor the general vicinity are identified on General Plan figure 8-4 as a an area having known mineral resources. The proposed Project would not interfere with any current mining operations. Therefore, no impacts would occur.

b) *Would the project result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?* ***(No Impact)***

The proposed Project would not result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan. Therefore, no impacts would occur.

Sources of Information

- Contra Costa County General Plan 2005-2020. *Conservation Element*.

13. *NOISE – Would the project result in:*				
Environmental Issues	**Potentially Significant Impact**	**Less Than Significant With Mitigation Incorporated**	**Less Than Significant Impact**	**No Impact**
a) Generation of 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?	☐	☒	☐	☐
b) Generation of excessive groundborne vibration or groundborne noise levels?	☐	☒	☐	☐
c) 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, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☐	☒

SUMMARY:

a) *Would the project result in generation of 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?* ***(Less Than Significant With Mitigation)***

The Project proposes the construction of a 100% affordable multifamily development on a vacant parcel abutting single family homes to the south. The project site and surrounding area along

Willow Pass Road presently experiences typical ambient noise levels of 65dB. The residential building code prohibits interior noise levels above 45dB. Thus, the project will be required to utilize construction materials and techniques designed to reduce interior noise levels to 45dB or below as required by the residential building code. Once operational, the dominant sources of operational noise during project operation would include cars entering and leaving the property. Other potential noise sources would include landscaping maintenance, conversations in parking lots, vehicle doors closing, and car alarms. Activities that typically occur in parking lots can generate noise levels of between 49 dBA (tire squeals) and 74 dBA (car alarms) at 50 feet from the noise source. The parking lot is located primarily abutting the residential uses on the south side of the property. Since the expected noise levels in the project (except for the occasional car alarm) are substantially consistent with noise levels under present conditions, the project would not expectedly result in a permanent increase in ambient noise levels in the project vicinity. Further, the sensitive residential receptors being impacted by operational noise would be significantly reduced by the proposed six-foot retaining wall surrounding the apartment complex. Although the daily operation or daily activities taking place at the project site will be unlikely to generate ground borne vibration or noise, and would be unlikely to produce a substantial temporary or periodical increase in ambient noise levels in the vicinity, activities related to the construction of the proposed buildings and associated improvements may involve the use of heavy equipment, tools, and machinery, which can increase ground borne vibration, noise exposures, and a temporary increase in ambient noise within the vicinity.

Potential Impact NOI-1 – Temporary noise levels due to construction: ***During project construction of the future buildings, a temporary increase in ambient noise levels would occur, and there may be periods of time when there would be ground borne vibrations or loud noise from construction equipment, vehicles, and tools. The temporary activities during the construction phase of the project have the potential for generating noise levels in excess of standards described in the Noise Element of the County General Plan. Therefore, the applicant is required to implement the following noise mitigation measures throughout the construction phase to reduce impacts from ground borne vibrations and temporary increases in ambient noise levels to less than significant levels:***

Mitigation Measure NOI-1a: ***All construction activities, including delivery of construction materials, shall be limited to the hours of 8:00 A.M. to 5:00 P.M., Monday through Friday, and are prohibited on State and Federal holidays on the calendar dates that these holidays are observed by the State or Federal government as listed below***

New Year's Day (State and Federal)
Birthday of Martin Luther King, Jr. (State and Federal)
Washington's Birthday (Federal)
Lincoln's Birthday (State)
President's Day (State)
Cesar Chavez Day (State)
Memorial Day (State and Federal)
Juneteenth National Independence Holiday (Federal)
Independence Day (State and Federal)
Labor Day (State and Federal)
Columbus Day (Federal)
Veterans Day (State and Federal)
Thanksgiving Day (State and Federal)
Day after Thanksgiving (State)

Christmas Day (State and Federal)

<u>Mitigation Measure NOI-1b</u>*: *Transportation of heavy equipment (e.g., graders, cranes, excavators, etc.) and trucks to and from the site shall be limited to weekdays between the hours of 9:00 AM and 4:00 PM and prohibited on Federal and State holidays. This restriction does not apply to typical material and equipment delivery or grading activities.

<u>Mitigation Measure NOI-1c</u>*: *The applicant shall require their contractors and subcontractors to fit all internal combustion engines with mufflers which are in good condition and shall locate stationary noise-generating equipment such as air compressors as far away from existing residences as possible.

<u>Mitigation Measure NOI-1d</u>*: *The applicant shall notify neighbors within 300 feet of the subject property at least one week in advance of grading and construction activities.

<u>Mitigation Measure NOI-1e</u>*: *The applicant shall designate a construction noise coordinator who will be responsible for implementing the noise control measures and responding to complaints. This person's name and contact information shall be posted clearly on a sign at the project site and shall also be included in the notification to properties within 300 feet of the project site. The construction noise coordinator shall be available during all construction activities and shall maintain a log of complaints, which shall be available for review by County staff upon request.

<u>Mitigation Measure NOI-1f</u>*: *Prior to the issuance of building permits, a preconstruction meeting shall be held with the job inspectors, designated construction noise coordinator, and the general contractor/onsite manager in attendance. The purpose of the meeting is to confirm that all noise mitigation measures and practices (including construction hours, neighborhood notification, posted signs, etc.) are completed and in place prior to beginning grading or construction activities. The applicant shall provide written confirmation to CDD staff verifying the time and date that the meeting took place and identifying those in attendance.

b) Would the project result in generation of excessive groundborne vibration or groundborne noise levels? ***(Less Than Significant With Mitigation)***

The proposed Project would not result in any permanent generation of vibration or groundborne noise. However, the construction phase of the project, including the use of heavy equipment during site grading, can result in a temporary increase in groundborne vibration and noise. The implementation of mitigation measure **NOI-1(a-f)** will ensure that such impacts on adjacent residential development are minimized to the extent feasible by limiting the hours that heavy equipment may be operated, requiring mufflers on internal combustion engines, and notifying neighbors of impending construction activities and providing them with contact information for the construction noise coordinator who is responsible for implementing all noise control measures and responding to complaints. Therefore, the project will have less than significant noise impacts with the implementation of Mitigation Measure **NOI-1(a-f).**

c) *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, would*

the project expose people residing or working in the project area to excessive noise levels? ***(No Impact)***

The proposed Project is not within the Airport Safety Review Area. In addition, the proposed Project is not within two miles of a public or public use airport. Therefore, no impacts would occur.

Sources of Information

- Contra Costa County General Plan, 2005-2020, Noise *Element.*

14. *POPULATION AND HOUSING – Would the project:*				
Environmental Issues	**Potentially Significant Impact**	**Less Than Significant With Mitigation Incorporated**	**Less Than Significant Impact**	**No Impact**
a) Induce substantial unplanned population growth in an area, either directly (e.g., by proposing new homes and businesses) or indirectly (e.g., through extension of roads or other infrastructure)?	☐	☐	☒	☐
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒

SUMMARY:

a) *Would the project induce substantial unplanned population growth in an area, either directly (e.g., by proposing new homes and businesses) or indirectly (e.g., through extension of roads or other infrastructure)?* ***(Less Than Significant Impact)***

The proposed Project would not induce substantial unplanned population growth in an area either directly or indirectly. Although the Project proposes a 124-unit multi-family development, the Project is not expected to induce population growth which would require development of additional new infrastructure due to its location within an urbanized area of the County. The existing infrastructure within the existing urbanized area will support the proposed development. Therefore, less than significant impact would occur.

b) *Would the project displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?* ***(No Impact)***

The proposed Project would not displace any housing units because the site is vacant. No housing units are proposed to be demolished as a result of this proposal. Therefore, no impacts would occur.

Sources of Information

- *Bella Vista Apartments*, Alliant Strategic Development (Project Plans). Received 08/25/2022.

- Contra Costa County Geographic Information System (GIS)

15. *PUBLIC SERVICES – Would the project* *result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:*				
Environmental Issues	**Potentially Significant Impact**	**Less Than Significant With Mitigation Incorporated**	**Less Than Significant Impact**	**No Impact**
a) Fire Protection?	☐	☐	☒	☐
b) Police Protection?	☐	☐	☒	☐
c) Schools?	☐	☐	☒	☐
d) Parks?	☐	☐	☒	☐
e) Other public facilities?	☐	☐	☒	☐

SUMMARY:

*Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services (**Less Than Significant Impact**):*

a) *Fire Protection?**(Less Than Significant Impact)***

Fire protection and emergency medical response services for the project vicinity are provided by the Contra Costa Fire Protection District (CCFPD). The Growth Management Element of the Contra Costa County Plan requires urban development projects to be located within one and one-half miles of a fire station. The nearest CCCFPD station is located at 10 Goble Drive in Bay Point, approximately one mile west of the project site. Thus, the project is in conformance with the general plan in terms of proximity to a fire station. Therefore, the project would have less than significant impact on fire protection services in this area of the County.

b) *Police Protection?* ***(Less Than Significant Impact)***

Police protection services in the project vicinity are provided by the Contra Costa County Sheriff's Office, which provides patrol service to the Bay Point area. The Growth Management Element of the Contra Costa County General Plan specifies a Sherriff facility standard of 155 square feet of station area and support facilities per 1,000 population. The project involves the construction of 124 new affordable housing units. According to United States Census Bureau data (2020 Census), the Bay Point community is home to 6,542 households, housing 23,896 persons. Assuming each new dwelling unit will be occupied by 3.81, consistent with US Census Bureau Data, the project would expectedly result in a population increase of approximately 472 persons. Thus, the project would not result in a substantial increase in population that would warrant the construction of additional sheriffs' facilities. Considering that the project would expectedly result in a 2% increase

in the Bay Point population, the project would not significantly impact the provision of police services in the area.

c) *Schools?* ***(Less Than Significant Impact)***

The project site is located within the Mount Diablo Unified School district, and would induce a student increase to their classroom numbers. To address student growth in school districts as a result of residential development, the County Building Inspection Division collects school fees for the respective school districts as part of the overall building permit fees, or requires that a receipt from the respective school district showing payment of the applicable fee be provided prior to issuing building permits. The per-square-foot fee amount is determined by the Mount Diablo Unified School District, and will be used for district needs related to ongoing student growth. At the time of the completion of this study, no indication was received from the Mount Diablo Unified School district indicating that the proposed project would require the expansion of existing school facilities. However, in the event that expanded facilities are needed, the applicant's payment of the required school fee prior to or at the time of building permit issuance will ensure that a fair share contribution is made to the school district to accommodate for any expanded facilities and related environmental mitigations that may be required as part of that project.

d) *Parks?* ***(Less Than Significant Impact)***

The Growth Management Element of the Contra Costa County General Plan indicates that a standard of three acres of neighborhood parks per 1,000 persons of the population should be maintained within the County. In addition, the County's Park Dedication Ordinance - Division 920 of the County Ordinance Code - requires that the developer of land for residential use shall dedicate land or pay a fee in lieu thereof for neighborhood and community park or recreational purposes. Based on the standards above and the residential nature of the proposed development, additional or expanded park resources are required as a part of the project.

