DRAFT

NEW AQUATIC AND COMMUNITY CENTER AT HEATHER FARM PARK PROJECT

INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

WALNUT CREEK, CALIFORNIA

LSA

June 2024

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INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

WALNUT CREEK, CALIFORNIA

Submitted to:

City of Walnut Creek
1666 North Main Street
Walnut Creek, California 94596

Prepared by:

LSA
157 Park Place
Pt. Richmond, California 94801
(510) 236-6810

Project No. 20231287.01

June 2024

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LIST OF ABBREVIATIONS AND ACRONYMS

µg/m^3	micrograms per cubic meter
AB	Assembly Bill
ABAG	Association of Bay Area Governments
AFY	acre-feet per year
ANSI	American National Standards Institute
APN	Assessor's Parcel Number
BAAQMD	Bay Area Air Quality Management District
BART	Bay Area Rapid Transit
Basin Plan	Water Quality Control Plan
bgs	below ground surface
BMPs	Best Management Practices
CAL FIRE	California Department of Forestry and Fire Protection
Cal/EPA	California Environmental Protection Agency
Cal/OSHA	California Occupational Health and Safety Administration
CalEEMod	California Emissions Estimator Model
CALGreen Code	California Green Building Standards Code
CalRecycle	California Department of Resources Recycling and Recovery
Caltrans	California Department of Transportation
CARB	California Air Resources Board
CBC	California Building Code
CCCFPD	Contra Costa County Fire Protection District
CCCWP	Contra Costa Clean Water Program

CCR	California Code of Regulations
CCSWA	Central Contra Costa Solid Waste Authority
CCWD	Contra Costa Water District
CDFW	California Department of Fish and Wildlife
CEC	California Energy Commission
Central San	Central Contra Costa Sanitation District
CEQA	California Environmental Quality Act
CESA	California Endangered Species Act
CGP	Construction General Permit
CGS	California Geological Survey
CH_4	methane
City	City of Walnut Creek
Clean Air Plan	BAAQMD 2017 Clean Air Plan
CNDDB	California Natural Diversity Database
CNEL	community noise equivalent level
CNPS	California Native Plant Society
CO	carbon monoxide
CO_2	carbon dioxide
CO_2e	carbon dioxide equivalents
CRHR	California Register of Historical Resources
CRPR	California Rare Plant Rank
CWA	Federal Clean Water Act
dB	decibel
dBA	A-weighted sound level

DDT	dichlorodiphenyltrichloroethane
DNL	day-night average level, also L_{dn}
DOC	California Department of Conservation
DOSH	California Division of Occupational Safety and Health
DTSC	California Department of Toxic Substances Control
DWR	California Department of Water Resources
EBMUD	East Bay Municipal Utilities District
EFZs	Earthquake Fault Zones
EIR	Environmental Impact Report
EO	Executive Order
EOP	Countywide Emergency Operations Plan
EQ Zapp	California Earthquake Hazards Zone Application
FBI	Federal Bureau of Investigation
FEMA	Federal Emergency Management Agency
FESA	Federal Endangered Species Act
FHSZ	Fire Hazard Severity Zone
FHWA	Federal Highway Administration
FIRM	Flood Insurance Rate Map
FTA	Federal Transit Administration
GHGs	greenhouse gas
gpd	gallons per day
gpy	gallons per year
GSAs	Groundwater Sustainability Agencies
GSPs	Groundwater Sustainability Plans

GWh	gigawatt-hours
GWP	Global Warming Potential
HDM	Caltrans' *Highway Design Manual*
HFCs	hydrofluorocarbons
HVAC	heating, ventilation, and air-conditioning
I-680	Interstate 680
in/sec	inches per second
IPaC	USFWS' Information for Planning and Consultation
IS/MND	Initial Study/Mitigated Negative Declaration
ISA	International Society of Arboriculture
IUCN	International Union for Conservation of Nature
kWh	kilowatt-hours
L_{dn}	day-night average level, also DNL
L_{eq}	equivalent continuous sound level
LID	Low Impact Development
LOS	level of service
LRA	Local Responsibility Area
LUST	leaking underground storage tank
Ma	million years ago
MBTA	Migratory Bird Treaty Act
MDUSD	Mount Diablo Unified School District
MEI	Maximally Exposed Individual
MGD	million gallons per day
MLD	Most Likely Descendant

MMI	Modified Mercalli Intensity
mpg	miles per gallon
MRP	Municipal Regional Stormwater NPDES Permit
MTC	Metropolitan Transportation Commission
MUN	municipal
MUTCD	*California Manual on Uniform Traffic Control Devices*
N_2O	nitrous oxide
NAHC	Native American Heritage Commission
NO_2	nitrogen dioxide
NOI	Notice of Intent
NOx	nitrogen oxide
NPDES	National Pollutant Discharge Elimination System
NRCS	Natural Resources Conservation Service
NRHP	National Register of Historic Places
NWI	National Wetlands Inventory
NWIC	Northwest Information Center
NWP	Nationwide Permit
OPR	Governor's Office of Planning Research
OSHA	Occupational Health and Safety Administration
OS-R	Open Space – Recreation
Pb	lead
PCBs	polychlorinated biphenyls
PD	Planned Development
pf	peaking factor

PFCs	perfluorocarbons
PG&E	Pacific Gas & Electric
$PM_{2.5}$	particulate matter less than 2.5 microns in diameter
PM_{10}	particulate matter less than 10 microns in diameter
POTWs	publicly owned treatment works
PPV	peak particle velocity
PRC	Public Resources Code
PRDs	Permit Registration Documents
project	Heather Farm Park Aquatic and Community Center Project
RCM	Regulatory Compliance Measure
RCRA	Resource Conservation and Recovery Act
RMS	root-mean-square
ROG	reactive organic gases
RWQCB	Regional Water Quality Control Board
San Francisco Bay RWQCB	San Francisco Bay Regional Water Quality Control Board
SB	Senate Bill
SF_6	sulfur hexafluoride
SFO	San Francisco International Airport
SGMA	Sustainable Groundwater Management Act
SLF	Sacred Lands File
SMARTs	Stormwater Multiple Application and Report Tracking System
SQGs	small-quantity generators
Stormwater C.3 Guidebook	*Contra Costa Clean Water Program Stormwater C.3. Guidebook*

SWIS	Solid Waste Information System
SWPPP	Storm Water Pollution Prevention Plan
SWRCB	State Water Resources Control Board
TACs	toxic air contaminants
TCRs	Tribal Cultural Resources
TMDLs	Total Maximum Daily Loads
TPZ	Tree Protection Zone
UCMP	University of California Museum of Paleontology
USACE	United States Army Corps of Engineers
USDA	United States Department of Agriculture
USDOT	United States Department of Transportation
USEPA	United States Environmental Protection Agency
USFWS	United States Fish and Wildlife Service
USGS	United States Geological Survey
UWMP	Urban Water Management Plan
VdB	vibration velocity decibels
VHFHSZ	Very High Fire Hazard Severity Zone
VMT	vehicle miles traveled
WCPD	Walnut Creek Police Department
WDID	Waste Discharge Identification Number
WEAP	Worker Environmental Awareness Program

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1.0 PROJECT INFORMATION

1. **Project Title:**

   New Aquatic and Community Center at Heather Farm Park Project

2. **Lead Agency Name and Address:**

   City of Walnut Creek
   1666 North Main Street
   Walnut Creek, CA 94596

3. **Contact Person and Phone Number:**

   Rich Payne, Interim Assistant Director of Public Works
   (925) 943-5899

4. **Project Location:**

   The approximately 4.7-acre project site is generally situated in the center and southern portion of Heather Farm Park (Park) in the City of Walnut Creek, Contra Costa County. The Park is approximately 102 acres in size and is located northwest of the intersection of North San Carlos Drive and Heather Drive (Assessor's Parcel Number [APN] 144-050-019).

5. **Project Sponsor's Name and Address:**

   City of Walnut Creek
   1666 North Main Street
   Walnut Creek, CA 94596

6. **General Plan Designation:**

   Open Space-Recreation

7. **Zoning:**

   Planned Development, Ordinance 859 (PD-859)

8. **Description of Project:**

   The City of Walnut Creek (City) proposes to demolish the existing Heather Farm Community Center, construct a new Aquatic/Community Center and implement other associated parking and site improvements (e.g., landscaping, pathways, modifications to the existing concrete pond). Following construction of the new Aquatic/Community Center, the City would demolish the existing Clarke Memorial Swim Center. See Chapter 2.0, Project Description, of this Initial Study/Mitigated Negative Declaration (IS/MND) for a full project description.

9. **Surrounding Land Uses and Setting:**

   The project site is located within the 102-acre Heather Farm Park. The Park is bounded by single family and residential uses to the north and east, recreational and commercial uses to the south, and single-family residential units and Diablo Hills Golf Course to the west. A detailed

description of the surrounding land uses and setting is provided in Chapter 2.0, Project Description.

10. Other Public Agencies Whose Approval is Required (e.g., permits, financial approval, or participation agreements):

- California Department of Fish and Wildlife
- United States Army Corps of Engineers
- Regional Water Quality Control Board

11. Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resource 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.?

On February 12, 2024, the City of Walnut Creek sent Assembly Bill (AB) 52 outreach letters to the tribes listed in the contact list provided by the Native American Heritage Commission (NAHC) on July 27, 2023. The letters, which were sent via certified mail to the tribal contacts, described the project, provided maps of the project site, and invited the tribes to request consultation should they have any concerns.

On February 16, 2024, a representative from the Confederated Villages of Lisjan Nation contacted City staff via email requesting the results of the Sacred Lands File (SLF) search from the NAHC and any additional archaeological reports. On February 21, 2024, the City responded with the SLF search results.

On February 21, 2024, a representative from the Wilton Rancheria Cultural Preservation Department responded via email requesting consultation. The tribal representative and City staff met virtually on March 21, 2024, to discuss the potential for cultural resources on the site and resource protection mitigation measures that were suggested by the tribe to be implemented prior to and during ground disturbance related to the proposed project. These measures have been incorporated into Section 4.18, Tribal Cultural Resources.

2.0 PROJECT DESCRIPTION

The following describes the proposed New Aquatic and Community Center at Heather Farm Park Project (project) that is the subject of this IS/MND prepared pursuant to the California Environmental Quality Act (CEQA). The proposed project is the redevelopment of the existing aquatic and community center within Heather Farm Park to create a new Aquatic and Community Center, as well as associated improvements.

2.1 PROJECT SITE

The following section describes the project location, existing conditions, surrounding land uses, and the regulatory setting.

2.1.1 Project Location

The approximately 4.7-acre project site is generally situated in the center and southern portions of Heather Farm Park (Park) in the City of Walnut Creek, Contra Costa County. The Park is approximately 102 acres in size and is located northwest of the intersection of North San Carlos Drive and Heather Drive (Assessor's Parcel Number [APN] 144-050-019). The Park is bounded by single-family and residential uses to the north and east, recreational and commercial uses to the south, and single-family residential units and Diablo Hills Golf Course to the west.

The project site itself is bound by Heather Farm Park Lake (referred to herein as the Nature Lake) to the north, North San Carlos Drive to the east, Heather Drive to the south, and open space to the west including the Gardens at Heather Farm. The project site includes the existing Heather Farm Community Center, the Clarke Memorial Swim Center, and an adjacent man-made pond (referred to herein as the Concrete Pond). The project's location and regional vicinity are shown in Figure 2-1, Project Location and Regional Vicinity Map, and an aerial photo of the project site and surrounding land uses is shown in Figure 2-2, Project Site**.**

Local access to the project site is provided via North San Carlos Drive, which connects to Ygnacio Valley Road south of the site, and from Heather Drive, which connects to Marchbanks Drive west of the site. Regional access to the project site is provided by the Ygnacio Valley on- and off-ramp of Interstate 680 (I-680). The Walnut Creek Bay Area Rapid Transit (BART) station is approximately 2 miles to the west of the project. The project site is served by local bus connections provided by County Connection Route 1 (Rossmoor/Shadelands), Route 92X (ACE Express), and Route 93X (Kirker Pass Express). Pedestrian access to and throughout the project site is provided by sidewalks and concrete pathways.