The project proposes a centrally-located 17,500 square-foot landscaped courtyard area, including children's play areas, exercise/activity area, and outdoor seating area, for the use of residents of the proposed development; which will lessen the number of residents that would use nearby public parks such as Anuta Park. However, since the proposed recreation areas are not at least two-acres in area, the private recreation area cannot be credited towards the applicant's land or fee dedication as required by the County's Park Dedication Ordinance. As a result, the developer will be required to pay a per-dwelling-unit fee (comprised of Park Dedication and Park Impact fees adopted by the County Board of Supervisors) to the County, which will be used to acquire park land and develop parks and recreation facilities to serve new residential development in the unincorporated County. The payment of all applicable development fees in compliance with the County Park Dedication Ordinance will ensure that the project has less than significant impact on public parks within unincorporated Contra Costa County.

e) Other public facilities? ***(Less Than Significant Impact)***

During staff's initial review of the proposed development, project specific comments were solicited from various local agencies and other interested parties in order to alert staff and the applicant to any additional permitting, improvements, etc., that may be required as part of the project. Among the groups solicited for this project were the Delta Diablo Sanitary District, Contra Costa Water District, and the County Environmental Health Division. No indication of a need for new or expanded facilities was provided in the comments received from these agencies. The proposed development will require water, sewer, electrical, cable, and telecommunication services, and the provided plans indicate that existing mains and extensions for these utilities and services currently existing within the Willow Pass Road and/or Clearland Drive rights-of-way abutting the project site. Therefore, the project would have less than significant impacts on other public facilities.

Sources of Information

- Contra Costa County General Plan, 2005-2020, *Growth Management Element.*
- *Bella Vista Apartments*, Alliant Strategic Development (Project Plans). Received 08/25/2022.

16. *RECREATION*				
Environmental Issues	**Potentially Significant Impact**	**Less Than Significant With Mitigation Incorporated**	**Less Than Significant Impact**	**No Impact**
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	☐	☐	☒	☐
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment?	☐	☐	☒	☐

SUMMARY:

a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated? ***(Less Than Significant Impact)***

The proposed project will induce a small population increase in the area and as a result, it is anticipated that the use of neighborhood and regional parks in the area will also increase. However, as mentioned in the Public Services section above, the developer will be providing a private recreation area within the development, and is subject to Park Dedication in-lieu fees as part of the project. The establishment of the private recreational area and the payment of the in-lieu fees – which will be used toward acquiring parkland and developing parks – will lessen any impacts to the use of existing neighborhood/regional parks as a result of the project to less than significant levels.

b) *Does the project include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment?* ***(Less Than Significant Impact)***

The private recreational area proposed as part of the project will not impact any additional parcels within the County as it will be constructed in the center of the project site, and thus has been analyzed for environmental impacts as part of the overall project. Although the applicant will also be paying an in-lieu fee towards parkland acquisition and development, it is not known at this time when or how those funds will be used. Therefore, any environmental impacts resulting from the construction or expansion of recreational facilities via the funds collected from this project will need to be evaluated for potential impacts and mitigated (if necessary) as a separate project.

Sources of Information

- Contra Costa County General Plan, 2005-2020, *Growth Management Element.*
- *Bella Vista Apartments*, Alliant Strategic Development (Project Plans). Received 08/25/2022.

17. *TRANSPORTATION – Would the project:*				
Environmental Issues	**Potentially Significant Impact**	**Less Than Significant With Mitigation Incorporated**	**Less Than Significant Impact**	**No Impact**
a) Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities?	☐	☐	☒	☐
b) Conflict or be inconsistent with CEQA Guidelines Section 15064.3(b)?	☐	☐	☒	☐
c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	☐	☐	☒	☐
d) Result in inadequate emergency access?	☐	☐	☐	☒

SUMMARY*:*

a) *Would the project conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities?* ***(Less Than Significant Impact)***

The proposed Project would not result in degradation of the level of service (or a significant increase in delay) on any roadway segments currently being utilized by bus transit in the area and would not increase ridership beyond existing capacity. As such, no significant impacts to bus transit are expected to occur. In addition, the proposed project would not significantly impact or change the design of any existing pedestrian facilities and would not create any new safety problems for pedestrians in the area. The proposed Project would add some bicyclists in the area, but the volumes added would not be expected to significantly impact any existing bicycle

facilities. In relation to the existing conditions, the proposed Project would not cause substantial changes to the pedestrian or bicycle traffic in the area and would not significantly impact or require changes to the design of any existing bicycle or pedestrian facilities.

b) Would the project conflict or be inconsistent with CEQA Guidelines Section 15064.3(b)? ***(Less Than Significant Impact)***

CEQA Guidelines Section 15064.3(b) specifies that projects within one-half mile of an existing major transit stop, or a stop along an existing high-quality transit corridor, should generally be presumed to have a less than significant transportation impact. The project site is within one-half mile of the Pittsburg/Bay Point Bay Area Rapid Transit station – a stop along an existing high quality transit corridor serving Bay Point and greater Contra Costa County. Therefore, the operational phase of the proposed residential project (i.e. habitation of the proposed 124 units) would accordingly have a less than significant transportation impact.

The increase in traffic as a result of demolition and construction activities associated with the proposed Project has been quantified assuming a worst-case single phase construction period of 12 months.

Heavy Equipment

Approximately three pieces of heavy equipment are estimated to be transported on and off the site each month throughout the construction of the proposed Project. Heavy equipment transport to and from the site could cause traffic impacts in the vicinity of the Project site during construction. However, each load would be required to obtain all necessary permits, which would include conditions of approval. Prior to issuance of grading and building permits, the project applicant would be required to submit a Traffic Control Plan.

The requirements within the Traffic Control Plan include, but are not limited to, the following: truck drivers would be notified of and required to use the most direct route between the site and the freeway, as determined by the County Engineering Department; all site ingress and egress would occur only at the main driveways to the project site and construction activities may require installation of temporary traffic controls as determined by the County Engineer; specifically designated travel routes for large vehicles would be monitored and controlled by flaggers for large construction vehicle ingress and egress; any debris and mud on nearby streets caused by trucks would be monitored daily and may require instituting a street cleaning program. In addition, the transport of heavy equipment being hauled to and from the site each month would be short-term and temporary.

Employees

The weekday work is expected to begin around 7:00 AM and end around 4:00 PM. The construction worker arrival peak would occur between 6:30 AM and 7:30 AM, and the departure peak would occur between 4:00 PM and 5:00 PM. These peak hours are slightly before the countywide commute peaks. It should be noted that the number of trips generated during

construction would not only be temporary, but would also be substantially less than the proposed Project at buildout. Based on past construction of similar projects, construction workers could require parking for up to 50 vehicles during the peak construction period. Additionally, deliveries, visits, and other activities may generate peak non-worker parking demand of 10 to 15 trucks and automobiles per day. Therefore, up to 65 vehicle parking spaces may be required during the peak construction period for the construction employees. Furthermore, the County's construction traffic control guidelines require construction employee parking be provided on the project site to eliminate conflicts with nearby residential areas. Because the construction of the project can be staggered so that employee parking demand is met by using on-site parking, the impacts of construction-related employee traffic and parking are considered less-than-significant.

Construction Material Import/Export

The proposed Project would also require removal of existing debris as well as the importation of construction material, including raw materials for the building pads, the buildings, and landscaping. During the maximum peak construction period, the Project could generate approximately 10 truck trips per day. Furthermore, under the provisions of the Traffic Control Plan, if importation and exportation of material becomes a traffic nuisance, then the County Engineer may limit the hours the activities can take place.

Traffic Control Plan

The Traffic Control Plan would indicate how parking for construction workers would be provided during construction and ensure a safe flow of traffic in the project area during construction. This analysis assumed construction of the entire Project in one phase to identify the potential worst-case traffic effects. If the Project is built in phases over time, the effects of each phase will be the same or less. Each phase will be subject to a Traffic Control Plan and oversight by the County Engineer. The last phase may require added worker parking measures, depending on the circumstances, as there will not be any remaining vacant land for parking. Therefore, construction activities associated with the proposed Project, or its individual phases would not lead to noticeable congestion in the vicinity of the site or the perception of decreased traffic safety resulting in a less than significant impact.

c) *Would the project substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?* ***(Less Than Significant Impact)***

Main project site access would come from Clearland Drive, which would be controlled with a stop sign. There is an existing stop-controlled intersection at Clearland Drive and Willow Pass Road, which provides access to the project site and is forecasted to have acceptable operations under all scenarios. The operations for through traffic on Willow Pass Road would not be significant and the intersection would not meet Caltrans Peak Hour Warrant for a traffic signal. The site circulation would function well and would not cause any safety or operational problems. The project site design has been required to conform to County design standards and is not expected

to create any significant impacts to pedestrians, bicyclists, or traffic operations. Therefore, impacts related to access and circulation to the proposed project would be less-than-significant.

d) Would the project result in inadequate emergency access? ***(No Impact)***

Sufficient emergency access is determined by factors such as number of access points, roadway width, and proximity to fire stations. The land use plan for the proposed Project would include an entrance on Clearland Drive along with a secondary access on Willow Pass Road for emergency vehicle access only. All lane widths within the Project would meet the minimum width that can accommodate an emergency vehicle. Therefore, the width of the internal roadways would be adequate. In addition, potential Project traffic would not result in any significant changes to emergency vehicle response times in the area. Therefore, subject to approval from the County and the fire department, the development of the proposed project is expected to have less-than-significant impacts regarding emergency vehicle access.

Sources of Information

- Contra Costa County Transportation Analysis Guidelines.
- 2023 California Environmental Quality Act & CEQA Guidelines.
- *Bella Vista Apartments*, Alliant Strategic Development (Project Plans). Received 08/25/2022.
- Contra Costa County Geographic Information System (GIS)

18. *TRIBAL CULTURAL RESOURCES – Would the project* *cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:*				
Environmental Issues	**Potentially Significant Impact**	**Less Than Significant With Mitigation Incorporated**	**Less Than Significant Impact**	**No Impact**
a) 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)?	☐	☒	☐	☐
b) A 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?	☐	☒	☐	☐

SUMMARY:

Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:

a) *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)?* ***(Less Than Significant With Mitigation)***

Comments on the proposed project were solicited from the California Historical Resources Information System (CHRIS), Northwest Information Center. In a letter dated June 2, 2022, CHRIS staff indicated that the project area has a low possibility of containing unrecorded archaeological sites and did not recommend further study for archaeological resources. Records search for the Project area and a 1-mile radius were provided and included a review of all recorded archaeological and built-environment resources as well as a review of cultural resource reports on file. In addition, the California Points of Historical Interest (SPHI), the California Historical Landmarks (SHL), the California Register of Historical Resources (CAL REG), the National Register of Historic Places (NRHP), and the California State Historic Properties Directory (HPD) listings were reviewed for the Project site and a 1-mile radius. A portion of the Project site has been previously surveyed. While there are no recorded archaeological sites within the Project area, buried resources could potentially be unearthed during Project activities. Therefore, customary caution and a halt-work condition shall be in place for all ground-disturbing activities. In the event that any evidence of cultural resources is discovered, all work within the vicinity of the find shall stop until a qualified archaeological consultant can assess the find and make recommendations. Excavation of cultural resources shall not be attempted by Project personnel. In addition, the Native American Heritage Commission (NAHC) shall be consulted to identify if any additional traditional cultural properties or other sacred sites are known to be in the area. The NAHC may also refer the Project proponent to local tribes with particular knowledge of potential sensitivity. Therefore, with implementation of Mitigation Measure **TCR-1**, potential impacts would be less than significant.

b) *A 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?* ***(Less Than Significant With Mitigation)***

The proposed Project proponent shall consider the significance of any possible resource to a California Native American tribe. With required mitigation and monitoring requested by tribes with ancestral interest in the Project area, potential impact would be reduced to a less than significant level. Therefore, with implementation of Mitigation Measure **TCR-2**, impacts would be reduced to a less than significant level.

Potential Impact TCR-1: *There is a possibility that ground-disturbing development activities could impact heretofore unknown tribal cultural resources.*

Mitigation Measure TCR-1: Treatment of Tribal Cultural Resources

If a pre-contact cultural resource is discovered during Project implementation, ground disturbing activities shall be suspended 60 feet around the resource(s) and an Environmentally Sensitive Area (ESA) physical demarcation/barrier constructed. A research design shall be developed by

the archaeologist that shall include a plan to evaluate the resource for significance under CEQA criteria. Following the completion of evaluation efforts, all parties shall confer regarding the archaeological significance of the resource, its potential as a Tribal Cultural Resource (TCR), and avoidance (or other appropriate treatment) of the discovered resource.

Should any significant resource and/or TCR not be a candidate for avoidance or preservation in place, and the removal of the resource(s) is necessary to mitigate impacts, the research design shall include a comprehensive discussion of sampling strategies, resource processing, analysis, and reporting protocols/obligations. Removal of any cultural resource(s) shall be conducted with the presence of a Tribal monitor representing the Tribe. All plans for analysis shall be reviewed and approved by the applicant and Tribe prior to implementation, and all removed material shall be temporarily curated on-site. All draft records/reports containing the significance and treatment findings and data recovery results shall be prepared by the archaeologist and submitted to the Lead Agency and Tribe for their review and comment. After approval from all parties, the final reports and site/isolate records are to be submitted to the local CHRIS Information Center, the Lead Agency, and Tribe

Potential Impact TCR-2: *There is a possibility that ground-disturbing development activities could impact heretofore unknown human remains of Native American Ancestry.*

Mitigation Measure TCR-2: Inadvertent Discoveries of Human Remains/Funerary Objects

In the event that any human remains are discovered within the Project area, ground disturbing activities shall be suspended 100 feet around the resource(s) and an Environmentally Sensitive Area (ESA) physical demarcation/barrier constructed. The on-site lead/foreman shall then immediately notify the Tribe, the applicant/developer, and the Lead Agency. The Lead Agency and the applicant/developer shall then immediately contact the County Coroner regarding the discovery. If the Coroner recognizes the human remains to be those of a Native American or has reason to believe that they are those of a Native American, the Coroner shall ensure that notification is provided to the NAHC within twenty-four (24) hours of the determination, as required by California Health and Safety Code § 7050.5 (c). The NAHC-identified Most Likely Descendant (MLD), shall be allowed, under California Public Resources Code § 5097.98 (a), to (1) inspect the site of the discovery and (2) make determinations as to how the human remains and funerary objects shall be treated and disposed of with appropriate dignity.

The MLD, Lead Agency, and landowner agree to discuss in good faith what constitutes "appropriate dignity" as that term is used in the applicable statutes. The MLD shall complete its inspection and make recommendations within forty-eight (48) hours of the site visit, as required by California Public Resources Code § 5097.98. Reburial of human remains and/or funerary objects (those artifacts associated with any human remains or funerary rites) shall be accomplished in compliance with the California Public Resources Code § 5097.98 (a) and (b). The MLD in consultation with the landowner, shall make the final discretionary determination regarding the appropriate disposition and treatment of human remains and funerary objects. All parties are aware that the MLD may wish to rebury the human remains and associated funerary

objects on or near the site of their discovery, in an area that shall not be subject to future subsurface disturbances.

The applicant/developer/landowner shall accommodate on-site reburial in a location mutually agreed upon by the Parties. It is understood by all Parties that unless otherwise required by law, the site of any reburial of Native American human remains or cultural artifacts shall not be disclosed and shall not be governed by public disclosure requirements of the California Public Records Act. The coroner, parties, and Lead Agencies would be asked to withhold public disclosure information related to such reburial, pursuant to the specific exemption set forth in California Government Code § 6254 (r).

Sources of Information

- Contra Costa County General Plan 2005-2020. *Open Space Element*.
- California Historical Resources Information System (CHRIS) project comments dated June 2, 2022.

19. *UTILITIES AND SERVICE SYSTEMS – Would the project:*

Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Require or result in the relocation or construction of new or expanded water, wastewater treatment, or storm water drainage, electric power, natural gas, or telecommunication facilities, the construction or relocation of which could cause significant environmental effects?	☐	☒	☐	☐
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry, and multiple dry years?	☐	☐	☐	☒
c) Result in a determination by the wastewater treatment provider, which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	☐	☐	☐	☒
d) 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?	☐	☐	☒	☐
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	☐	☐	☒	☐

SUMMARY:

a) *Would the project require or result in the relocation or construction of new or expanded water, wastewater treatment, or storm water drainage, electric power, natural gas, or telecommunication facilities, the construction or relocation of which could cause significant environmental effects?* ***(Less Than Significant With Mitigation)***

The proposed Project would not require new or expanded water or wastewater treatment infrastructure. The proposal includes mitigation measure **HYDRO-1**, a drainage plan which is designed to match pre- and post-construction drainage flow such that no off-site drainage improvements would be necessary to accommodate the project drainage outfall. In the event that **HYDRO-1** is not adequate, off-site storm drainage improvements to Drainage Area 48B may be necessary. In the event that off-site drainage improvements are necessary, they would expectedly consist of improvements to existing storm drain lines within the surrounding urban environment. As such, the project would expectedly result in less than significant environmental impacts relating to the construction of new storm drainage, water, and/or wastewater treatment infrastructure.

b) *Would the project have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry, and multiple dry years?* ***(Less Than Significant Impact)***

The project is within the service boundaries of the Golden State Water District. Water district staff has not indicated that it lacks capacity to accommodate the project in response to Agency Comments solicited from the district for the proposed project. Therefore, the project will have less than significant impacts on the municipal source of water supplying service to the project site and surrounding area.

c) *Would the project result in a determination by the wastewater treatment provider, which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?* ***(Less Than Significant Impact)***

The project is within the service boundaries of the Delta Diablo Sanitary District. Sanitary district staff has not indicated that it lacks capacity to accommodate the project in response to Agency Comments solicited from the district for the proposed project. Therefore, the project will have less than significant impacts on the existing sanitary sewer system serving the project site and surrounding area.

d) *Would the project 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?* ***(Less Than Significant Impact)***

Solid waste disposal service is available to the project from Republic Services. Commercial and multi-family residential projects are subject to state mandated recycling (Assembly Bill 341, 2011), and organics recycling (Assembly Bill 1826, 2014). Additionally, Assembly Bill 827 requires organics and recycling containers available for customers to use to collect material purchased and consumed on their premises. The local solid waste disposal service, Republic Services, facilitates compliance with applicable state laws by providing appropriate receptacles for solid waste and state mandated recycling programs. Thus, the project would not generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or

otherwise impair the attainment of solid waste reduction goals. Therefore, the project would result in less than significant impacts in this respect.

e) Would the project comply with federal, state, and local management and reduction statutes and regulations related to solid waste? ***(Less Than Significant Impact)***

The Project developer will provide adequate space and storage bins for both refuse and recycling materials. This requirement is to assist the County in compliance with the recycling requirements of Assembly Bill (AB) 2176. A Construction Waste Management Plan would be prepared in two parts to show adequate handling of waste materials; disposal, reuse, or recycling as required by the California Green Building Standards Code (CALGreen) and by the County Environmental Health Division. The project's compliance with all CALGreen permitting requirements ensures that the project would comply with applicable management and reduction statutes and regulations as they pertain to solid waste. Therefore, impacts would be less than significant.

Sources of Information

- *Bella Vista Apartments*, Alliant Strategic Development (Project Plans). Received 08/25/2022.
- Contra Costa County Geographic Information System (GIS)
- Republic Services Website (Contra Costa County Waste & Recycling | Republic Services) – Accessed 03/29/2023

20. *WILDFIRE –* *If located in or near state responsibility areas or lands classified as very high fire hazard severity zones,* ***would the project:***				
Environmental Issues	**Potentially Significant Impact**	**Less Than Significant With Mitigation Incorporated**	**Less Than Significant Impact**	**No Impact**
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?	☐	☐	☐	☒
b) 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?	☐	☐	☐	☒
c) 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?	☐	☐	☐	☒
d) 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?	☐	☐	☐	☒

SUMMARY*:*

If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:

a-d) The project is not located in or near state responsibility areas, nor is it classified as within a very high fire hazard severity zone. The surrounding area consists of urban built-up land. Therefore, the project will have no impacts resulting in significant risk to people or property as a result of wildfire.

Sources of Information

- California Department of Forestry and Fire Protection (CalFire). 2009. *Contra Costa County SRA Map, & Very High Fire Hazard Severity Zones in Contra Costa County LRA Map.*

21. *MANDATORY FINDINGS OF SIGNIFICANCE*				
Environmental Issues	**Potentially Significant Impact**	**Less Than Significant With Mitigation Incorporated**	**Less Than Significant Impact**	**No Impact**
a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?	☐	☒	☐	☐
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)	☐	☐	☒	☐
c) Does the project have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly?	☐	☐	☒	☐

SUMMARY:

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

The proposed Project does not have the potential to significantly degrade the overall quality of the region's environment, or substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or

eliminate important examples of the major periods of California history or prehistory. With the implementation of mitigation measures **BIO-1**, **BIO-2**, potential impacts would be less than significant. In addition, the proposed Project would have potential temporary noise impacts during construction, which would be mitigation with the implementation of mitigation measures **NOI-1 (a-f)**.

There are no identified historic or prehistoric resources identified on this site based on field surveys. No archaeological or paleontological resources have been identified in the Project area. Impacts to Cultural or Tribal Cultural Resources due to inadvertent discoveries during Project development would be reduced to a less than significant level with the implementation of mitigation measures recommended in the Cultural Resources (**CUL-1**), and Tribal Cultural Resources (**TCR-1**, and **TCR-2**) sections.

Lastly, the project could potentially result in significant environmental impacts relating to hydrology, for which mitigation measures are recommended in the Hydrology and Water Quality section (**HYDRO-1 and HYDRO-2)** that are designed to maintain the existing drainage pattern to keep such impacts from occurring at significant levels.

Based on the above, the incorporation of mitigations outlined throughout this study will ensure that environmental impacts relating to the proposed project will occur at less than significant levels.