2.1.2 Existing Conditions

As noted above, the Heather Farm Community Center and Clarke Memorial Swim Center are within the project site. The Heather Farm Community Center is a single-story building located in the center of the Park and includes approximately 10,000 square feet of floor area. The Heather Farm Community Center includes a kitchen, classroom, a conference room, and assembly room that hosts daily activities. The Clarke Memorial Swim Center includes an outdoor Olympic-sized lap pool, a diving pool,

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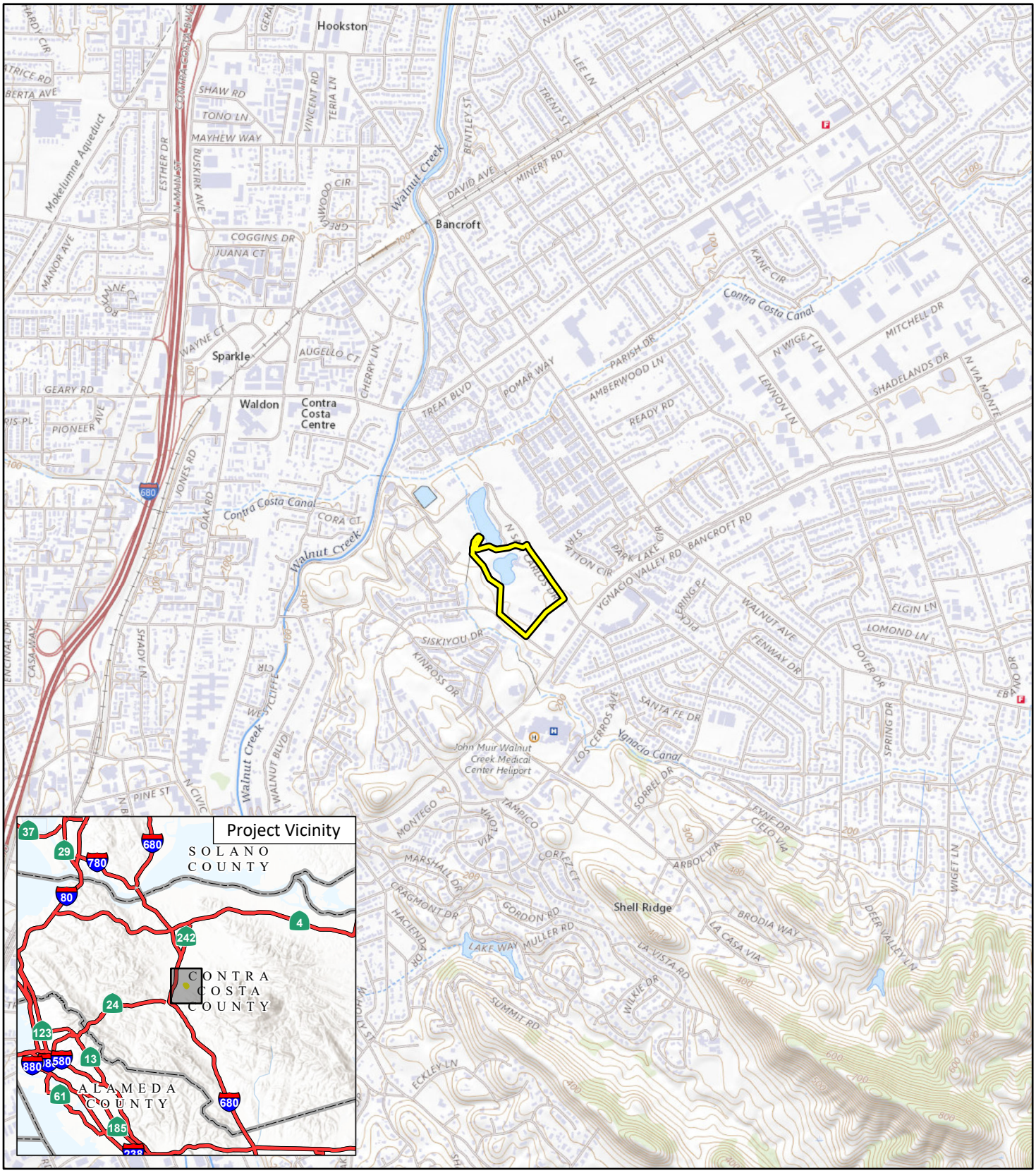

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FIGURE 2-1

New Aquatic and Community Center at Heather Farm Park

Project Location and Regional Vicinity Map

SOURCE: USGS The National Map (2018)

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Project Location

FIGURE 2-2

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0 100 200

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SOURCE: Google Maps (2023)

New Aquatic and Community Center at Heather Farm Park

Project Site

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and one additional pool, as well as an approximately 6,000-square-foot, single-story building that includes locker rooms, showers, and mechanical space for the pools. The heights of the existing buildings range from 26 to 32 feet.

Average attendance at the Heather Farm Community Center is approximately 14,425 visitors annually for arts and recreation classes, including preschool programs. In addition, the Heather Farm Community Center features two rental facilities – the Lakeside Room and the Club Room. The Lakeside Room can host events of up to 200 guests, while the Club Room can seat 60 guests. Average attendance at the Clarke Memorial Swim Center is approximately 162,000 visitors annually including group and private swim lessons, summer day camps and safety certification courses.

The Concrete Pond is an approximately 2.28-acre concrete rimmed pond that is located adjacent to the Heather Farm Community Center and is surrounded by a paved pathway. North of the pond is the Nature Lake, a modified natural lake that covers approximately 5.12 acres and is surrounded by paved and unpaved pathways. The lake has fringing wetlands and is connected to the Concrete Pond through an underground concrete overflow structure. The Concrete Pond receives runoff from an ephemeral waterway, unofficially called Rose Creek, to the south but is otherwise artificially filled with raw water from the Contra Costa Canal.

2.1.3 Surrounding Land Uses

As previously discussed, the project site is located within Heather Farm Park. In addition to the Heather Farm Community Center and Clarke Memorial Swim Center, the Park includes an all-abilities playground, baseball fields, basketball courts, an equestrian center, a garden center, and an off-leash dog park, in addition to other amenities. The Park currently includes approximately 806 public automobile parking spaces within its boundaries. Parking is provided in lots adjacent to the sports and ball fields, Heather Farm Community Center, Clark Memorial Swim Center, equestrian center, garden center, and along Heather Drive.

As shown in Figure 2-2 a variety of land uses are located within the vicinity of the project site. The Park is surrounded by the Diablo Hills Golf Club golf course to the west, single-family residential development and the Seven Hills Ranch and School to the northwest, the Contra Costa Canal, Briones-Las Trampas Regional Trail, and single-family residential development to the north, single family residential to the east, and commercial and single-family residential development along the opposite side of Ygnacio Valley Road to the south.

2.1.4 Regulatory Setting

The Park is designated as Open Space-Recreation in the City of Walnut Creek General Plan and is within the Planned Development (PD) zoning district on the City's Zoning Map.

2.2 PROJECT BACKGROUND AND OBJECTIVES

The Your Parks, Your Future initiative is a multi-phased planning process that will ensure that parks, community facilities, and programs serve the greater Walnut Creek community into the future. Phase 1A of the initiative focused on recommendations of future art and recreation programming and the facility needs for Heather Farm Community Center, Clarke Memorial Swim Center, Civic Park

Community Center, and Shadelands Art Center. Phase 1A involved and was informed by one community workshop and online survey, multiple tours of Walnut Creek and neighboring community facilities, six advisory committee meetings, three joint commission meetings, and seven City Council meetings. As part of Phase 1B of this process, a conceptual site plan for the replacement of the Community Center and Clarke Memorial Swim Center into a combined facility was prepared in the spring of 2022 and adopted by the City Council on February 7, 2023.[1] Staff sought input from key stakeholders and from the City's Parks, Recreation and Open Space Commission. The conceptual site plan for the replacement of the existing Community Center and Clarke Memorial Swim Center at Heather Farm Park into a combined facility was accepted by Walnut Creek City Council on February 7, 2023.

In order to help fund the proposed project, Walnut Creek Voters approved Measure O, a ten-year, half-cent sales tax measure to fund current and future quality of life needs. A portion of the dollars collected as part of Measure O will contribute to the construction funds of the new facility proposed for the Heather Farm Park site.

2.3 PROPOSED PROJECT

The proposed project would include four components: (1) demolition of the existing Heather Farm Community Center and construction of a new Aquatic/ Community Center; (2) modifications to the Concrete Pond; (3) parking and other site improvements; and (4) future demolition of the existing Clarke Memorial Swim Center. Each of these components is described below.

2.3.1 Aquatic/Community Center Building Program

The existing Heather Farm Community Center would be demolished and the proposed Aquatic/Community Center would be constructed in approximately the same location, though with a larger footprint, as the existing community center. The proposed Aquatic/Community Center would be 27,023 square feet in size and single-story (approximately 30 feet) in height with event and multipurpose spaces, classrooms, locker rooms, offices, a conference room, and a kitchen. Two pools would be located between North San Carlos Drive and the proposed building: a 50-meter lap pool and a recreational pool. A pool mechanical building and a park storage building would also be constructed near the southeast corner of the project site. A comparison of the existing and proposed building program is shown in Table 2.A. The proposed concept plan is shown in Figure 2-3, Conceptual Site Plan.

The proposed project would also include outdoor improvements to the project site, including a new entry courtyard and staff patio on the eastern side and an event terrace, event garden, and multiple lawns on the western side between the proposed building and the Concrete Pond. Lawns would also be provided surrounding the new pools. New accessible pedestrian paths would be installed throughout the project site, and the existing bicycle path that runs along North San Carlos Drive would be retained.

[1] City of Walnut Creek. n.d. City of Walnut Creek Your Parks, Your Future website: https://www.walnutcreekartsrec.org/parks-facilities/your-parks-your-future (accessed May 16, 2024).

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FIGURE 2-3

0 100 200
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SOURCE: City of Walnut Creek, 2024

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New Aquatic and Community Center at Heather Farm Park
Conceptual Site Plan

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Table 2.A: Building Program Matrix

Building	Space	Existing Area (square feet)	Proposed Area (square feet)
Clarke Bath House	Lobby	281	592
	Restrooms	435	409
	Offices	851	991
	Locker Rooms	775	2,539
	Lifeguard and Storage		777
	Aquatic Classroom and Storage	1,611	1,148
	Mechanical, Electrical and Plumbing	*573*	*364*
	Circulation	*757*	*884*
	Grossing Factor/Walls	*397*	*1,406*
	Total	**5,680**	**9,110**
Community Center	Lobby	300	1,158
	Restrooms	373	879
	Offices	980	1,472
	Lakeside Room	3,722	3,524
	Kitchen and Storage	267	1,278
	Multi-purpose Room and Storage	978	1,422
	Multi-purpose Room and Storage		1,132
	Mechanical, Electrical and Plumbing	*1,417*	*364*
	Circulation	*870*	*435*
	Grossing Factor/Walls	*228*	*603*
	Total	**9,135**	**12,267**
Shared Atrium			**1,013**
Pool Mechanical and Site Buildings	Pool Mechanical and Storage		2,243
	Park Maintenance		877
	Total		**3,120**
	All Buildings Total		**25,510**

Source: City of Walnut Creek (2023).

It is anticipated that the proposed Aquatic/Community Center would operate similarly to existing conditions. No change in staffing levels or aquatic center programming (e.g., swim lessons, open swim, swim meets, etc.) are anticipated; therefore, use of the office and pool facilities are not expected to change with implementation of the proposed project. The addition of another classroom and the expansion of a classroom and rental spaces would allow the City to meet current unmet demand for these facilities, resulting in a slight increase in visitation to the Aquatics/Community Center. Given that the event rental space is typically reserved each weekend, the City does not expect an increase in the number of large rental events; rather, the provision of a larger rental event space would allow those spaces to accommodate more visitors for each event. The addition of a new classroom would be expected to add more annual trips to the site. Though, it is noted that the additional space would allow the City to expand classes and classroom sizes, thereby accommodating those residents who would otherwise be on the waitlist for those classes. As identified in the CEQA Transportation Memorandum (Appendix I), the City anticipates a 20 percent increase in vehicle trips associated with both the classrooms and rental spaces.

2.3.2 Concrete Pond Modifications

To accommodate the proposed Aquatic/Community Center, the existing Concrete Pond would be reduced by approximately 15,271 square feet. The reduction would occur in the northeast corner of the Concrete Pond and would result in a new pond area of approximately 83,428 square feet (1.92 acres). To remove the pond area, the pond would be completely drained, the area would be filled in, a new edge would be constructed, and the pond would be refilled with water. Aside from the northeast corner, no other modifications to the Concrete Pond would occur.

In conjunction with improvements to the Concrete Pond, the City proposes to expand the existing Nature Lake, at its southern end. The proposed expansion would consist of excavating a portion of the shoreline, removing some existing native and non-native trees and re-planting the new shoreline with native species. The proposed expansion area falls within the same drainage course as the Concrete Pond. The proposed Nature Lake expansion area is shown on Figure 2-4, Proposed Nature Lake Expansion Area.

2.3.3 Parking and Site Improvements

The project site is accessed via a driveway along North San Carlos Drive that currently provides access to the drop-off area for the existing Heather Farm Community Center. This driveway would be retained and four new driveways, two to the north and two to the south of the existing driveway, would be constructed to provide additional vehicular access. The northernmost driveway would be constructed within an existing parking lot and the driveway just north of the existing driveway would be the entrance to a fire apparatus road. The driveway just south of the existing driveway would be a service vehicle entrance to the pool deck and the southernmost driveway would provide entrance to a combined fire apparatus and service vehicle road to provide access to the park storage building and a trash enclosure. The existing drop off area would also be reconfigured to accommodate the new entry courtyard.

2.3.4 Utilities

The project site is currently served by water, wastewater, stormwater, and electric utilities, all of which have connections to the existing building. Implementation of the proposed project would require new connections to existing utilities located in North San Carlos Drive. The utilities serving the existing project site include a 6-inch sanitary sewer serving the existing community center which connects to an onsite manhole before connecting to a 24-inch sewer main on North San Carlos Drive. Existing 4-inch and 6-inch storm drain lines provide drainage for the building and surrounding site and connect to a 30-inch storm drain line that discharges at a headwall across North San Carlos Drive to the north. A 1-inch domestic water line serves the existing building and connects to a 2.5-inch water meter before connecting to an 8-inch water main in North San Carlos Drive. A 2-inch gas service and an electrical service from North San Carlos Drive serve the existing community center building.

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FIGURE 2-4

0 40 80
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SOURCE: Noll & Tam Architects

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Heather Farm Park Aquatic/Community Center Project

Proposed Nature Lake Expansion

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2.3.5 Demolition and Construction

Construction is anticipated to begin in early 2025 and would take approximately 24 months. Construction staging areas would be determined by the construction manager but would be contained on the project site. Approximately 21,750 cubic yards of soil would be exported from the project site as a result of grading and approximately 80,000 square feet of demolition waste would be exported. Approximately 122 trees would be removed from the project site – 70 trees would be removed to accommodate the new Aquatic and Community Center and 52 trees would be removed to accommodate the Nature Lake Expansion. The extent of tree removal would be determined as part of the final design.

Anticipated excavation depths for the proposed demolition and construction are as follows:

- Removal of existing/construction of new building foundations: 3–4 feet below current ground surface;
- Removal of existing pools: 5–18 feet below current ground surface;
- Utility trenching: 5–8 feet below current ground surface;
- Recreational pool excavation: 5–6 feet below current ground surface;
- Lap pool excavation: 10–18 feet below current ground surface; and
- Excavation for expansion of the Nature Lake shoreline: 1-12 feet below current ground surface.

2.4 PROJECT APPROVALS

A number of permits and approvals would be required for the proposed project. While the City is the Lead Agency for the project, other agencies also have discretionary authority related to the project and approvals. A list of these agencies and potential permits and approvals that may be required is provided in Table 2.B.

Table 2.B: Potential Permits and Approvals

Lead Agency	Potential Permits/Approvals
City of Walnut Creek	● Environmental Review ● Project Approval
Other Agencies	
California Department of Fish and Wildlife (CDFW)	● Lake or Streambed Alteration Agreement
San Francisco Bay Regional Water Quality Control Board (San Francisco Bay RWQCB)	● Water Quality Certification
United States Army Corps of Engineers (USACE)	● Nationwide Permit (NWP) 42
Contra Costa County Fire Protection District	● Design Review
Contra Costa County Environmental Health	● Health Permit
Contra Costa County Water District	● Connection/Reconnection of utilities
Pacific Gas & Electric (PG&E)	● Connection/Reconnection of utilities

Source: LSA (2024).

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3.0 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 in Chapter 3.0.

☐ 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/Service Systems	☐ Wildfire	☐ Mandatory Findings of Significance

3.1 DETERMINATION

On the basis of this initial evaluation:

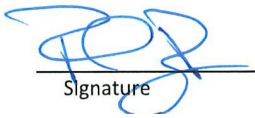
☐ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

☒ 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 ENVIRONMENTAL IMPACT REPORT or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier ENVIRONMENTAL IMPACT REPORT or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.



Signature

6/25/24

Date

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4.0 CEQA ENVIRONMENTAL CHECKLIST

4.1 AESTHETICS

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Except as provided in Public Resources Code Section 21099, would the project:				
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 a publicly accessible vantage point.) 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?	☐	☐	☒	☐

a. Would the project have a substantial effect on a scenic vista? ***(Less Than Significant Impact)***

A scenic vista is generally defined as a public vantage point with an expansive view of a significant landscape feature. As described in the City of Walnut Creek General Plan, the views from the City of Walnut Creek towards open spaces, hills, and Mount Diablo are considered scenic and part of the City's identity, sense of place, and character. Figure 14, Urban and Non-Urban Areas with Scenic Corridors and Views, in the City of Walnut Creek General Plan shows the City's scenic corridors and views. As shown on Figure 14, the project site provides panoramic views of the hills to the east and Mount Diablo.

The project site is located in an urban area, is surrounded by urban uses, and is currently developed with the existing Heather Farm Community Center and Clarke Memorial Swim Center. The proposed project would include demolition of the existing community center and construction of the proposed Aquatic/Community Center in approximately the same location, though with a larger footprint, as the existing community center. The proposed Aquatic/Community Center would be 27,023 square feet in size and a single story in height. Two pools would be located between North San Carlos Drive and the proposed building: a 50-meter lap pool and a recreational pool. A pool mechanical building and a park storage building would also be constructed near the southeast corner of the project site.

As described above, the project site is located adjacent to scenic views, as defined the City's General Plan and would be readily visible from these public vantage points. However, the proposed Aquatic/Community Center and other mechanical and storage buildings would be generally located within the same location and footprint as the existing Heather Farm Community Center (though

larger by approximately 70 percent) and would be of a similar height – the existing Heather Farm Community Center is approximately 10 to 23 feet tall and the proposed Aquatic/Community Center would be between 12 and 26 feet tall. Therefore, the new building would not be more visible from any scenic vista, nor would it block existing public views of a scenic vista as compared to existing conditions. Therefore, the proposed project would have a less than significant impact on publicly accessible scenic vistas.

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

Interstate 680 (I-680) is the closest officially designated State Scenic Highway to the project site.[2] At its closest, I-680 is located approximately 2.5 miles southwest of the project site. Given this distance and the intervening development and topography, the proposed project would not be visible from this State Scenic Highway. Therefore, the proposed project would have a less than significant impact with respect to substantially damaging any rock outcroppings, historic buildings, or other scenic resources within view of a State Scenic Highway.

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 a publicly accessible vantage point.) If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality? ***(Less Than Significant Impact)***

The project site is located within an urbanized area. As noted in Chapter 2.0, Project Description, the project site is located within a Planned Development (PD) zoning district, in which the uses and the development standards are established as part of the establishment of the Planned Development District. The PD zoning district allows for an integrated, comprehensively planned area located on a single tract or contiguous tracts of land under a single or joint ownership that allows flexibility in the land use controls typically required by another zone. The project site is located within PD-859, which was adopted in 1966 and established approximately 1,150 multi-family and townhome housing units, a 9-hole golf course and clubhouse, and dedication of a portion of the site for a part of Heather Farm Park.

The proposed project would include demolition of the existing Heather Farm Community Center and construction of the proposed Aquatic/Community Center in approximately the same location, though with a larger footprint. The proposed Aquatic/Community Center would be 27,023 square feet in size and single story in height. Two pools would be located between North San Carlos Drive and the proposed building: a 50-meter lap pool and a recreational pool. A pool mechanical building and a park storage building would also be constructed. Following construction of the new Aquatic/Community Center, the existing Clarke Memorial Swim Center would also be demolished.

[2] California Department of Transportation (Caltrans). n.d. California State Scenic Highway System Map. Website: https://caltrans.maps.arcgis.com/apps/webappviewer/index.html?id=465dfd3d807c46cc8e8057116f1aacaa (accessed February 2024).

The new structures and related improvements would be consistent with the existing community uses and park setting established by the PD-859 zoning district. Therefore, the proposed project would have a less than significant impact related to conflicts with applicable zoning and other regulations 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)***

Interior and exterior lighting is currently installed within and around the existing buildings and parking lots within the project site and throughout Heather Farm Park. The proposed project would similarly include exterior security lighting located at and surrounding the new Aquatic/Community Center and parking areas. Lighting installed as a part of the proposed project would result in lighting levels similar to current conditions on the project site and would not result in a significant increase in light and glare over current conditions. Therefore, the proposed project would not result in a significant impact to day or nighttime views in the project area, and this impact would be less than significant.

4.2 AGRICULTURE AND FORESTRY RESOURCES

In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the State's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment Project; and the forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
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 or conversion of forest land to non-forest use?	☐	☐	☐	☒

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)***

The project site is currently developed with the Heather Farm Community Center and Clarke Memorial Swim Center and is located within the 102-acre Heather Farm Park, which is surrounded by residential and other community uses. There are no agricultural resources located on or near the project site. The project site is classified as "Urban and Built-Up Land" by the State Department of

Conservation.[3] Therefore, the proposed project would not result in the conversion of Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, and would have no impact.

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

The City of Walnut Creek General Plan Land Use Map designates the project site as Open Space – Recreation (OS-R). This land use designates existing publicly owned open space, parks, and golf courses, including some Contra Costa County-owned land designated for open space use. The City of Walnut Creek Zoning Map identifies the project site as Planned Development (PD). The PD zoning district allows for an integrated, comprehensively planned area located on a single tract or contiguous tracts of land under a single or joint ownership that allows flexibility in the land use controls typically required by another zone. Neither of these land use designations allows for agricultural use or development. In addition, the project site is not under a Williamson Act contract. Therefore, the proposed project would not conflict with existing zoning for agricultural use or a Williamson Act contract. No impact would occur.

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))? ***(No Impact)***

The project site is not considered forest land (as defined in Public Resources Code [PRC] Section 12220[g]), timberland (as defined by PRC Section 4526), and is not zoned Timberland Production (as defined by Government Code Section 51104[g]). As discussed in Sections 4.2.a and 4.2.b above, the City of Walnut Creek General Plan Land Use Map designates the project site as Open Space – Recreation (OS-R) and the City of Walnut Creek Zoning Map identifies the project site as Planned Development (PD). Neither of these land use designations allows for timber production. Therefore, the proposed project would have no conflict with zoning for, or cause rezoning of, forest land, timberland, or timberland zoned as Timberland Production. No impact would occur.

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

Refer to Section 4.2.c above. The project site is not considered forest land, and the proposed project would not result in the loss of forest land or conversion of forestland to non-forest use. No impact would occur.

[3] California Department of Conservation (DOC). 2022. Division of Land Use Resource Protection. California Important Farmland Finder. Website: maps.conservation.ca.gov/dlrp/ciff (accessed February 5, 2024).

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 or conversion of forest land to non-forest use? ***(No Impact)***

Refer to Sections 4.2.a and 4.2.c above. The proposed project would result in the demolition of the existing Heather Farm Community Center, construction of a new Aquatic/Community Center, and future demolition of the Clarke Memorial Swim Center on a site that is not utilized for agricultural or forestry operations; therefore, the proposed project would not involve other changes that could result in conversion of Farmland or forest land to non-agricultural or non-forest use. No impact would occur.

4.3 AIR QUALITY

Where available, the significance criteria established by the applicable air quality management district or air pollution control district may be relied upon to make the following determinations.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
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?	☐	☐	☒	☐

The project site is located within the jurisdiction of the Bay Area Air Quality Management District (BAAQMD), which regulates air quality in the San Francisco Bay Area. Air quality conditions in the San Francisco Bay Area have improved significantly since the BAAQMD was created in 1955. Ambient concentrations of air pollutants and the number of days during which the region exceeds air quality standards have fallen substantially. In the City of Walnut Creek, and the rest of the air basin, exceedances of air quality standards occur primarily during meteorological conditions conducive to high pollution levels, such as cold, windless winter nights or hot, sunny summer afternoons.