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

The project site is located within the Urban Limit Line in an area that has been designated for mixed-use commercial and multiple-family residential development. The available commercial or retail space in the Bay Point area would increase by approximately 2,630 square feet, which is comparatively small relative to most existing non-industrial, commercial spaces in the area. The number of housing units in the Bay Point area would increase by 124 units with the proposed project, which, based on data from the U.S. Census Bureau, would constitute a 2% percent increase of the US Census Bureau's estimated 6,542 housing units in Bay Point.

Staff is aware of two additional, substantial development projects in the nearby Bay Point area that are under review or have recently been approved. These projects are as follows:

1. <u>Bay Point Family Apartments (County File #DP15-3023)</u>: The project consists of 193 one-, two-, three-, and four-bedroom apartments, 340 automobile parking spaces, 114 bicycle parking spaces, a recreational area with a pool, community room, and playground. The project is located on a 7.61-acre property located at the intersection of Willow Pass Road and Port Chicago Highway (APN: 098-240-064). The Development Plan and associated Mitigated Negative Declaration documents were approved/adopted by the County Board of Supervisors on April 25, 2017. Construction of the approved project was completed in 2021.

2 Orbisonia Mixed Use Project, (County File #CDLP21-02015, CDMS21-0004): The project consisted of a request for approval of a tentative map and Land Use Permit/Development Plan approval authorizing the development of a three-phase mixed-income mixed-use project on three development blocks, including 384 residential units, 20,800 square-foot public library, and 10,900 square feet of commercial space on a seven-acre site. The project is located northeast of the intersection of Bailey Road and West Leland Avenue in the Pittsburg/Bay Point BART specific plan area. (primary APN: 094-026-007). The project was determined to be exempt from the requirements of CEQA as it was covered by previous environmental reviews conducted in connection with an Environmental Impact Report for the Pittsburg/Bay Point BART Station Area Specific Plan, adopted by the Board of Supervisors on June 18, 2002. The EIR for the specific plan was certified by the Board of Supervisors upon adoption of the specific plan (State Clearinghouse #98022071).

Population/Housing: Both of the projects listed above are residential developments that will increase the amount of housing available in the area. These projects will not contribute to an increased demand for housing as they each contribute additional housing stock in the Bay Point area. When considered cumulatively with the proposed project, the residential projects have the potential to increase the population within the Bay Point area by 701 dwelling units, or an approximately 11% increase in households relative to the 6,542 existing households reported in 2020 US Census Bureau data. However, the population increase would not result in a direct or indirect housing shortage in the Bay Point area as the expected growth would be the result of the availability of additional housing units. The project would have less than significant impact on the availability of housing in the Bay Point area and will contribute much needed affordable-housing units in this area of the County.

Transportation: An analysis of potential traffic impacts was performed as part of the Initial Study for the Bay Point Family Apartments project, and it was found that the potential traffic impacts could be reduced to a less than significant level with the inclusion of project-specific mitigations. The Orbisonia Mixed Use Project, like the proposed project, would have less than significant transportation impacts due to their proximity to the existing high-quality transportation corridor stop located at the Pittsburg/Bay Point BART Station. Thus, the project would not result in cumulatively considerable transportation impacts.

Drainage: In addition to the proposed project, the projects listed above are located within an urban and previously developed area of Bay Point, which has an existing regional drainage system. Furthermore, due to the size of each project, a drainage plan and stormwater control plan were or are required to ensure that additional storm water runoff generated at the sites is discharged in a manner that is consistent with the current and applicable code. Lastly, all of the projects listed above are within one of Bay Point's two drainage areas (DA 48C & 48D), and are subject to a per-square-foot drainage fee collected by the County for new development. Given the above, the potential for significant cumulative drainage impacts for the projects listed above when considered with the proposed project is less than significant.

Public Services/Utilities: Public services and utilities such as water, power, sanitary sewer, and fire protection in the Bay Point area fall under the jurisdiction of outside agencies (e.g., Golden State Water Company, Delta Diablo Sanitary District, etc.). The Community Development

Division (CDD) generally solicits project specific comments from these agencies as part of the application review process, and design modifications are made based on the advice of each respective agency. The consulted agencies are the governing bodies with proficient knowledge of the needs of their existing infrastructure, and no indication of potential impacts or the need for new or expanded services was noted for the project proposal. Therefore, County CDD staff's consultation with outside agencies for each project reduces the potential for significant cumulative environmental impacts related to new or expanded utilities to a less than significant level.

Noise: The proposed project will involve a temporary increase in noise levels in the project vicinity in connection with the construction phase of the proposed project. Similar noise impacts were identified in the environmental review performed for the above projects. The Bay Point family apartments have already completed the construction phase and there is no potential for cumulative construction noise impacts between that project and the proposed project. Considering that the Orbisonia project is approximately ½ mile distant from the proposed project site, and is adjacent to significant localized ambient outdoor noise contributors such as California State Route 4, Bailey Road, and the Pittsburg/Bay Point Bart station, the projects have less than significant potential to result in a cumulative significant increase to noise levels for the area relative to present conditions. Additionally, the Orbisonia Mixed-Use project has already been approved, and would likely begin construction before the proposed project. Since the construction phases of the project would not directly overlap, the potential for cumulative construction noise impacts is further reduced.

Based on the above, the project would not result in cumulatively significant impacts when viewed in connection with past and current projects. Future development that is consistent with the land uses and development standards for the Bay Point Planned Unit (P-1) zoning district and applicable General Plan Land Use designations would similarly be expected to result in less than significant environmental impacts.

c) *Does the project have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly?* ***(Less Than Significant Impact)***

The proposed Project would not have environmental effects that would cause substantial adverse effects on human beings, either directly or indirectly. All potential impacts have been thoroughly evaluated and have been deemed to be neither individually significant nor cumulatively considerable in terms of any adverse effects upon the region, the local community or its inhabitants. At a minimum, the Project would be required to meet the conditions of approval for the Project to be implemented. It is anticipated that all such conditions of approval would further ensure that no potential for adverse impacts would be introduced by construction activities, initial or future land uses authorized by the Project approval.

REFERENCES

In the process of preparing the Initial Study Checklist and conduction of the evaluation, the following references (which are available for review at the Contra Costa County Department of Conservation and Development, 30 Muir Rd., Martinez, CA 94553) were consulted:

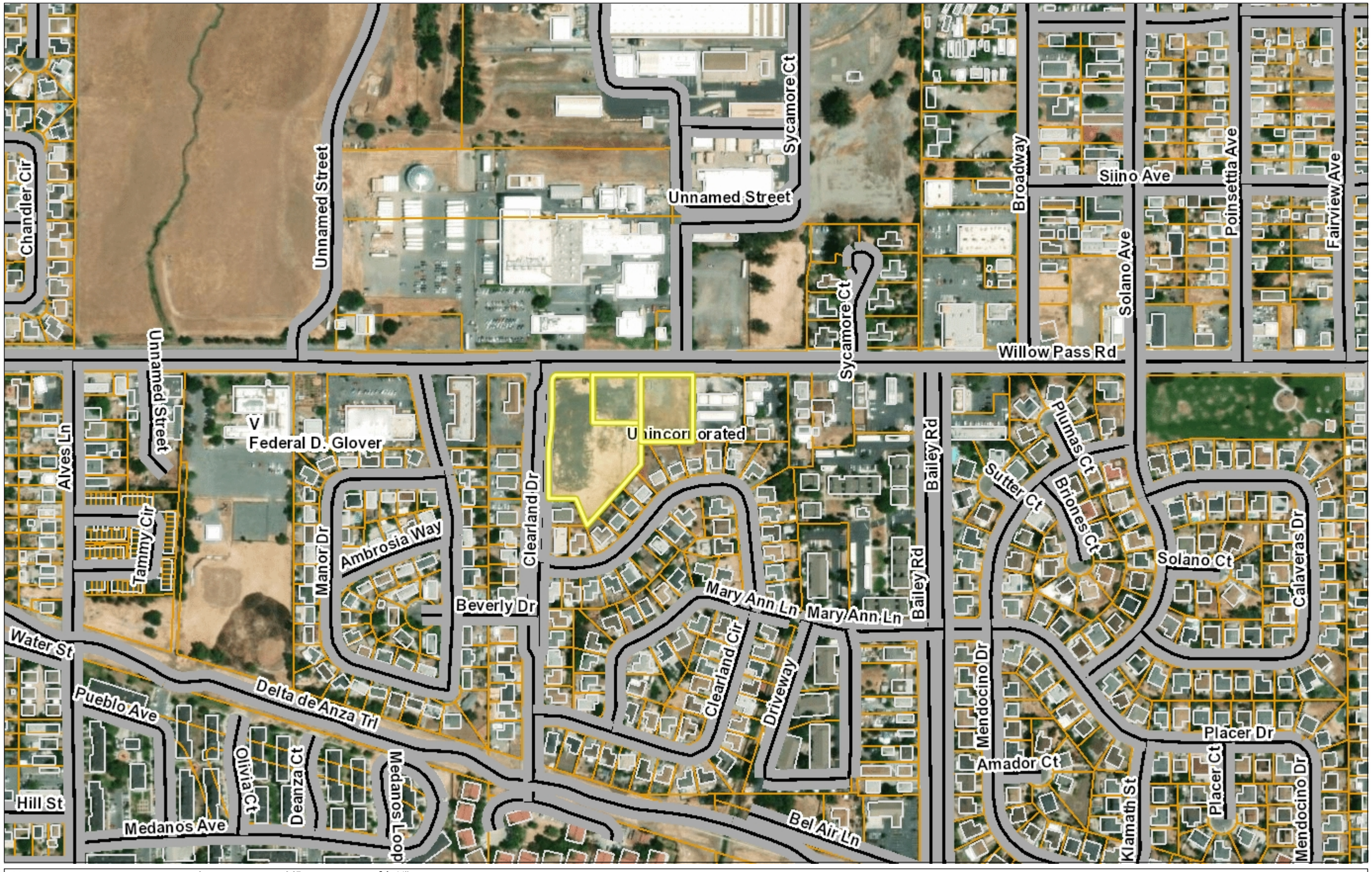
California Department of Conservation, California Geological Survey, Mineral Resources and Mineral Hazards
Contra Costa County Development Code
Contra Costa County Geologic Hazards Overlays Map
Contra Costa County Hazard Overlay Map
Contra Costa County Roadway Network Plan, September 21, 2017.
Federal Emergency Management Agency Flood Insurance Rate Map and Flood Boundary Map.
Contra Costa County General Plan, 2050.
Contra Costa County Local Hazard Mitigation Plan, January 1, 2018
U.S. Department of Agriculture, Natural Resources Conservation Service. Web Soil Survey. Available at http://websoilsurvey.nrcs.usda.gov/.
Contra Costa County Map (CCMAP) Interactive Web map of Contra Costa County. https://ccmap.cccounty.us/Html5/index.html?viewer=CCMAP.
California Department of Conservation CGS Information Warehouse: Mineral Land Classification Map. https://maps.conservation.ca.gov/cgs/informationwarehouse/index.html?map=mlc
Cultural Resources Assessment, Archaeological Survey of Approximately 3.269 Acres of Land on Behalf of Alliant Strategic 100% affordable housing Project, June 2022.
Air Quality and Greenhouse Gas Assessment, Wolf Environmental, Inc Alliant Strategic 100% affordable housing Project, April 20, 2022.