Within the BAAQMD, ambient air quality standards for ozone, carbon monoxide (CO), nitrogen dioxide (NO_2), sulfur dioxide (SO_2), particulate matter (PM_{10}, $PM_{2.5}$), and lead (Pb) have been set by both the State of California and the federal government. The State has also set standards for sulfate and visibility. The BAAQMD is under State nonattainment status for ozone and particulate matter standards. The BAAQMD is classified as nonattainment for the federal ozone 8-hour standard and nonattainment for the federal $PM_{2.5}$ 24-hour standard.

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

The applicable air quality plan is the BAAQMD 2017 Clean Air Plan (Clean Air Plan),[4] which was adopted on April 19, 2017. The Clean Air Plan is a comprehensive plan to improve Bay Area air quality and protect public health. The Clean Air Plan defines control strategies to reduce emissions and ambient concentrations of air pollutants; safeguard public health by reducing exposure to air pollutants that pose the greatest heath risk, with an emphasis on protecting the communities most heavily affected by air pollution; and reduce greenhouse gas emissions to protect the climate.

[4] Bay Area Air Quality Management District (BAAQMD). 2017. *Clean Air Plan*. April 19.

Consistency with the Clean Air Plan can be determined if the project: (1) supports the goals of the Clean Air Plan; (2) includes applicable control measures from the Clean Air Plan; and (3) would not disrupt or hinder implementation of any control measures from the Clean Air Plan.

Clean Air Plan Goals. The primary goals of the Bay Area Clean Air Plan are to: attain air quality standards; reduce population exposure and protect public health in the Bay Area; and reduce greenhouse gas emissions and protect climate.

The BAAQMD has established significance thresholds for project construction and operational impacts at a level at which the cumulative impact of exceeding these thresholds would have an adverse impact on the region's attainment of air quality standards. The health and hazards thresholds were established to help protect public health. As discussed below, implementation of the proposed project would result in less than significant operation-period emissions and, with implementation of Mitigation Measure AIR-1, the project would result in less than significant construction-period emissions. Therefore, the project would not conflict with the Clean Air Plan goals.

Clean Air Plan Control Measures. The control strategies of the Clean Air Plan include measures in the following categories: Stationary Source Measures, Transportation Measures, Energy Measures, Building Measures, Agriculture Measures, Natural and Working Lands Measures, Waste Management Measures, Water Measures, and Super-Greenhouse Gas (GHG) Pollutants Measures.

Stationary Source Control Measures. The Stationary Source Control Measures, which are designed to reduce emissions from stationary sources such as metal melting facilities, cement kilns, refineries, and glass furnaces, are incorporated into rules adopted by the BAAQMD and then enforced by BAAQMD Permit and Inspection programs. Since the project would not include any stationary sources, the Stationary Source Control Measures of the Clean Air Plan are not applicable to the project.

Transportation Control Measures. The BAAQMD identifies Transportation Control Measures as part of the Clean Air Plan to decrease emissions of criteria pollutants, toxic air contaminants (TACs), and GHGs by reducing demand for motor vehicle travel, promoting efficient vehicles and transit service, decarbonizing transportation fuels, and electrifying motor vehicles and equipment. The proposed project involves the demolition of the existing Heather Farm Community Center, construction of a new Aquatic/Community Center and associated improvements, and future demolition of the existing Clarke Memorial Swim Center. The project site is located within walking or bicycling distance from the surrounding residential areas and would provide paved pedestrian pathways around and between the proposed buildings. Additionally, there are multi-use trails in the vicinity of the project site, and existing bus stops are located within 0.5 mile along Ygnacio Valley Road. Therefore, the project would support the ability of visitors to use alternative modes of transportation to access the proposed facilities. As such, the project would promote BAAQMD initiatives to increase the use of alternate means of transportation.

Energy Control Measures. The Clean Air Plan also includes Energy Control Measures, which are designed to reduce emissions of criteria air pollutants, TACs, and GHGs by decreasing the

amount of electricity consumed in the Bay Area, as well as decreasing the carbon intensity of the electricity used by switching to less GHG-intensive fuel sources for electricity generation. Since these measures apply to electrical utility providers and local government agencies (and not individual projects), the Energy Control Measures of the Clean Air Plan are not applicable to the project.

Building Control Measures. The BAAQMD has authority to regulate emissions from certain sources in buildings such as boilers and water heaters but has limited authority to regulate buildings themselves. Therefore, the strategies in the control measures for this sector focus on working with local governments that do have authority over local building codes to facilitate adoption of best GHG control practices and policies. The proposed project would be required to comply with the latest California Green Building Standards Code (CALGreen Code) standards. Therefore, the Building Control Measures of the Clean Air Plan are not applicable to the project.

Agriculture Control Measures. The Agriculture Control Measures are designed to primarily reduce emissions of methane. Since the project does not include any agricultural activities, the Agriculture Control Measures of the Clean Air Plan are not applicable to the project.

Natural and Working Lands Control Measures. The Natural and Working Lands Control Measures focus on increasing carbon sequestration on rangelands and wetlands, as well as encouraging local governments to enact ordinances that promote urban-tree plantings. Since the project does not include the disturbance of any rangelands or wetlands, the Natural and Working Lands Control Measures of the Clean Air Plan are not applicable to the project.

Waste Management Control Measures. The Waste Management Measures focus on reducing or capturing methane emissions from landfills and composting facilities, diverting organic materials away from landfills, and increasing waste diversion rates through efforts to reduce, reuse, and recycle. The project would comply with local requirements for waste management (e.g., recycling and composting services). Therefore, the project would be consistent with the Waste Management Control Measures of the Clean Air Plan.

Water Control Measures. The Water Control Measures focus on reducing emissions of criteria pollutants, TACs, and GHGs by encouraging water conservation, limiting GHG emissions from publicly owned treatment works (POTWs), and promoting the use of biogas recovery systems. Since these measures apply to POTWs and local government agencies (and not individual projects), the Water Control Measures are not applicable to the project.

Super-GHG Control Measures. The Super-GHG Control Measures are designed to facilitate the adoption of best GHG control practices and policies through the BAAQMD and local government agencies. Since these measures do not apply to individual projects, the Super-GHG Control Measures are not applicable to the project.

Clean Air Plan Implementation. As discussed above, the proposed project would generally implement the applicable measures outlined in the Clean Air Plan, including Transportation Control Measures. Therefore, the project would not disrupt or hinder implementation of a control measure from the Clean Air Plan, and this impact would be less than significant.

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 with Mitigation Incorporated)***

The BAAQMD is currently designated as a nonattainment area for State and national ozone standards and national particulate matter ambient air quality standards. The BAAQMD nonattainment status is attributed to the region's development history. Past, present, and future development projects contribute to the region's adverse air quality impacts on a cumulative basis. By its very nature, air pollution is largely a cumulative impact. No single project is sufficient in size to, by itself, result in nonattainment of ambient air quality standards. Instead, a project's individual emissions contribute to existing cumulatively significant adverse air quality impacts. If a project's contribution to the cumulative impact is considerable, then the project's impact on air quality would be considered significant.

In developing thresholds of significance for air pollutants, the BAAQMD considered the emission levels for which a project's individual emissions would be cumulatively considerable. If a project exceeds the identified significance thresholds, its emissions would be cumulatively considerable, resulting in significant adverse air quality impacts to the region's existing air quality conditions. The following analysis assesses the potential construction- and operation-related air quality impacts and CO impacts of the proposed project.

Construction Emissions. During construction, short-term degradation of air quality may occur due to the release of particulate matter emissions (i.e., fugitive dust) generated by demolition, grading, hauling, and other activities. Emissions from construction equipment are also anticipated and would include CO, nitrogen oxide (NO_x), reactive organic gases (ROG), directly-emitted particulate matter ($PM_{2.5}$ and PM_{10}), and TACs such as diesel exhaust particulate matter.

Construction activities would involve demolition, site preparation, grading, paving, and other construction activities. Construction-related effects on air quality from the proposed project would be greatest during the site preparation phase due to the disturbance of soils. If not properly controlled, these activities would temporarily generate particulate emissions. Sources of fugitive dust would include disturbed soils at the construction site. Unless properly controlled, vehicles leaving the site would deposit dirt and mud on local streets, which could be an additional source of airborne dust after it dries. PM_{10} emissions would vary from day to day, depending on the nature and magnitude of construction activity and local weather conditions. PM_{10} emissions would depend on soil moisture, silt content of soil, wind speed, and the amount of operating equipment. Larger dust particles would settle near the source, while fine particles would be dispersed over greater distances from the construction site.

Water or other soil stabilizers can be used to control dust, resulting in emissions reductions of 50 percent or more. The BAAQMD has established standard measures for reducing fugitive dust emissions (PM_{10}). With the implementation of these Basic Best Management Practices for Construction-Related Fugitive Dust Emissions, fugitive dust emissions from construction activities would not result in adverse air quality impacts.

In addition to dust-related PM_{10} emissions, heavy trucks and construction equipment powered by gasoline and diesel engines would generate CO, SO_2, NO_x, ROG, and some soot particulate ($PM_{2.5}$ and PM_{10}) in exhaust emissions. If construction activities were to increase traffic congestion in the area, CO and other emissions from traffic would increase slightly while those vehicles are delayed. These emissions would be temporary and limited to the immediate area surrounding the construction site.

Construction emissions were estimated for the project using the California Emissions Estimator Model (CalEEMod) version 2022.1, consistent with BAAQMD recommendations. Construction of the proposed project is anticipated to start in August 2025 and occur for 24 months, which was included in CalEEMod. Construction activities would include demolition, site preparation, grading, building construction, paving, and architectural coating. This analysis assumes that approximately 21,750 cubic yards of soil would be exported from the project site as a result of grading and that the demolition waste associated with the existing community and aquatic center would be exported, which was also included in CalEEMod. In addition, this analysis assumes use of Tier 2 construction equipment. Other detailed construction information is currently unavailable; therefore, this analysis utilizes CalEEMod default assumptions. Construction-related emissions are presented in Table 4.3.A. CalEEMod output sheets are included in Appendix A.

Table 4.3.A: Project Construction Emissions (in Pounds per Day)

Project Construction	ROG	NO_x	Exhaust PM_{10}	Fugitive Dust PM_{10}	Exhaust $PM_{2.5}$	Fugitive Dust $PM_{2.5}$
Maximum Average Daily Emissions	0.6	14.1	0.5	1.3	0.5	0.5
BAAQMD Thresholds	**54.0**	**54.0**	**54.0**	**BMP**	**82.0**	**BMP**
Exceed Threshold?	**No**	**No**	**No**	**No**	**No**	**No**

Source: LSA (March 2024).
BAAQMD = Bay Area Air Quality Management District
BMP = best management practices
NO_X = nitrogen oxides
$PM_{2.5}$ = particulate matter less than 2.5 microns in diameter
PM_{10} = particulate matter less than 10 microns in diameter
ROG = reactive organic gases

As shown in Table 4.3.A, construction emissions associated with the project would not exceed the BAAQMD's thresholds for ROG, NO_x, CO, exhaust PM_{10}, and exhaust $PM_{2.5}$ emissions. In addition to the construction period thresholds of significance, the BAAQMD requires the implementation of Basic Best Management Practices (BMPs) for Construction-Related Fugitive Dust Emissions to reduce construction fugitive dust impacts to a less than significant level. Therefore, Mitigation Measure AIR-1 would require the implementation of the BAAQMD's Basic BMPs. Implementation of Mitigation Measure AIR-1 would ensure that short-term construction period air quality impacts would be less than significant.

Mitigation Measure AIR-1 Consistent with the Bay Area Air Quality Management District (BAAQMD) Basic Best Management Practices, the following controls are

required to be included as specifications for the proposed project and implemented at the construction site:

- All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day.
- All haul trucks transporting soil, sand, or other loose material off site shall be covered.
- All visible mud or dirt tracked-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.
- All vehicle speeds on unpaved roads shall be limited to 15 miles per hour.
- All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.
- All excavation, grading, and/or demolition activities shall be suspended when average wind speeds exceed 20 miles per hour.
- All trucks and equipment, including their tires, shall be washed off prior to leaving the site.
- Unpaved roads providing access to sites located 100 feet or further from a paved road shall be treated with a 6- to 12-inch layer of compacted layer of wood chips, mulch, or gravel.
- Publicly visible signs shall be posted with the telephone number and name of the person to contact at the City of Walnut Creek regarding dust complaints. This person shall respond and take corrective action within 48 hours. The BAAQMD's General Air Pollution Complaints number shall also be visible to ensure compliance with applicable regulations.

As shown in Table 4.3.A, construction emissions associated with the proposed project would be less than significant with implementation of Mitigation Measure AIR-1. Therefore, construction of the proposed project would not result in a cumulatively considerable net increase of any criteria pollutant for which the project region is in nonattainment under any applicable federal or State ambient air quality standards, and impacts would be less than significant with mitigation incorporated.

Operational Emissions. Long-term air pollutant emission impacts are those associated with mobile sources (e.g., vehicle trips), energy sources (e.g., natural gas), and area sources (e.g., architectural coatings and the use of landscape maintenance equipment) related to the proposed project.

Mobile source emissions include ROG and NO_X emissions that contribute to the formation of ozone. Additionally, PM_{10} emissions result from running exhaust, tire and brake wear, and the entrainment of dust into the atmosphere from vehicles traveling on paved roadways.

Energy source emissions result from activities in buildings for which natural gas is used. The quantity of emissions is the product of usage intensity (i.e., the amount of natural gas) and the emission factor of the fuel source. The proposed buildings would be designed to be all-electric; however, the recreational pools would utilize natural gas.

Typically, area source emissions consist of direct sources of air emissions located at the project site, including architectural coatings, consumer products, and the use of landscape maintenance equipment.

Emission estimates for operation of the proposed project were calculated using CalEEMod. This analysis was conducted using land use codes *Health Club, Parking Lot,* and *Other Non-Asphalt Surfaces.* Trip generation rates for the project were based on the project's trip generation estimates as identified in Section 4.17, Transportation. Based on the trip generation estimates, the proposed project would generate approximately 90 net new average daily trips, which was included in CalEEMod. The proposed buildings would be all-electric. Natural gas usage would only be associated with the pool heating equipment. Where project-specific data were not available, default assumptions (e.g., energy usage, water usage, and solid waste generation) from CalEEMod were used to estimate project emissions. CalEEMod output sheets are included in Appendix A.

The primary emissions associated with the project are regional in nature, meaning that air pollutants are rapidly dispersed on release or, in the case of vehicle emissions associated with the project, emissions are released in other areas of the Bay Area Air Basin. The daily and annual emissions associated with project operational trip generation, energy, and area sources are identified in Table 4.3.B for ROG, NO_x, PM_{10}, and $PM_{2.5}$.

Table 4.3.B: Project Operational Emissions

	ROG	NO_x	PM_{10}	$PM_{2.5}$
Average Pounds Per Day				
Mobile Source Emissions	0.3	0.2	0.5	0.1
Area Source Emissions	1.0	<0.1	<0.1	<0.1
Energy Source Emissions	<0.1	0.3	<0.1	<0.1
Total Emissions	**1.3**	**0.6**	**0.5**	**0.1**
BAAQMD Thresholds	54.0	54.0	82.0	54.0
Exceed Threshold?	**No**	**No**	**No**	**No**
Tons Per Year				
Mobile Source Emissions	0.1	<0.1	0.1	<0.1
Area Source Emissions	0.2	<0.1	<0.1	<0.1
Energy Source Emissions	<0.1	0.1	<0.1	<0.1
Total Emissions	**0.3**	**0.1**	**0.1**	**<0.1**
BAAQMD Thresholds	10.0	10.0	15.0	10.0
Exceed Threshold?	**No**	**No**	**No**	**No**

Source: LSA (March 2024).
BAAQMD = Bay Area Air Quality Management District
NO_x = nitrogen oxides
$PM_{2.5}$ = particulate matter less than 2.5 microns in diameter
PM_{10} = particulate matter less than 10 microns in diameter
ROG = reactive organic gases

The results shown in Table 4.3.B indicate the project would not exceed the significance criteria for daily or annual ROG, NO_x, PM_{10} or $PM_{2.5}$ emissions. Therefore, operation of the proposed project would not result in a cumulatively considerable net increase of any criteria pollutant for which the project region is nonattainment under any applicable federal or State ambient air quality standards. Impacts would be less than significant.

Localized CO Impacts. Emissions and ambient concentrations of CO have decreased dramatically in the Bay Area with the introduction of the catalytic converter in 1975. No exceedances of the State or federal CO standards have been recorded at Bay Area monitoring stations since 1991. The BAAQMD CEQA Guidelines include recommended methodologies for quantifying concentrations of localized CO levels for proposed transportation projects. A screening level analysis using guidance from the BAAQMD CEQA Guidelines was performed to determine the impacts of the project. The screening methodology provides a conservative indication of whether the implementation of a proposed project would result in significant CO emissions. According to the BAAQMD CEQA Guidelines, a proposed project would result in a less than significant impact to localized CO concentrations if the following screening criteria are met:

- The project is consistent with an applicable congestion management program established by the county congestion management agency for designated roads or highways, and the regional transportation plan and local congestion management agency plans.

- Project traffic would not increase traffic volumes at affected intersections to more than 44,000 vehicles per hour.

- The project would not increase traffic volumes at affected intersections to more than 24,000 vehicles per hour where vertical and/or horizontal mixing is substantially limited (e.g., tunnel, parking garage, bridge underpass, natural or urban street canyon, or below-grade roadway).

Implementation of the proposed project would not conflict with the policies or programs of the Contra Costa County Transportation Authority. As identified in Section 4.17, Transportation, the proposed project would generate approximately 90 net new average daily trips; therefore, the project's contribution to peak hour traffic volumes at intersections in the vicinity of the project site would be well below 44,000 vehicles per hour. Therefore, the proposed project would not result in localized CO concentrations that exceed State or federal standards, and impacts would be less than significant.

c. Would the project expose sensitive receptors to substantial pollutant concentrations? ***(Less Than Significant with Mitigation Incorporated)***

Sensitive receptors are defined as residential uses, schools, daycare centers, nursing homes, and medical centers. Individuals particularly vulnerable to diesel particulate matter are children, whose lung tissue is still developing, and the elderly, who may have serious health problems that can be aggravated by exposure to diesel particulate matter. Exposure from diesel exhaust associated with construction activity contributes to both cancer and chronic non-cancer health risks.

The proposed project site is located in an urban area in close proximity to existing residential uses that could be exposed to diesel emissions exhaust during the construction period. The project site is surrounded by single-family residential and park uses that are the closest sensitive receptors to the project site.

According to the BAAQMD, a project would result in a significant impact if it would: individually expose sensitive receptors to TACs resulting in an increased cancer risk greater than 10.0 in one million, an increased non-cancer risk of greater than 1.0 on the hazard index (chronic or acute), or an annual average ambient $PM_{2.5}$ increase greater than 0.3 micrograms per cubic meter ($\mu g/m^3$).

To estimate the potential cancer risk from project construction equipment exhaust (including diesel particulate matter), a dispersion model was used to translate an emissions rate from the source location to a concentration at the receptor location (i.e., a nearby residential land use). Dispersion modeling varies from a simpler, more conservative screening-level analysis to a more complex and refined detailed analysis. This refined assessment was conducted using the California Air Resources Board (CARB) exposure methodology, with the air dispersion modeling performed using the United States Environmental Protection Agency (USEPA) dispersion model AERMOD. The model provides a detailed estimate of exhaust concentrations based on site and source geometry, source emissions strength, distance from the source to the receptor, and site-specific meteorological data.

Table 4.3.C, below, identifies the results of the analysis assuming the use of Tier 2 construction equipment as proposed by the project. To be conservative, the exposure assumed in the analysis uses the maximum construction emissions per year for the three years. Model snapshots of the sources are provided in Appendix B.

Table 4.3.A: Unmitigated Health Risks from Project Construction to Off-Site Receptors

	Carcinogenic Inhalation Health Risk in 1 Million	Chronic Inhalation Hazard Index	Acute Inhalation Hazard Index	Annual $PM_{2.5}$ Concentration ($\mu g/m^3$)
Maximally Exposed Individual (MEI)	76.4	0.040	0.000	0.201
Threshold	**10.0**	**1.0**	**1.0**	**0.30**
Exceed?	**Yes**	**No**	**No**	**No**

Source: Compiled by LSA (April 2024).
$\mu g/m^3$ = micrograms per cubic meter
$PM_{2.5}$ = particulate matter less than 2.5 microns in diameter

As shown in Table 4.3.C, the cancer risk associated with project construction at the maximally exposed sensitive receptor would be 76.4 in one million, which would exceed the BAAQMD cancer risk of 10 in one million. The chronic hazard index would be 0.040 at the maximally exposed sensitive receptor, which would not exceed the 1.0 in one million threshold. In addition, the total acute hazard index would be nominal (0.000), which would also not exceed the threshold of 1.0. The results of the analysis indicate that the total $PM_{2.5}$ concentration would be 0.201 $\mu g/m^3$, which would not exceed the BAAQMD significance threshold of 0.30 $\mu g/m^3$. As indicated above, the cancer risk of 76.4 in one million would exceed BAAQMD thresholds. Therefore, implementation of Mitigation Measure AIR-2, which would require the use of cleaner construction equipment, would be necessary to reduce substantial pollutant concentrations during project construction.

Mitigation Measure AIR-2 During construction of the proposed project, the project contractor shall ensure all off-road diesel-powered construction equipment of 50 horsepower or more used for the project construction meets, at a minimum, the California Air Resources Board's Tier 3 emissions standards equipped with level 3 diesel particulate filters or the equivalent.

Table 4.3.D identifies the results of the analysis with implementation of Mitigation Measure AIR-2.

Table 4.3.D: Mitigated Health Risks from Project Construction to Off-Site Receptors

	Carcinogenic Inhalation Health Risk in 1 Million	Chronic Inhalation Hazard Index	Acute Inhalation Hazard Index	Annual $PM_{2.5}$ Concentration ($\mu g/m^3$)
Maximally Exposed Individual (MEI)	9.07	0.005	0.000	0.024
Threshold	**10.0**	**1.0**	**1.0**	**0.30**
Exceed?	**No**	**No**	**No**	**No**

Source: Compiled by LSA (April 2024).
$\mu g/m^3$ = micrograms per cubic meter
$PM_{2.5}$ = particulate matter less than 2.5 microns in diameter

As shown in Table 4.3.D, the mitigated cancer risk to the Maximally Exposed Individual (MEI) would be 9.07 in one million, which would not exceed the BAAQMD cancer risk of 10 in one million. Therefore, with implementation of Mitigation Measure AIR-2, construction of the proposed project would not exceed BAAQMD thresholds and would not expose nearby sensitive receptors to substantial pollutant concentrations.

Once the proposed project is constructed, the proposed project would not be a source of substantial emissions. Therefore, implementation of the proposed project would not result in new sources of TACs. Therefore, the project would not expose sensitive receptors to substantial levels of TACs, and this impact would be less than significant.

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)***

During project construction, some odors may be present due to diesel exhaust. However, these odors would be temporary and limited to the construction period. The proposed project would not include any activities or operations that would generate objectionable odors and once operational, the project would not be a source of odors. Therefore, the proposed project would not result in other emissions (such as those leading to odors) adversely affecting a substantial number of people. This impact would be less than significant.

4.4 BIOLOGICAL RESOURCES

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
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 Wildlife 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, regulations or by the California Department of Fish and Wildlife 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 native 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?	☐	☐	☐	☒

A biological resources analysis[5] was prepared for the proposed project, which included background research and field surveys. The biological resources memorandum is included in Appendix C of this IS/MND, and the findings of the biological resources memorandum are summarized below.

A biological resource records search was conducted of the most current versions of the California Department of Fish and Wildlife (CDFW) California Natural Diversity Database (CNDDB), the California Native Plant Society (CNPS) Electronic Inventory of Rare and Endangered Vascular Plants of California, and the United States Fish and Wildlife Service's (USFWS) Information for Planning and Consultation (IPaC) database. The National Wetlands Inventory (NWI) Wetlands Mapper was also accessed to determine if there were any known drainages or wetlands on or near the site. Historic aerial imagery and previous studies conducted at the project site were also reviewed. A site visit, including a focused search for Congdon's tarplant (*Centromadia parryi* ssp. *congdonii*) was conducted on July 28, 2023.

[5] LSA. 2023. *Biological Resources Technical Memorandum for Heather Farm Park, North San Carlos Drive, Walnut Creek.* December 14.

The site is entirely developed with parking lots, sidewalks, sports fields, playground, swim center, buildings, and associated infrastructure, such as lighting and fences. At the time of the site visit**,** there were many visitors using the sports fields and other recreation areas. Several people were walking dogs. Dogs are permitted to be off leash in the dog park at the north end of the Park.