California Historical Resources Information System, Northwest Information Center, Sonoma State University, Department of Anthropology, May 5, 2022.

ATTACHMENTS

1. **Vicinity Map**
2. **Project Plans**
3. **Mitigation Monitoring and Reporting Program**

Vicinity Map - CDLP22-02029



Legend

- Board of Supervisors' Districts
- City Limits
- Unincorporated
- Streets
- Building Footprints
- Assessment Parcels
- World Imagery
- Low Resolution 15m Imagery
- High Resolution 60cm Imagery
- High Resolution 30cm Imagery
- Citations

1: 4,514

0.1 0 0.07 0.1 Miles

WGS_1984_Web_Mercator_Auxiliary_Sphere

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

THIS MAP IS NOT TO BE USED FOR NAVIGATION

Notes

Contra Costa County -DOIT GIS

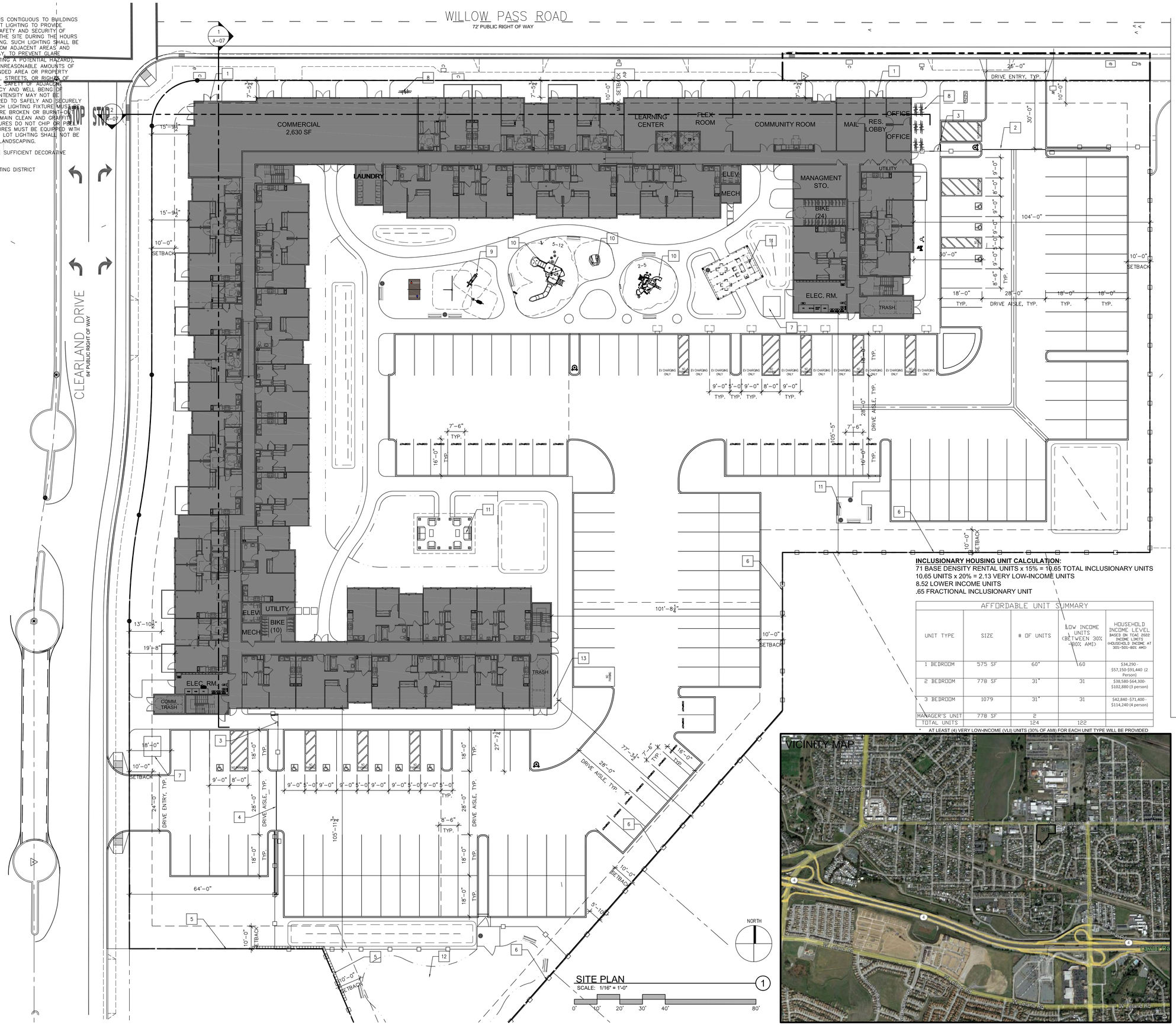
RECEIVED on 08/25/2022 CDLP22-02029
By Contra Costa County
Department of Conservation and Development

NOTES:

1. PARKING LOTS, AISLES AND GROUNDS CONTIGUOUS TO BUILDINGS SHALL BE PROVIDED WITH SUFFICIENT LIGHTING TO PROVIDE ADEQUATE ILLUMINATION FOR THE SAFETY AND SECURITY OF VEHICLES AND PEDESTRIANS USING THE SITE DURING THE HOURS OF DARKNESS OR DIMINISHED LIGHTING. SUCH LIGHTING SHALL BE DIRECTED DOWNWARD AND AWAY FROM ADJACENT AREAS AND PUBLIC STREETS AND RIGHTS OF WAY, TO PREVENT GLARE (OVERWHELMING DIRECT LIGHT CREATING A POTENTIAL HAZARD), OR EXCESSIVE LIGHT SPILL-OVER (UNREASONABLE AMOUNTS OF LIGHT EXTENDING BEYOND THE INTENDED AREA OR PROPERTY LINE), AS SEEN FROM THOSE AREAS, STREETS, OR RIGHTS OF WAY. TO PROVIDE FOR THE GENERAL SAFETY OF ADJACENT VEHICULAR TRAFFIC AND THE PRIVACY AND WELL BEING OF RESIDENTIAL AREAS, THE LIGHTING INTENSITY MAY NOT BE GREATER THAN REASONABLY REQUIRED TO SAFELY AND SECURELY ILLUMINATE THE PARKING AREA. EACH LIGHTING FIXTURE MUST BE CONSISTENTLY MAINTAINED TO ENSURE BROKEN OR BURNT-OUT BULBS ARE REPLACED, FIXTURES REMAIN CLEAN AND GRAFFITI AND RUST FREE, AND PAINTED FIXTURES DO NOT CHIP OR PEEL. WHENEVER POSSIBLE, LIGHTING FIXTURES MUST BE EQUIPPED WITH ENERGY EFFICIENT BULBS. PARKING LOT LIGHTING SHALL NOT BE OBSTRUCTED BY TREE'S OR OTHER LANDSCAPING.
2. PEDESTRIAN WALKWAYS SHALL HAVE SUFFICIENT DECORATIVE PATHWAY LIGHTING.
3. PROJECT IS WITHIN THE L-100 LIGHTING DISTRICT

KEYNOTE:

1. BUILDING ENTRY
2. FIRE DEPARTMENT RESTRICTED VEHICULAR ACCESS GATE
3. PEDESTRIAN ACCESS GATE
4. VEHICULAR ACCESS GATE
5. (N) FENCE SEE LANDSCAPE
6. (E) WOOD PROPERTY FENCE
7. TRANSFORMER
8. BICYCLE RACK
9. ACTIVITY AREA SEE LANDSCAPE DRAWINGS
10. CHILDREN'S PLAY AREA SEE LANDSCAPE DRAWINGS
11. SEATING AREA SEE LANDSCAPE DRAWINGS
12. DOG PARK SEE LANDSCAPE DRAWINGS
13. GAS METER (BY GAS COMPANY) ESV-1, SEE PLUMBING DRAWINGS



SITE PLAN
SCALE: 1/16" = 1'-0"

INCLUSIONARY HOUSING UNIT CALCULATION:
71 BASE DENSITY RENTAL UNITS x 15% = 10.65 TOTAL INCLUSIONARY UNITS
10.65 UNITS x 20% = 2.13 VERY LOW-INCOME UNITS
8.52 LOWER INCOME UNITS
.65 FRACTIONAL INCLUSIONARY UNIT

AFFORDABLE UNIT SUMMARY

UNIT TYPE	SIZE	# OF UNITS	LOW INCOME UNITS (BETWEEN 30% -80% AMI)	HOUSEHOLD INCOME LEVEL BASED ON TCAC 2022 INCOME LIMITS (=HOUSEHOLD INCOME AT 30%-50%-80% AMI)
1 BEDROOM	575 SF	60*	60	$34,290 - $57,150-$91,440 (2 Person)
2 BEDROOM	778 SF	31*	31	$38,580-$64,300-$102,880 (3 person)
3 BEDROOM	1079	31*	31	$42,840 -$71,400 - $114,240 (4 person)
MANAGER'S UNIT	778 SF	2		
TOTAL UNITS		124	122	

* AT LEAST (4) VERY LOW-INCOME (VLI) UNITS (30% OF AMI) FOR EACH UNIT TYPE WILL BE PROVIDED

VICINITY MAP

PROJECT SUMMARY:
RESTRICTED AFFORDABLE FAMILY UNITS:
100% PRIVATELY OWNED HOUSING
MADE AVAILABLE FOR PUBLIC USE

USE: RESIDENTIAL APARTMENTS

SCOPE: PROPOSED FOUR STORY TYPE V-A, FULLY SPRINKLERED BUILDING NFPA 13

ADDRESS:
2855, 2867 & 3105 WILLOW PASS ROAD
(APN: 093-081-027,028,029)

ZONING: P-1, M-5

SITE AREA:
GROSS: 141,688 SF OR 3.253 ACRES
NET (75% GROSS): 3.253 x .75 = 2.44 ACRES
**Net Acreage per General Plan Table 3-4*

UNIT SUMMARY:

60 - 1 BR UNITS	@ 575 SF
33 - 2 BR UNITS	@ 778 SF
31 - 3 BR UNITS	@ 1,079 SF
124 TOTAL UNITS	

DENSITY ALLOWED :

21-29 UNITS / NET ACRE =	
2.44 NET ACRES X 29=	70.76 (71) UNITS
71 UNITS x 80% DENSITY BONUS	127.8 (128) UNITS

DENSITY PROVIDED : 124 UNITS

OPEN AREA PROVIDED:
LANDSCAPED COURTYARD = ±17,500 SF

PRIVATE OPEN AREA PROVIDED:
UNIT PATIO/BALCONIES @ 50 SF
44 UNITS X 50 SF BALCONY = 2,200 SF

BUILDING AREA:

1ST FLOOR	= 35,822 SF
2ND FLOOR	= 35,343 SF
3RD FLOOR	= 35,343 SF
4TH FLOOR	= 23,212 SF
TOTAL BUILDING AREA	= 129,720 SF

LOT COVERAGE:
ALLOWED: 35%
PROVIDED: 35,822 SF/141,688 SF= 25.3%

FLOOR AREA RATIO:
ALLOWED: .35:1
PROVIDED: 129,720SF/141,688 .92:1

COMMON AREA:
TOTAL COMMON AREA = 3,025 SF

REQUIRED PARKING:
PARKING (DENSITY BONUS 1/2 MILE TRANSIT):
NO PARKING REQUIRED
PARKING (COMMERCIAL DISTRICT MIXED-USE):
MIN 1 SPACE PER UNIT =124 SPACES
PARKING (P-1 DEVELOPMENT STANDARDS):

1.5 SPACE PER 1BR UNIT (60)	=90 SPACES
2 SPACE PER 2BR UNIT (33)	=66 SPACES
2 SPACE PER 3BR UNIT (31)	=62 SPACES
.25 GUEST SPACE PER UNIT	=31 SPACES
TOTAL	=249 SPACES

PROVIDED PARKING:
TOTAL RESIDENTIAL SPACES PROVIDED =

1ST ACCESS SPACES PROVIDED:	77 SPACES
1ST ACCESS COMPACTS PROVIDED:	28 SPACES
ACCESSIBLE SPACES PROVIDED:	9 SPACES
EVCS PROVIDED:	10 SPACES
TOTAL 1ST ACCESS SPACES	124 SPACES
TANDEM SPACES PROVIDED:	47 SPACES
TOTAL SPACES PROVIDED:	171 SPACES

TOTAL COMMERCIAL SPACES PROVIDED =
3.3 SPACE/1000SF COMMERCIAL

.0033 x 2,630 SF=	9 SPACES
TOTAL SPACES PROVIDED:	9 SPACES

INCENTIVES:
-FAR (ASKING 1:1)
-STORY INCREASE (4 STORIES)
-HEIGHT 55'

The above drawings, specifications, ideas, designs and arrangements represented thereby are and shall remain property of the Architect (YM Architects), and no part thereof shall be copied, disclosed to others or used in connection with any other project other than the specific project for which they have been prepared and developed, without the written consent of the Architect (YM Architects). Visual contact with these drawings or specifications shall constitute conclusive evidence of acceptance of these restrictions. Written dimensions on these drawings shall have pre-over scaled dimensions. Contractors shall verify and be responsible for all dimensions and conditions on the job, and this office must be notified of any variations from the dimensions and conditions shown by these drawings. Shop details must be submitted to this office for approval before proceeding with fabrication.

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Y&M Architects
Y&M Architects
724 S. Spring Street #304
Los Angeles, CA 90014
Tel. 213 623 2107 Fax. 213 623 2108
www.ymarch.com

BELLA VISTA APARTMENTS

ALLIANT STRATEGIC DEVELOPMENT

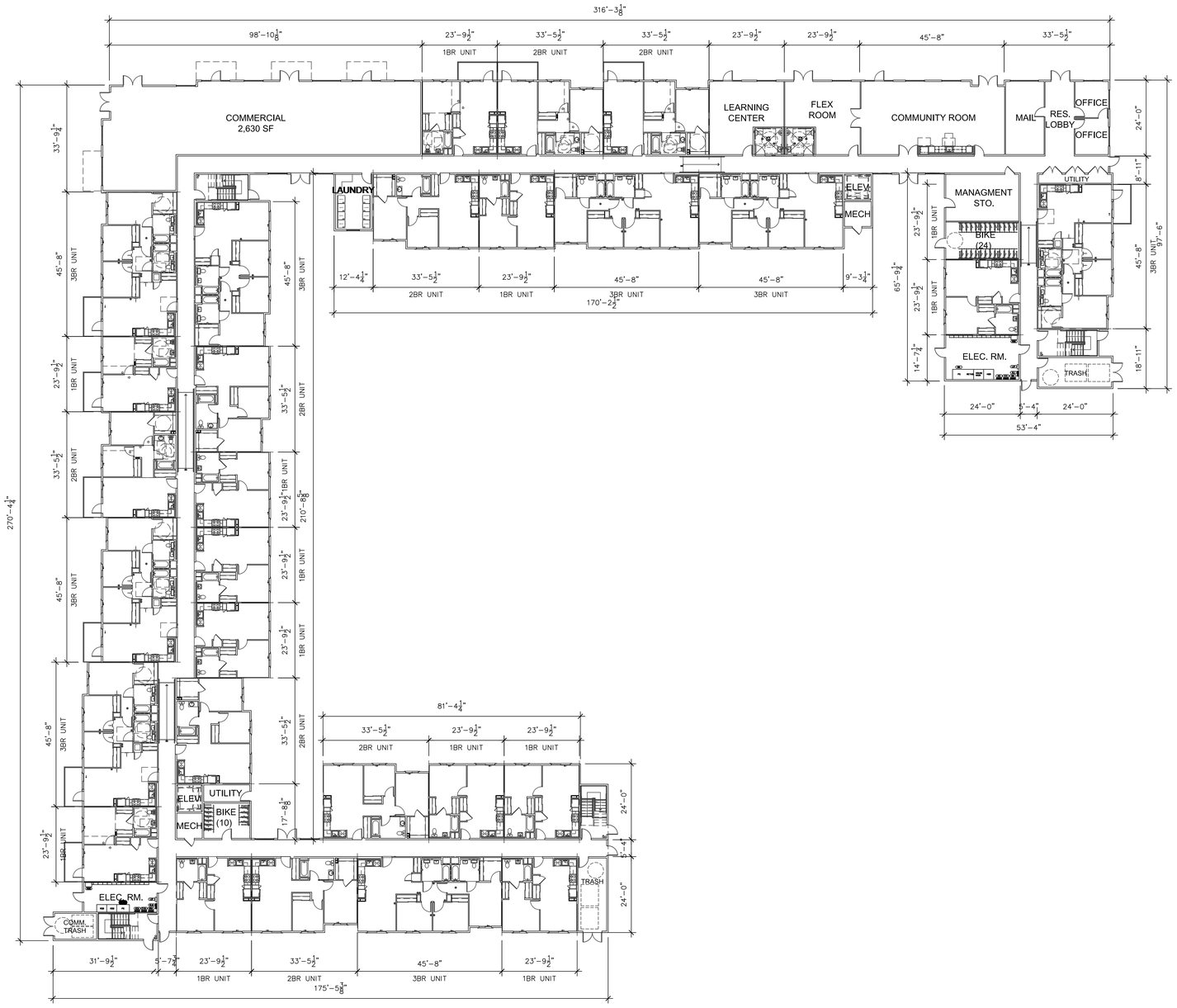
8.22.22 A-01

Project. 2855, 2867, & 3105 WILLOW PASS ROAD
BAY POINT, CA 94565

Developer. 26050 MUREAU ROAD, SUITE 101, CALABASAS, CA 91302

Date

Page



NORTH

1ST FLOOR PLAN (1)

SCALE: 1/16" = 1'-0"

The above drawings, specifications, ideas, designs and arrangements represented thereby are and shall remain property of the Architect (YM Architects), and no part thereof shall be copied, disclosed to others or used in connection with any other project other than the specific project for which they have been prepared and developed, without the written consent of the Architect (YM Architects). Visual contact with these drawings or specifications shall constitute conclusive evidence of acceptance of these restrictions. Written dimensions on these drawings shall have pre-over scaled dimensions. Contractors shall verify and be responsible for all dimensions and conditions on the job, and this office must be notified of any variations from the dimensions and conditions shown by these drawings. Shop details must be submitted to this office for approval before proceeding with fabrication.

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Y&M Architects

Y&M Architects
724 S. Spring Street #304
Los Angeles, CA 90014
Tel. 213 623 2107 Fax. 213 623 2108
www.ymarch.com

BELLA VISTA APARTMENTS

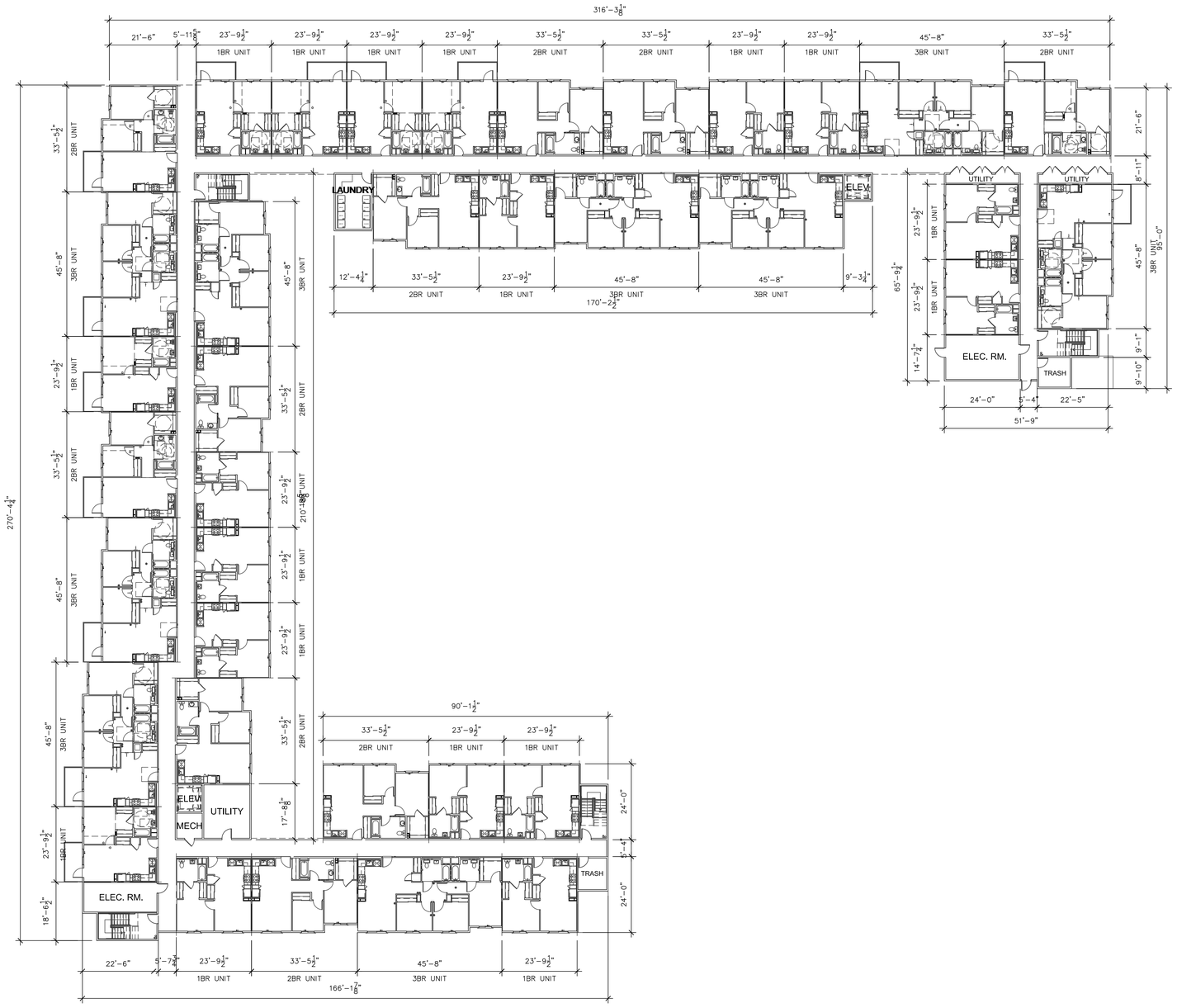
Project. 2855, 2867, & 3105 WILLOW PASS ROAD
BAY POINT, CA 94565

ALLIANT STRATEGIC DEVELOPMENT

Developer. 26050 MUREAU ROAD, SUITE 101, CALABASAS, CA 91302

8.22.22 A-03

Date **Page**



NORTH

2ND & 3RD FLOOR PLAN (1)

SCALE: 1/16" = 1'-0"

The above drawings, specifications, ideas, designs and arrangements represented thereby are and shall remain property of the Architect (YM Architects), and no part thereof shall be copied, disclosed to others or used in connection with any other project other than the specific project for which they have been prepared and developed, without the written consent of the Architect (YM Architects). Visual contact with these drawings or specifications shall constitute conclusive evidence of acceptance of these restrictions. Written dimensions on these drawings shall have pre-over scaled dimensions. Contractors shall verify and be responsible for all dimensions and conditions on the job, and this office must be notified of any variations from the dimensions and conditions shown by these drawings. Shop details must be submitted to this office for approval before proceeding with fabrication.