The vegetation communities on the project site are almost entirely planted or ornamental. There are some native trees, but nothing that could be considered an intact woodland community. Small portions of the Park that have not been actively maintained would best be described as ruderal.

A few California ground squirrels (*Otospermophilus beecheyi*) and their burrows were seen. At least five non-native red-eared sliders (*Trachemys scripta elegans*) were observed in the Nature Lake. One turtle that could not be identified to species was also observed. American bullfrogs (*Lithobates catesbeiana*) were observed in Nature Lake and the adjacent portion of Crawdad Creek. Bullfrogs likely breed in Nature Lake.

Bird species observed include American crow (*Corvus brachyrhynchos*), house finch (*Haemorhous mexicanus*), California scrub jay (*Aphelocoma californica*), mourning dove (*Zenaida macroura*), California towhee (*Melozone crissalis*), oak titmouse (*Baeolophus inornatus*), hooded merganser (*Lophodytes cucullatus*), Canada goose (*Branta canadensis*), and mallard (*Anas platyrhynchos*).

Waters located in the vicinity of the project site are as follows:

- **Concrete Pond (also known as Heather Farms Pond).** The NWI classifies the Concrete Pond as palustrine, unconsolidated bottom, permanently flooded, and excavated. The lake was built in the 1960s as a decorative feature. The surface areas is approximately 2.3 acres. The pond is surrounded by a paved walkway and its concrete banks preclude the growth of any shoreline vegetation. The pond appears to be dyed in order to reduce the penetration of sunlight, thereby preventing overgrowth of aquatic weeds and algae. The pond is stocked with trout by CDFW. According to a fishing website,[6] other species caught in the pond include largemouth bass, bluegill, and channel catfish. The pond has fountains to keep the water aerated and circulated.

- **Nature Lake.** The NWI classifies Nature Lake as palustrine, unconsolidated bottom, permanently flooded, and excavated. The surface area is approximately 5 acres. Nature Lake receives overflow from the Concrete Pond during rainstorms in the winter and is also fed by Crawdad Creek. It drains via Otter Creek to the Contra Costa Canal. Nature Lake has an extensive fringe of emergent vegetation, including bulrush and cattails. Fishing, boating, swimming, and off-leash dogs are prohibited in Nature Lake. In 2022, approximately 139 cubic yards of vegetation were removed during the summer months.

- **Ygnacio Canal.** Ygnacio Canal is a man-made, low-gradient canal that emerges from a culvert and runs parallel to the western shore of Nature Lake before ultimately emptying into the Contra Costa Canal. The canal is maintained by the Contra Costa Water District and carries untreated water.

[6] Fishbrain. n.d. Website: https://fishbrain.com/fishing-waters/bz0ALowW/heather-farms-pond (accessed July 19, 2023).

- **Crawdad Creek.** Crawdad Creek is channelized and perennial. This ditch carries runoff from neighboring residential development and enters the Park via a culvert under Ygnacio Valley Road and supports cattails and other hydrophytic vegetation. Native willows and oaks also grow along the banks. Portions of this ditch are so densely vegetated that they were impassable. Ruderal non-native vegetation, including a fig tree, grows in the channel.

- **Rose Creek.** Rose Creek is not included in the NWI. Rose Creek is culverted under Marchbanks Drive and feeds into Concrete Pond. At the time of the survey, this drainage had a small amount of water flow, which in the summer is probably runoff from irrigation in nearby neighborhoods. The drainage is shaded by coast redwoods and has non-native Himalayan blackberry and ivy growing in it.

- **Horse Creek.** Horse Creek is not included in the NWI. The creek is a small, narrow channel that runs from the east into the Nature Lake and the banks are incised. There was no water in the drainage at the time of the survey.

- **Otter Creek.** Otter Creek starts at a drain from the Nature Lake and runs around the dog park at the north end of Heather Farm Park. There are large, non-native eucalyptus trees nearby, as well as some native trees that could be considered a riparian canopy.

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 Wildlife or U.S. Fish and Wildlife Service? ***(Less Than Significant with Mitigation Incorporated)***

Special-status species are defined as follows:

- Species that are listed, formally proposed for listing, or designated as candidates for listing as threatened or endangered under the Federal Endangered Species Act (FESA);

- Species that are listed, or designated as candidates for listing, as rare, threatened, or endangered under the California Endangered Species Act (CESA);

- Plant species on California Rare Plant Rank (CRPR) Lists 1A, 1B, and 2 in the CNPS Inventory of Rare and Endangered Plants;

- Animal species designated as Species of Special Concern or Fully Protected by the CDFW;

- Species that meet the definition of rare, threatened, or endangered under Section 15380 of the *State CEQA Guidelines*; and

- Species considered being a taxon of special concern by the relevant local agencies.

Special-Status Plants. Special-status plants species are rare due to a combination of factors, including restriction to rare soil types, vegetation communities or vernal pools, the inability to persist in developed or grazed areas, and the inability to compete with non-native invasive species.

The IPaC list contained one federally protected plant species, Contra Costa goldfields (*Lasthenia conjugens*). The CNDDB query returned 22 special-status plant species with occurrences within 5 miles of the site. The CNPS query returned 11 special-status plant species, 8 of which were also in the CNDDB. The resulting combined list of 25 species is listed in the biological resources memorandum (Appendix C).

Of these 25 species, 24 were determined to have no potential to occur due to a total lack of suitable habitat within the project site (e.g., serpentine and alkaline soils, vernal pools, coastal habitats) and/or because they have not been found within the past 50 years and are therefore likely considered no longer present in the region. No special-status plant species were observed during the reconnaissance-level site visit.

Congdon's tarplant (*Centromadia parryi* ssp*. Congdonii*) was identified in a prior study as the only special-status plant species with potential to occur in the project area. There are two CNDDB occurrences for Congdon's tarplant within 5 miles of the site, but both are listed as extirpated. The 2023 survey was conducted during the flowering period for Congdon's tarplant, when it would have been identifiable if it were present. Therefore, it has been determined that Congdon's tarplant has no potential to occur on the project site.

One special-status plant species—slender-leaved pondweed (*Stuckenia filiformis* subsp. *alpina*)—was initially determined to have a moderate potential to occur in the Nature Lake. A subsequent focused rare plant survey was conducted in May of 2024 and it was determined that the species is absent from the site. The Rare Plant Survey Report is provided in Appendix D. Therefore, impacts to special-status plant species would be less than significant.

Special-Status Wildlife. The IPaC list contains nine federally protected animal species. The CNDDB query returned 11 special-status animal species with occurrences within 5 miles of the site, four of which are also on the IPaC list. The potential for one additional species, white-tailed kite (*Elanus leucurus*), was determined to potentially occur on the site. The resulting 17 species and their potential to occur are listed and assessed in the biological resources memorandum (Appendix C).

As summarized in the biological resources memorandum, thirteen of these 17 species were determined to have no potential to occur due to a total lack of suitable habitat within the Park (e.g., tidal salt marshes, vernal pools, caves) and/or because they have not been found within the past 50 years and are therefore likely considered no longer present in the region. For birds, the potential to occur refers only to nesting, as many species may fly over or perch on the site.

No special-status wildlife species were observed during the reconnaissance-level site visit, but four wildlife species were determined to have some potential to occur and are described in further detail below. These species include Southwestern pond turtle, Monarch butterfly, San Francisco dusky-footed woodrat, and white-tailed kite.

The potential for protected resources to be impacted by construction of the proposed project is a function of the likelihood the species is present when the project is constructed, as well as the type and duration of construction activities. Another factor is the sensitivity of the species or resource to disturbance. For example, roosting bats may not react to construction activities near their roosts

during the day, whereas a raptor may abandon its nest if construction is within 100 feet of its nest. Construction of the proposed project could directly and indirectly result in significant impacts to special-status wildlife species if they are present on the site during construction. In addition to the species-specific mitigation measures identified further below, the following mitigation measures, which require that an environmental education program be conducted prior to project construction and that Best Management Practices (BMPs) be implemented during project construction, would be implemented to reduce potential direct and indirect impacts to special-status species to a less than significant level.

Mitigation Measure BIO-1a A qualified biologist shall conduct an environmental education program for all persons employed or otherwise working on the project site before they perform any work. The program shall consist of a presentation from the biologist that includes a discussion of the biology and general behavior of special-status species on or near the site; information about the distribution and habitat needs of the species; sensitivity of the species to human activities; the status of the species pursuant to the Federal Endangered Species Act, the California Endangered Species Act, and the California Fish and Game Code including legal protection; recovery efforts; penalties for violations; and any project-specific protective measures described herein or any subsequent documents such as an Incidental Take Permit and/or Biological Opinion. Interpretation shall be provided for non-English speaking workers, and the same instruction shall be provided for any new workers before their performing work on the site. The biologist shall prepare and distribute a handout containing this information for workers to carry on the site. Upon completion of the program, employees shall sign a form stating they attended the program and understand all the protection measures. Copies of the form shall be provided to the City of Walnut Creek (City).

Mitigation Measure BIO-1b A qualified biologist shall be on the site daily to monitor initial vegetation clearing and ground-disturbing activities.

With implementation of Mitigation Measures BIO-1a and 1b, in conjunction with species-specific measures described below, impacts to common and special-status wildlife species would be reduced to less than significant with mitigation, by ensuring that direct and indirect effects to special-status species are avoided during project construction.

As described above, based on a review of the species' habitat requirements, the existing habitats on the site, and connections or barriers to other populations in open space lands, it was determined that 10 special-status animal species could be impacted by the proposed project. These species are described further below.

Southwestern Pond Turtle. The Southwestern pond turtle (*Actinemys pallida*) (also known as the western pond turtle) is classified as a State Species of Special Concern. The species is

warranted as being listed as a Threatened species under FESA and will likely be listed under FESA in 2024. In the USFWS' special status assessment report,[7] the top three drivers of predicted decline in the species are future land conversion, bullfrog predation, and increasing drought.

Southwestern pond turtle numbers in Heather Farm Park and the surrounding area are likely suppressed due to competition from the non-native red-eared slider for food and basking locations. Southwestern pond turtle numbers could also be depressed by predation by American bullfrogs, which have been observed eating hatchling western pond turtles. Largemouth bass are also considered a threat to hatchling turtles. Surrounding development and reduction of habitat are also likely to have impacted the western pond turtle population. Due to the lack of protected basking areas and fringing vegetation, western pond turtles are not expected to use the Concrete Pond. However, the western pond turtle has been seen in the Nature Lake, and there is also some potential for the species to nest in undisturbed uplands near the Nature Lake. This species is known to nest up to 325 feet from suitable aquatic sites. Turtles may also overwinter in duff and under shrubs.

Construction of the proposed project could destroy Southwestern pond turtle nests in upland areas if they are present in the excavation area. Juvenile and adult turtles in upland areas that are hibernating could be crushed by machinery. Juvenile and adult turtles in aquatic areas could be injured or killed by construction activities associated with expansion of the Nature Lake.

Implementation of the following mitigation measure, in addition to general avoidance and minimization measures discussed in Mitigation Measures BIO-1a and BIO-1b, would reduce potential direct impacts to Southwestern pond turtle to a less than significant level by requiring monitoring, pre-construction surveys for western pond turtle, eradication of American bullfrogs and enhancement of habitat in the Nature Lake.

Mitigation Measure BIO-2a Within one week prior to any construction activities, pre-construction surveys shall be performed by a qualified biologist within the work area (including a 100-foot buffer) to determine whether Southwestern pond turtles or active Southwestern pond turtle nests are present. If active nests are present, they shall be flagged and avoided until the eggs have hatched or they are no longer active, as determined by the qualified biologist. To avoid impacts to western pond turtle, construction shall not occur within 50 feet of an active nest site (burrow). Prior to project activities, exclusionary fencing shall be used to ensure western pond turtles are kept out of the construction area. This fencing shall be maintained throughout the duration of construction. The integrity of the exclusion fencing shall be checked daily by a biological monitor. Additionally, a biological monitor shall check the work area

[7] United States Fish and Wildlife Service (USFWS). 2023. Species status assessment report for the northwestern pond turtle (*Actinemys marmorata*) and southwestern pond turtle (*Actinemys pallida*), Version 1.1, April 2023. U.S. Fish and Wildlife Service, Ventura Fish and Wildlife Office, Ventura, California.

every morning before construction begins to ensure that no turtles are within the exclusion area. If a western pond turtle individual or nest is observed in the impact area, construction activities shall stop until the biological monitor establishes an appropriate buffer, or the turtle is no longer in the impact area. A qualified biologist (with pond turtle trapping/handling experience and holding a CDFW Scientific Collecting Permit) may relocate Southwestern pond turtles to an appropriate nearby location if necessary. Relocation areas shall be approved by the CDFW prior to the relocation of any turtles.

Mitigation Measure BIO-2b To allow the biologist to detect Southwestern pond turtles, vegetation shall first be cut to a height of approximately 4 inches using weed-eaters and/or non-mechanized hand tools as the biologist monitors. This height standard is used to minimize the potential for accidental injury to turtles from hand tools. The cut vegetation shall then be raked and removed from the site. The biologist shall then clear the area prior to grading or excavation.

Mitigation Measure BIO-2c A qualified biologist shall develop an American bullfrog eradication plan for Heather Farm Park. The plan shall include direct control measures for American bullfrog eggs, tadpoles and adults, including removal of adult and juvenile bullfrogs, euthanizing of tadpoles, and collection and drying of bullfrog egg masses. Because the Park is separated from other potential breeding habitat by development, complete eradication is possible.

Mitigation Measure BIO-2d All other non-native aquatic animals shall be removed from the work areas as they are encountered on the site. Target animals include African clawed frog, largemouth bass, non-native turtles, and crayfish.

Mitigation Measure BIO-2e To enhance habitat for Southwestern pond turtle, large woody debris (i.e., tree trunks) shall be salvaged and placed in Nature Lake for use as basking sites.

Implementation of Mitigation Measures BIO-1a, BIO-1b, and BIO-2a through BIO-2d would reduce potential impacts to southwestern pond turtle to less than significant with mitigation, by ensuring that direct and indirect effects to this species are avoided during project construction.

Monarch Butterfly. The monarch butterfly (*Danaus plexippus plexippus*) is a Candidate species for listing under FESA. Candidate species have no legal protection under FESA, but the monarch butterfly does meet the CEQA definition of a special-status species. In July 2022, the monarch butterfly was classified as “endangered” on the International Union for Conservation of Nature (IUCN) Red List. This classification does not afford legal protection. The causes for its decline include loss of milkweed habitat, pesticides, and loss of overwintering habitat.

There is a record of monarch caterpillars on tropical milkweed in the Park in October 2022.[8] Large overwintering aggregations of monarch butterflies are not expected in Walnut Creek because overwintering sites are typically close to the coast. However, there is a high potential for monarch butterflies to lay eggs on any milkweeds in the Park.

Vegetation removal associated with project construction could kill monarch caterpillars on milkweed. In addition, the use of insecticides in the Park could kill adult and larval caterpillars. While the loss of a coastal overwintering site would be considered significant, the loss of a few individual caterpillars is not considered significant. Nevertheless, the project would be required to further minimize impacts. Implementation of the following mitigation measures would reduce potential impacts to Monarch butterfly to a less than significant level by requiring a pre-construction survey and implementing a salvage and relocation plan for milkweed, if present on the project site.

Mitigation Measure BIO-3a Prior to the initiation of construction activities, milkweeds within the construction area shall be mapped. Any milkweeds located within the construction area shall be removed in the winter (December 1 through March 15), when monarch caterpillars would not be present. When work is conducted in the vicinity of the milkweed plants, temporary fencing (orange construction fencing or similar materials) shall be installed around milkweed to ensure that no equipment, materials, or construction personnel stray from the work area and impact milkweed beyond impacts already detailed. The fencing shall be removed after project construction is complete**.**

Nonnative tropical or perennial milkweeds shall not be planted in the future. Appropriate native milkweed species shall be included in the planting plan for restored areas.

Mitigation Measure BIO-3b Pesticides shall not be used on or near any milkweed plantings.

With implementation of Mitigation Measures BIO-3a and BIO-3b, impacts to Monarch butterfly would be less than significant with mitigation incorporated.

San Francisco Dusky-Footed Woodrat. The San Francisco dusky footed woodrat subspecies (*Neotoma fuscipes annectens*) is classified as a State Species of Special Concern. Woodrats build conspicuous, large stick houses. The woodrat is one of the few animals that can feed on oak leaves despite their high tannin content. They also feed on a variety of fruits, nuts, seeds, and foliage. Woodrats are considered a keystone species because their houses also provide shelter for a variety of other small animal species. Woodrats are nocturnal and are prey for owls, snakes, and carnivorous mammals.

[8] Western Monarch Milkweed Mapper. Website: https://www.monarchmilkweedmapper.org/ (accessed November 1, 2023).

Although no woodrat houses were seen during the site survey, the species does occasionally persist in suburban areas. Therefore, there is a low potential for San Francisco dusky-footed woodrat to occur in Heather Farm Park.

Vegetation removal and the expansion of Nature Lake could result in the destruction of woodrat houses, thereby reducing the population of the species. Implementation of the following mitigation measure would reduce potential impacts to San Francisco dusky-footed woodrat to a less than significant level by requiring a pre-construction survey, avoiding nests, if possible, and relocating nests, if needed, to ensure that no direct or indirect harm to this species would occur.

Mitigation Measure BIO-4a Information on the San Francisco dusky-footed woodrat shall be included in the environmental education program, as detailed in Mitigation Measure BIO-1a.

Mitigation Measure BIO-4b A qualified biologist shall conduct a pre-construction survey for San Francisco dusky-footed woodrat houses within 14 days prior to any tree removal or ground-disturbing activities. Any woodrat houses shall be identified, and their locations mapped and flagged to be avoided during construction activities. No work shall occur within a 20-foot buffer of any woodrat houses. If it is not possible to avoid a woodrat house, a qualified biologist shall develop a relocation plan. The relocation plan shall be submitted to CDFW for approval and then implemented as necessary. Copies of the relocation plan shall be provided to the City.

At a minimum, the plan shall include the phased dismantling and relocation of the nest materials to a suitable location, and the installation of artificial shelters at a ratio of 1:1 per dismantled nest to provide readily accessible refugia for dispersing individuals. If breeding woodrats are present, relocation of houses shall be delayed until the breeding season is over or the qualified biologist otherwise determines that young are no longer present.

With implementation of Mitigation Measures BIO-4a and BIO-4b, impacts to San Francisco dusky-footed woodrat would be less than significant with mitigation incorporated.

White-Tailed Kite. The white-tailed kite is considered Fully Protected under the California Fish and Game Code but is not listed under CESA. This raptor hunts in grasslands and savannahs and is known to nest in Contra Costa County. The white-tailed kite is commonly seen hovering over grasslands, where it hunts for the small mammals and reptiles that form the bulk of its diet. Non-nesting white-tailed kites have been seen in the Park and there is a low potential that the species could nest in the Park.

Demolition, vegetation removal, grading, and construction on the site may result in the destruction of white-tailed kite nests and/or cause nest abandonment. Implementation of the

following mitigation measures would reduce impacts to white-tailed kite and other migratory birds to a less than significant level.

Mitigation Measure BIO-5a Information on white-tailed kites and other protected migratory birds shall be included in the environmental education program, as detailed in Mitigation Measure BIO-1a.

Mitigation Measure BIO-5b New work with the potential to impact nesting birds (including demolition, vegetation removal, and grading) shall be restricted to the non-nesting season (August 1 through January 31). If that is not possible, a qualified biologist shall conduct a pre-construction survey for nesting birds no more than five days prior to the initiation of construction-related activity (e.g., clearing, grading, tree trimming or removal) if this activity occurs between February 1 and July 31. If active nests of the white-tailed kite or other native birds are found in or within 300 feet of the work area, the biologist shall determine an appropriately sized buffer around the nest, and no work shall be allowed in this buffer until the young have successfully fledged. The size of the nest buffer shall be determined by a qualified biologist in consultation with CDFW and shall be based on the nesting species and its sensitivity to disturbance. In general, buffer sizes of up to 300 feet for raptors and 50 feet for other birds would prevent disturbance, but these buffers may be increased or decreased, as appropriate, depending on the bird species and the level of disturbance anticipated near the nest. Active nests shall be monitored to ensure that the exclusion zones are intact and to determine whether the young have fledged or the nest has failed, The exclusion zones shall remain in place until the young have fledged and are foraging independently or the nest has failed, as determined by a qualified biologist.

Implementation of Mitigation Measures BIO-5a and BIO-5b, would reduce potential impacts to white-tailed kite and other nesting birds to a less than significant level, by requiring pre-construction nesting bird surveys and establishment of buffers around identified nests.

With implementation of Mitigation Measures BIO-1 through BIO-5, impacts to special-status wildlife, including southwestern pond turtle, Monarch butterfly, San Francisco dusky-footed woodrat, white-tailed kite, and other nesting birds would be reduced to a less than significant level. This impact would be less than significant with mitigation incorporated.

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, regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service? ***(Less Than Significant with Mitigation Incorporated)***

The CNDDB contains occurrences for one sensitive natural community—Serpentine Bunchgrass—within 5 miles of the site. This sensitive natural community is not present on the site. There are no serpentine soils on the site.

Limited amounts of disturbed riparian habitat and fringing freshwater marsh are present in the Park, especially around Nature Lake. The expansion of Nature Lake would result in the temporary loss of approximately 900 square feet of shallow freshwater marsh habitat on the edge of the lake. In addition, approximately 52 trees around the Nature Lake would be removed to accommodate the Nature Lake expansion. The extent of habitat impact and tree removal would be determined as part of the final design for the Nature Lake Expansion. Implementation of the following mitigation measures would reduce impacts to riparian habitat to a less than significant level by requiring salvage and replanting of cattail and tule in aquatic areas and replacement/replanting of riparian vegetation.

Mitigation Measure BIO-6a During excavation of Nature Lake, cattail and tule roots and rhizomes shall be salvaged and kept wet in a nearby area. Once grading is complete, cattail and tule roots shall be replanted along the edge of the new lake edge by pressing them into the mud, and they are expected to rapidly recolonize the area.

Mitigation Measure BIO-6b During excavation of the Nature Lake expansion area, non-native vegetation shall be removed from the restoration/enhancement area and shall be disposed of in a legal manner; in all cases, the non-native vegetation shall be placed in a manner that prevents its reestablishment in Nature Lake and in such a manner that it does not negatively affect other sensitive native habitat communities.

Mitigation Measure BIO-6c Riparian vegetation permanently impacted by the proposed project shall be mitigated by planting riparian trees and/or shrubs along the new shoreline at a minimum 1:1 ratio (square footage of trees/ shrubs planted: square footage of herbaceous vegetation removed). All replacement trees and shrubs shall be from nursery stock grown from seeds or cuttings collected in the same genetic provenance as the project site. A Riparian Revegetation Plan shall be prepared with specific success criteria and contingency measures to be implemented if success criteria are not met. The plantings shall be monitored and maintained for five years or until the success criteria are met.

With implementation of Mitigation Measures BIO-6a through BIO-6c, impacts to riparian habitat would be reduced to less than significant with mitigation, by ensuring that impacts to riparian habitat are minimized and any impacted areas are revegetated/replanted.

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? ***(Less Than Significant with Mitigation Incorporated)***

As outlined in Section 2.3.2, Concrete Pond Modifications, the proposed project would result in the fill of approximately 0.4 acre of the Concrete Pond, which is considered by the United States Army Corps of Engineers (USACE) to be waters of the United States and by the Regional Water Quality Control Board (RWQCB) to be waters of the State. Therefore, it is subject to regulation under Section 404 of the federal Clean Water Act and the California Porter-Cologne Water Quality Control Act. In accordance with State and federal requirements, the City would obtain the appropriate permits from the USACE and RWQCB and comply with all permit conditions. Implementation of the following mitigation measure would reduce impacts to state and federally protected wetlands to a less than significant level by requiring compensatory mitigation.

Mitigation Measure BIO-7 The City shall be required to mitigate for the loss of 0.4 acre of the Concrete Pond by provided compensatory mitigation at a 1:1 ratio. This is proposed to be accomplished on site by expanding the existing Nature Lake at its southern end. The proposed expansion shall consist of excavating a portion of the shoreline, removing some existing non-native trees and replanting the new shoreline with native species.

With the implementation of Mitigation Measure BIO-7, which requires expansion of the existing Nature Lake, the proposed project would provide compensatory mitigation at a ratio of 1:1, resulting in no net loss of waters of the United States or waters of the State. This impact would be less than significant with mitigation incorporated.