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Y&M Architects

Y&M Architects
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www.ymarch.com

BELLA VISTA APARTMENTS

Project. 2855, 2867, & 3105 WILLOW PASS ROAD
BAY POINT, CA 94565

ALLIANT STRATEGIC DEVELOPMENT

Developer. 26050 MUREAU ROAD, SUITE 101, CALABASAS, CA 91302

8.22.22 A-04

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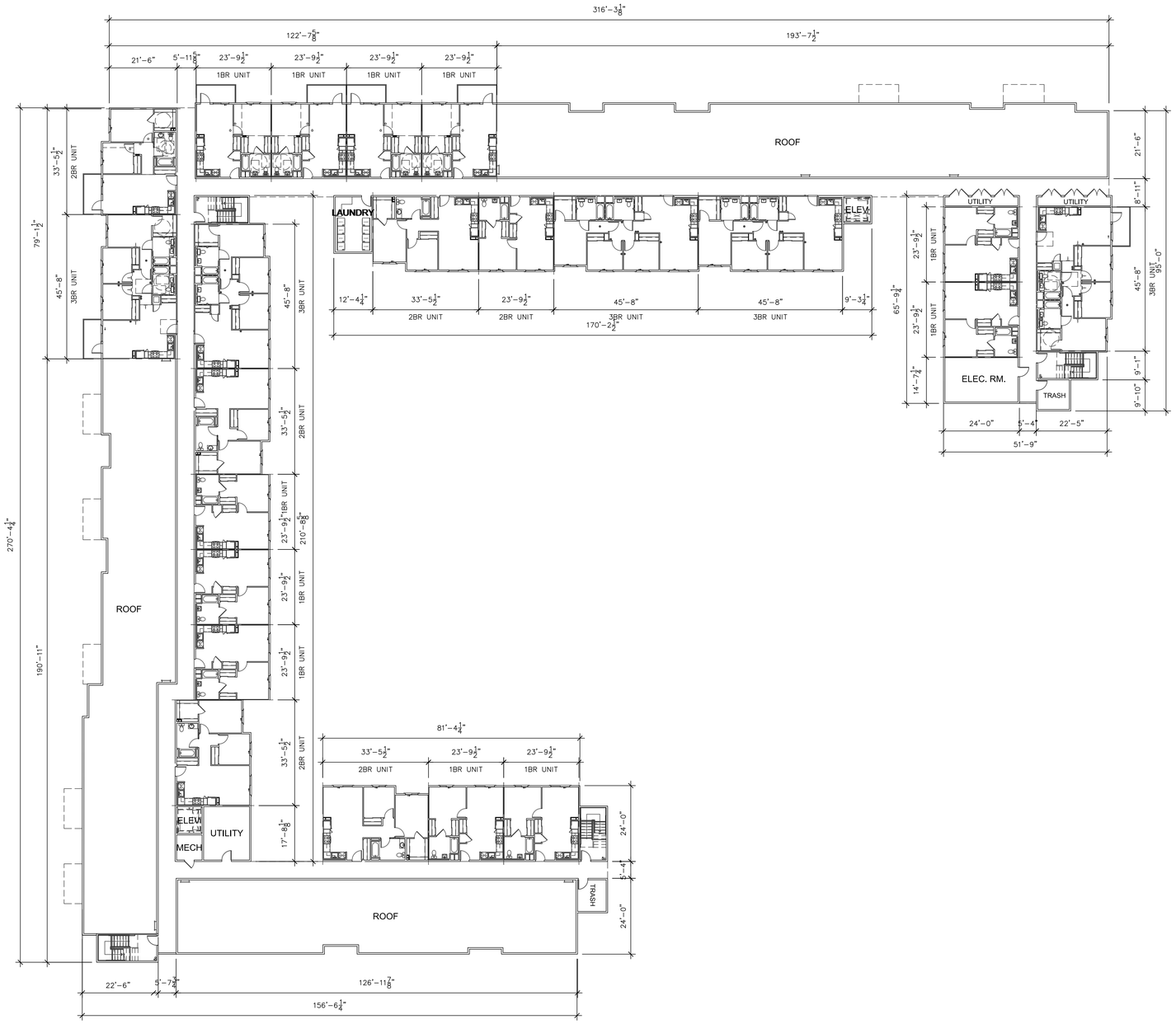

4TH FLOOR PLAN (1)

SCALE: 1/16" = 1'-0"

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8.22.22 A-05

Date **Page**

SOUTH ELEVATION (4)

SCALE: 3/32" = 1'-0"

WEST ELEVATION CLEARLAND DR. (3)

SCALE: 3/32" = 1'-0"

NORTH ELEVATION WILLOW PASS RD. (2)

SCALE: 3/32" = 1'-0"

EAST ELEVATION (1)

SCALE: 3/32" = 1'-0"

JAMES HARDIE SMOOTH LAP SIDING DUNN EDWARDS - ANTIQUE GARNET DE6027	1
JAMES HARDIE SMOOTH LAP SIDING DUNN EDWARDS - POINTED ROCK DE6363	2
JAMES HARDIE SMOOTH LAP SIDING DUNN EDWARDS- COBBLESTONE PATH DE 6068	3
ALLURA LAP SIDING COLOR: CEDAR	4
PORTLAND CEMENT 16/20: DUNN EDWARDS - PLAY ON GRAY DE6228	5
PORTLAND CEMENT 16/20: DUNN EDWARDS - DESERT ROCK DE 6066	6
PORTLAND CEMENT TRIM 16/20: DUNN EDWARDS - CAVERNOUS DE6364	7
PORTLAND CEMENT TRIM 16/20: DUNN EDWARDS - DE6204 TRITE WHITE	8
MILGARD VINYL WINDOWS DARK BRONZE	9
ALUMINUM STOREFRONT DARK BRONZE	10
METAL RAILING DUNN EDWARDS - CAVERNOUS DE 6364	11
BALCONY DUNN EDWARDS - CAVERNOUS DE 6364	12
CANVAS AWNING COLOR: SUNBRELLA - CANVAS RUST	13
PORTLAND CEMENT 16/20 & METAL LOUVERS DUNN EDWARDS - CAVERNOUS DE 6364	14

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8.22.22 A-06

Date **Page**

Mitigation Monitoring and Reporting Program
County File #CDLP22-02029
Bay Point Multi-Family Residential Mixed-Use Project

2855-2867 Willow Pass Road
Bay Point, CA 94565

September, 2023

SECTION 4: BIOLOGICAL RESOURCES

Potentially Significant Impacts:

Potential Impact (Burrowing Owl) BIO-1: *The proposed project's construction activities could result in the destruction or abandonment of nests or wintering refugia of burrowing owl.*

Potential Impact (Migratory Bird Nests) BIO-2*: Development activities occurring during the nesting period for migratory birds, including site grading, soil excavation, and/or tree removal and vegetation pruning/removal poses a potential risk to nesting birds:*

Mitigation Measure(s):

Mitigation Measure BIO-1 **- Pre-construction Burrowing Owl Survey**: Prior to the onset of project ground disturbances, including grading, vegetation removal, and/or mobilization of equipment, a qualified biologist shall conduct a pair of pre-construction surveys for burrowing owls within the site and within any potentially suitable location within 250 feet of the site where access is feasible. The first survey shall occur approximately 14 days prior to project initiation, and the second survey shall occur within approximately 48 hours of the start of project activities. If the site and immediate site vicinity are determined by the certified biologist to have no potentially suitable habitat for burrowing owls (i.e., suitable burrows or suitable debris piles that burrowing owls could use for habitat) during the first survey, then no follow-up survey shall be required. If the Project does not commence within 30 days following this survey, a repeat survey shall be needed to ensure site conditions have not changed with regard to burrowing owl habitat.

If burrowing owls are identified utilizing burrows within or near the site, a 250-foot buffer shall be established around the active burrows and the burrows shall be periodically monitored by the qualified biologist. No construction activities, including entrance by project personnel, can occur within the buffer until the biologist has confirmed that the burrows are no longer occupied. Once the biologist has confirmed that the burrowing owls have safely self-relocated (including that young of the nest—if any—have fledged), the buffer can be removed, and planned project activities within the buffer can commence.

Mitigation Measure BIO-2*:* Pre-construction for Migratory Bird Nests: If initial site disturbance activities, including tree removal, grading, and mobilization of project equipment

and materials, are to commence during the breeding season (February 1 to August 31), a certified biologist shall conduct pre-construction surveys for nesting migratory birds onsite and within 250 feet of the construction footprint, including laydown areas and ingress and egress, where accessible. The survey shall occur within 14 days of the onset of ground disturbances if such disturbances are to commence during the nesting bird season. If site impacts will be phased such that impacts to some areas will occur more than 14 days after impacts to other areas, additional surveys shall be conducted such that all areas of the site are surveyed within 14 days of the direct implementation of impacts within those areas.

If an active bird nest is detected during these surveys, an appropriate construction-free buffer shall be established. Actual size of the buffer, which will be determined by the project biologist, would depend on the nesting species, topographical relationship of the nest to the project disturbance area, and the type of activity that would occur in the vicinity of the nest. The buffer shall be monitored periodically by the biologist to ensure compliance, and the buffer shall not be removed until the biologist has confirmed that nesting is complete and young of the nest have fledged.

Implementing Action:	COA
Timing of Verification:	Prior to ground disturbing activities.
Party Responsible for Verification:	Project proponent, CDD staff, consulting Biologist
Compliance Verification:	Review of Biologist's report or other verification provided to CDD staff

SECTION 5: CULTURAL RESOURCES

Potentially Significant Impacts:

Potential Impact CUL-1: Subsurface construction activities could potentially damage or destroy previously undiscovered historic and prehistoric resources.

Mitigation Measure(s):

Mitigation Measure CUL-1*: The following Mitigation Measures shall be implemented during project related ground disturbance, and shall be included on all construction plans:*

a. *All construction personnel, including operators of equipment involved in grading, or trenching activities will be advised of the need to immediately stop work if they observe any indications of the presence of an unanticipated cultural resource discovery (e.g. wood, stone, foundations, and other structural remains; debris-filled wells or privies; deposits of wood, glass, ceramics). If deposits of prehistoric or historical archaeological materials are encountered during ground disturbance activities, all work within 50 feet of the discovery shall be redirected and a qualified archaeologist, certified by the Society for California Archaeology (SCA) and/or the Society of Professional Archaeology (SOPA), shall be contacted to evaluate the finds and, if necessary, develop appropriate treatment measures in consultation with the County and other appropriate agencies. If the cultural resource is also a tribal cultural resource (TCR) the representative (or consulting) tribe(s) will also require notification and opportunity to consult on the findings.* *If the deposits are not eligible, avoidance is not necessary. If eligible, deposits will need to be avoided by impacts or such impacts must be mitigated. Upon completion of the archaeological assessment, a report should be prepared documenting the methods, results, and recommendations. The report should be submitted to the Northwest Information Center and appropriate Contra Costa County agencies.* b. *Should human remains be uncovered during grading, trenching, or other on-site excavation(s), earthwork within 30 yards of these materials shall be stopped until the County coroner has had an opportunity to evaluate the significance of the human remains and determine the proper treatment and disposition of the remains. Pursuant to California Health and Safety Code Section 7050.5, if the coroner determines the remains may those of a Native American, the coroner is responsible for contacting the Native American Heritage Commission (NAHC) by telephone within 24 hours. Pursuant to California Public Resources Code Section 5097.98, the NAHC will then determine a Most Likely Descendant (MLD) tribe and contact them. The MLD tribe has 48 hours from the time they are given access to the site to make recommendations to the land owner for treatment and disposition of the ancestor's remains. The land owner shall follow the requirements of Public Resources Code Section 5097.98 for the remains.*	
Implementing Action:	COA
Timing of Verification:	Throughout ground disturbing activities
Party Responsible for Verification:	Project proponent, CDD staff

Compliance Verification:	Review of construction drawings; or other verification provided to CDD staff

SECTION 10: HYDROLOGY AND WATER QUALITY

Potentially Significant Impacts:

Potential Impact HYDRO-1: *The project would increase stormwater outfall into existing inadequate downstream drainage infrastructure, which could result in flooding, substantial erosion, or polluted runoff.*

Potential Impact HYDRO-2: *The project, including on-site detention described in* ***HYDRO-1****, may increase stormwater outfall into existing inadequate downstream drainage infrastructure, which could result in flooding, substantial erosion, or polluted runoff.*

Mitigation Measure(s):

Mitigation Measure HYDRO-1: *The implementation of a drainage plan to match post-construction flow rates with pre-construction flow rates through the use of an on-site stormwater detention system will ensure that the project does not increase the volume of stormwater outfall from the project into existing storm drainage infrastructure relative to present conditions. Prior to the issuance of a building or grading permit (whichever occurs first), the applicant shall submit a final drainage plan with hydrology and hydraulic calculations for the review and approval of the County Department of Public Works, Engineering Services Division.*

Mitigation Measure HYDRO-2: *In the event that the on-site stormwater detention system described in Mitigation Measure* ***HYDRO-1*** *does not sufficiently mitigate downstream flows, the applicant shall be required to improve the downstream DA 48B to accept post construction flows. Prior to the issuance of a building or grading permit (whichever occurs first), the applicant shall submit a final drainage plan with hydrology and hydraulic calculations for the review and approval of the County Department of Public Works, Engineering Services Division.*

Implementing Action:	COA
Timing of Verification:	Prior to the issuance of Building or Grading permits

Party Responsible for Verification:	Project proponent, PW Staff, CDD staff
Compliance Verification:	Review of final drainage plan, hydrology and hydraulic calculations

SECTION 13: NOISE

Potentially Significant Impacts:

Potential Impact NOI-1 – Temporary noise levels due to construction: ***During project construction of the future buildings, a temporary increase in ambient noise levels would occur, and there may be periods of time when there would be ground borne vibrations or loud noise from construction equipment, vehicles, and tools. The temporary activities during the construction phase of the project have the potential for generating noise levels in excess of standards described in the Noise Element of the County General Plan. Therefore, the applicant is required to implement the following noise mitigation measures throughout the construction phase to reduce impacts from ground borne vibrations and temporary increases in ambient noise levels to less than significant levels:***

Mitigation Measure(s):

Mitigation Measure NOI-1a: ***All construction activities, including delivery of construction materials, shall be limited to the hours of 8:00 A.M. to 5:00 P.M., Monday through Friday, and are prohibited on State and Federal holidays on the calendar dates that these holidays are observed by the State or Federal government as listed below***

New Year's Day (State and Federal)
Birthday of Martin Luther King, Jr. (State and Federal)
Washington's Birthday (Federal)
Lincoln's Birthday (State)
President's Day (State)
Cesar Chavez Day (State)
Memorial Day (State and Federal)
Juneteenth National Independence Holiday (Federal)
Independence Day (State and Federal)
Labor Day (State and Federal)
Columbus Day (Federal)
Veterans Day (State and Federal)
Thanksgiving Day (State and Federal)
Day after Thanksgiving (State)
Christmas Day (State and Federal)

Mitigation Measure NOI-1b: ***Transportation of heavy equipment (e.g., graders, cranes, excavators, etc.) and trucks to and from the site shall be limited to weekdays between the***

hours of 9:00 AM and 4:00 PM and prohibited on Federal and State holidays. This restriction does not apply to typical material and equipment delivery or grading activities.

***Mitigation Measure NOI-1c*: The applicant shall require their contractors and subcontractors to fit all internal combustion engines with mufflers which are in good condition and shall locate stationary noise-generating equipment such as air compressors as far away from existing residences as possible.**

***Mitigation Measure NOI-1d*: The applicant shall notify neighbors within 300 feet of the subject property at least one week in advance of grading and construction activities.**

***Mitigation Measure NOI-1e*: The applicant shall designate a construction noise coordinator who will be responsible for implementing the noise control measures and responding to complaints. This person's name and contact information shall be posted clearly on a sign at the project site and shall also be included in the notification to properties within 300 feet of the project site. The construction noise coordinator shall be available during all construction activities and shall maintain a log of complaints, which shall be available for review by County staff upon request.**

***Mitigation Measure NOI-1f*: Prior to the issuance of building permits, a preconstruction meeting shall be held with the job inspectors, designated construction noise coordinator, and the general contractor/onsite manager in attendance. The purpose of the meeting is to confirm that all noise mitigation measures and practices (including construction hours, neighborhood notification, posted signs, etc.) are completed and in place prior to beginning grading or construction activities. The applicant shall provide written confirmation to CDD staff verifying the time and date that the meeting took place and identifying those in attendance.**

Implementing Action:	COA
Timing of Verification:	Prior to CDD approval of construction documents
Party Responsible for Verification:	Project proponent, CDD staff
Compliance Verification:	Review of construction drawings; or other verification provided to CDD staff

SECTION 18: TRIBAL CULTURAL RESOURCES

Potentially Significant Impacts:

Potential Impact TCR-1: *There is a possibility that ground-disturbing development activities could impact heretofore unknown tribal cultural resources.*

Potential Impact TCR-2: *There is a possibility that ground-disturbing development activities could impact heretofore unknown human remains of Native American Ancestry.*

Mitigation Measure(s):

Mitigation Measure TCR-1: Treatment of Tribal Cultural Resources

If a pre-contact cultural resource is discovered during Project implementation, ground disturbing activities shall be suspended 60 feet around the resource(s) and an Environmentally Sensitive Area (ESA) physical demarcation/barrier constructed. A research design shall be developed by the archaeologist that shall include a plan to evaluate the resource for significance under CEQA criteria. Following the completion of evaluation efforts, all parties shall confer regarding the archaeological significance of the resource, its potential as a Tribal Cultural Resource (TCR), and avoidance (or other appropriate treatment) of the discovered resource.

Should any significant resource and/or TCR not be a candidate for avoidance or preservation in place, and the removal of the resource(s) is necessary to mitigate impacts, the research design shall include a comprehensive discussion of sampling strategies, resource processing, analysis, and reporting protocols/obligations. Removal of any cultural resource(s) shall be conducted with the presence of a Tribal monitor representing the Tribe. All plans for analysis shall be reviewed and approved by the applicant and Tribe prior to implementation, and all removed material shall be temporarily curated on-site. All draft records/reports containing the significance and treatment findings and data recovery results shall be prepared by the archaeologist and submitted to the Lead Agency and Tribe for their review and comment. After approval from all parties, the final reports and site/isolate records are to be submitted to the local CHRIS Information Center, the Lead Agency, and Tribe

Mitigation Measure TCR-2: Inadvertent Discoveries of Human Remains/Funerary Objects

In the event that any human remains are discovered within the Project area, ground disturbing activities shall be suspended 100 feet around the resource(s) and an Environmentally Sensitive Area (ESA) physical demarcation/barrier constructed. The on-site lead/foreman shall then immediately notify the Tribe, the applicant/developer, and the Lead Agency. The Lead Agency and the applicant/developer shall then immediately contact the County Coroner regarding the

discovery. If the Coroner recognizes the human remains to be those of a Native American or has reason to believe that they are those of a Native American, the Coroner shall ensure that notification is provided to the NAHC within twenty-four (24) hours of the determination, as required by California Health and Safety Code § 7050.5 (c). The NAHC-identified Most Likely Descendant (MLD), shall be allowed, under California Public Resources Code § 5097.98 (a), to (1) inspect the site of the discovery and (2) make determinations as to how the human remains and funerary objects shall be treated and disposed of with appropriate dignity.

The MLD, Lead Agency, and landowner agree to discuss in good faith what constitutes "appropriate dignity" as that term is used in the applicable statutes. The MLD shall complete its inspection and make recommendations within forty-eight (48) hours of the site visit, as required by California Public Resources Code § 5097.98. Reburial of human remains and/or funerary objects (those artifacts associated with any human remains or funerary rites) shall be accomplished in compliance with the California Public Resources Code § 5097.98 (a) and (b). The MLD in consultation with the landowner, shall make the final discretionary determination regarding the appropriate disposition and treatment of human remains and funerary objects. All parties are aware that the MLD may wish to rebury the human remains and associated funerary objects on or near the site of their discovery, in an area that shall not be subject to future subsurface disturbances.

The applicant/developer/landowner shall accommodate on-site reburial in a location mutually agreed upon by the Parties. It is understood by all Parties that unless otherwise required by law, the site of any reburial of Native American human remains or cultural artifacts shall not be disclosed and shall not be governed by public disclosure requirements of the California Public Records Act. The coroner, parties, and Lead Agencies would be asked to withhold public disclosure information related to such reburial, pursuant to the specific exemption set forth in California Government Code § 6254 (r).

Implementing Action:	COA
Timing of Verification:	Prior to CDD approval of construction documents
Party Responsible for Verification:	Project proponent, CDD staff
Compliance Verification:	Review of construction drawings; Consultation with Tribal officials upon accidental discovery (if any)