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 native wildlife nursery sites? ***(Less Than Significant with Mitigation Incorporated)***

The patches of trees, shrubs, and even turf grass likely provide some value for foraging, cover, and refuge for use by other bird species, as well as by dispersing terrestrial animals. Many animals likely move through the site despite the development and human activity. Therefore, any additional work on the site would not result in significant further fragmentation of natural habitats or substantial impediments to wildlife movement, and any common, urban adapted species that currently move through the project site would continue to be able to do so. As such, the project would not significantly interfere with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors.

The site does not provide extensive and/or high-quality habitat areas that would support large breeding populations of any terrestrial wildlife species; therefore, no native wildlife nursery sites are present. However, several native bird species likely nest within the Park each year. Native bird nests could be considered nursery sites and are protected by the California Fish and Game Code, as well as the Migratory Bird Treaty Act (MBTA).

According to the Mt. Diablo Audubon Society, at least 22 species of birds are known to nest in Heather Farm Park.[9] Depending on the species, nests could be on the ground, in shrubs or trees, or on buildings. Nesting birds in the Park are acclimated to some level of regular human activity, but significant new activities could disrupt normal nesting behavior, leading to nest destruction or abandonment. Implementation of the Mitigation Measures BIO-6a and BIO-6b would reduce potential impacts to nesting birds to a less than significant with mitigation, by ensuring that direct and indirect effects to nesting birds are avoided during project construction.

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 with Mitigation Incorporated)***

According to the Arborist Report[10] (Appendix E) prepared for the proposed project, development of the proposed project would result in the removal of 70 trees, including 66 trees due to construction impacts and four trees due to poor health or structure. In addition, project development is expected to encroach within the dripline of eight trees. The remaining 120 trees at the project site are outside the development footprint and are not likely to be encroached on or impacted by project construction. An additional approximately 52 trees would be removed for proposed expansion of Nature Lake; the removal of these trees is described in Section 4.4.b above. As described above, the extent of tree removal would be determined as part of the final design for the Nature Lake Expansion.

In accordance with Chapter 3-08 of the City of Walnut Creek Municipal Code, projects resulting in tree removals on private land are required to apply for a tree removal permit from the City and either plant replacement trees at a value equal to the value of the removed trees or pay an in-lieu fee in an amount equal to the value of the removed trees. In addition, Chapter 11-1.056 of the City of Walnut Creek's Municipal Code protects all park trees, regardless of size or species.

Though trees slated for removal in the project site are not on private land, the following mitigation measures would be implemented to reduce potential impacts associated with tree removal within the project site and comply with the requirements under the tree ordinance.

Mitigation Measure BIO-8a Prior to and during construction, the City's Construction Contractor shall implement the following protection measures to reduce

[9] Mt. Diablo Audubon Society. n.d. Website: https://mtdiabloaudubon.org/birding/resources/#localbirding checklists (accessed November 22, 2023).

[10] Dudek. 2024. *Arborist Report, Heather Farm Park Aquatic and Community Center Project, City of Walnut Creek, Walnut Creek, California*. February.

impacts to the eight trees with driplines that encroach into the development footprint:

- Six-foot-tall chain link fencing shall be installed at the dripline or at the limit of development for the eight encroached trees prior to the start of grading, demolition, or construction work. All fence sections shall be marked with a sign stating: "This is a Tree Protection Zone (TPZ), and no one is allowed to disturb this area." The sign shall also list contact information for the contractor and the arborist and clearly state that a violation of the TPZ will result in a stop work order. No oils, gas, chemicals, liquid waste, solid waste, heavy construction machinery, or other construction materials shall be stored or allowed to stand within the dripline of any tree.

- Signs, ropes, cables, or other items shall not be attached to any tree.

- All heavy equipment and vehicles shall stay out of the fenced tree protection zone unless specifically approved in writing by the City Arborist and under the supervision of an International Society of Arboriculture (ISA) Certified Arborist.

- Materials, including paint, lumber, and concrete overflow, etc. shall not be stored or discarded within the fenced tree protection zone. All foreign debris within the fenced tree protection zone shall be removed. Draining or leakage of equipment fluids near retained trees shall be avoided. Fluids such as gasoline, diesel, oils, hydraulics, brake and transmission fluids, paint, paint thinners, and glycol (anti-freeze) shall be disposed of properly. Equipment shall be parked outside of the fenced tree protection zone of retained trees to avoid the possibility of leakage of equipment fluids into the soil.

- Care shall be taken when moving equipment or supplies near the trees, especially overhead. Damaging the tree(s) when transporting or moving construction materials and working around retained trees (even outside of the fenced tree protection zone) shall be avoided. Above-ground tree parts that could be damaged (e.g., low limbs, trunks) shall be flagged with a red ribbon. If contact with the tree crown is unavoidable, pruning of the conflicting branch(es) shall comply with ISA or American National Standards Institute (ANSI) A300 standards.

- Grade changes, including adding fill, shall not be permitted within the tree protection zone without special written authorization and under supervision by a Certified Arborist.

- Except where specifically approved in writing, all trenching shall be outside the fenced tree protection zone. Where trenching is necessary in areas that contain tree roots, roots shall be pruned using a Dosko root pruner or equivalent. All cuts shall be clean and sharp to minimize ripping, tearing, and fracturing of the root system. The trench shall be made no deeper than necessary.

- Trees that have been substantially root-pruned (30 percent or more of their root zone) shall require irrigation for the first 12 months. The first irrigation shall be within 48 hours of root pruning. Trees shall be deep watered every two to four weeks during the summer and once per month during the winter (adjusted accordingly with rainfall). One irrigation cycle should thoroughly soak the root zones of the trees to a depth of 3 feet. The soil should dry out between watering; keeping a consistently wet soil shall be avoided. One person shall be responsible for irrigating (deep watering) the trees. Soil moisture shall be checked with a soil probe before irrigating. Irrigation is best accomplished by installing a temporary above-ground micro-spray system that will distribute water slowly (to avoid runoff) and evenly throughout the fenced tree protection zone but never soak the area within six feet of the tree trunk.

- Trees shall not be pruned until all construction is completed. All pruning shall be completed under the direction of an ISA Certified Arborist and using ISA guidelines. Only dead wood shall be removed from tree canopies.

- Periodic washing of the foliage shall be conducted during construction, but no more than once every two weeks. Washing shall include the upper and lower leaf surfaces and the tree bark. Following construction, less frequent washing shall be conducted with a high-powered hose only in the early morning hours.

- An ISA Certified Arborist shall inspect the trees on at least a monthly basis for the duration of construction activity. After each inspection, a summary report documenting observations and management recommendations shall be submitted to the City.

Mitigation Measure BIO-8b Following project construction, the City shall plant replacement trees at a 1:1 ratio, in accordance with the City's Tree Protection

Ordinance. Replacement trees shall be planted at Heather Farm Park or other City parks.

With implementation of Mitigation Measure BIO-8a, which requires tree protection measures, and Mitigation Measure BIO-8b, which requires either payment of an in-lieu fee or replanting in kind tree species at a 1:1 ratio in accordance with the City of Walnut Creek's Tree Protection Ordinance, project impacts to trees would be reduced to less than significant.

With implementation of mitigation, the proposed project would not conflict with any local policies or ordinances protecting biological resources. This impact would be less than significant with mitigation incorporated.

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 site is not within any adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or State habitat conservation plan. Therefore, the proposed project would have no impact.

4.5 CULTURAL RESOURCES

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
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?	☐	☐	☒	☐

CEQA defines a "historical resource" as a resource that meets one or more of the following criteria:

- Listed in, or eligible for listing in, the California Register of Historical Resources (CRHR);
- Listed in a local register of historical resources as defined in Public Resources Code (PRC) Section 5020.1(k);
- Identified as significant in a historical resource survey meeting the requirements of PRC Section 5024.1(g); or
- Determined to be a historical resource by a project's lead agency (PRC Section 21084.1 and *State CEQA Guidelines* Section 15064.5[a]).

The CRHR defines a "historical resource" as a resource that meets one or more of the following criteria: (1) associated with events that have made a significant contribution to the broad patterns or local or regional history of the cultural heritage of California or the United States; (2) associated with the lives of persons important to local, California, or national history; (3) embodies the distinctive characteristics of a type, period, region, or method of construction or represents the work of a master or possesses high artistic values; or (4) has yielded, or has the potential to yield, information important to the prehistory or history of the local area, California, or the nation. Under CEQA, historical resources can include pre-contact (i.e., Native American) archaeological deposits, historic-period archaeological deposits, historic buildings, and historic districts.

A cultural resources study[11] was conducted for the proposed project consisting of background research and a field survey. The results of the study are summarized below.

Records Search Results. On July 25, 2023, the staff of the Northwest Information Center (NWIC) conducted a records search (#23-0055) of the project site and a 0.25-mile radius. Following expansion of the northern project boundary to include the expansion of Nature Lake, LSA requested NWIC staff conduct a supplemental records search. NWIC staff conducted a supplemental records search on February 23, 2024 (NWIC File #23-1135). The NWIC, an affiliate of the State of California Office of Historic Preservation, is the official State repository of cultural resource records and

[11] LSA. 2024. *Cultural Resources Study, Community Center and Aquatic Facility Project, Heather Farm Park, Walnut Creek, Contra Costa County, California*. March.

reports for Contra Costa County. As part of the background research, local and State inventories for cultural resources were also reviewed, and the Native American Heritage Commission (NAHC) was contacted.

The NWIC records searches identified no previously conducted cultural resource studies within the project site, and no previously recorded cultural resources within the project site. Neither of the existing facilities on the project site were previously identified as cultural resources. Eleven cultural resource studies have been conducted within a 0.25-mile radius of the project site. Three previously recorded cultural resources were identified within a 0.25-mile radius of the project site, including a historic period residence (P-07-002540); the San Carlos Bridge, a historic period bridge structure (P-07-002946); and the Contra Costa Canal, a historic period canal (P-07-002695), which has been determined eligible for listing on the National Register of Historic Places (NRHP).

Historic Period Aerial Photograph Review. Historical maps and aerial photographs indicate that, with the exception of a road that corresponds with modern day San Carlos Drive, the project area remained minimally or largely undeveloped until the mid-20th century. Background research indicated that the vicinity of the project site was once part of a horse farm owned by the Marchbanks family and later in an area that experienced rapid growth and suburbanization of Walnut Creek and Contra Costa County, a common land use pattern in central Contra Costa County and rural areas statewide during the 20th century.

Archaeological Field Survey. On February 2, 2024, a pedestrian survey of the project site was conducted that focused on visible/accessible areas. Some portions of the project site contained buildings, other structures, and parking lots that obscured the ground surface and were thus not examined as part of the survey. Visibility in the remaining area of the site that was not built or paved was generally poor due to vegetation (consisting of brush and trees along waterways and Nature Lake, groomed expanses of grass, and landscaped beds with planted trees and bushes) and bark mulch cover. Soil visibility was limited to rodent aprons and informal foot paths in the natural areas near Nature Lake, patchy exposures and rodent aprons in landscaped beds (otherwise covered with bark mulch or duff), and occasional patches such as at the base of trees in the groomed grassy expanses. The picnic area immediately south of the Heather Farm Community Center was an exception with fully exposed soil; however, the ground there was entirely artificially sculpted and was not the original surface. Due to these visibility constraints, the survey was conducted using meandering transects to access the limited and localized soil exposures.

A single piece of what appeared to be naturally-occurring shell was observed in a rodent apron on the grassy hill east of the community garden fence (in the northwest corner of the project site). No archaeological evidence was observed in the vicinity or elsewhere on the hill, where there were multiple rodent aprons allowing inspection of the soil. The hill appeared to be a natural topographic feature although it may have been contoured in the past as part of the park development.

No archaeological resources were noted during the survey. It is likely that little of the original ground surface remains in the project site as much of the topography has clearly been contoured and sculpted for drainage and recreation purposes. Buried utilities (including stormwater, irrigation, and electrical) are present in many locations and are an additional source of past disturbance. It is unclear how deep below the surface past disturbances from park developments may extend.

Architectural Field Survey. On August 23, 2023, a pedestrian field review of the project site was conducted by an architectural historian. The survey documented the condition and setting of the Heather Farm Community Center and the Clarke Memorial Swim Center, which are both over 50 years old. The purpose of the field survey was to photograph these buildings, their notable features (if any), and describe any alterations not reflected in background research.

The Heather Farm Community Center is an approximately 13,000-square-foot one-story auditorium, office space, and private event space. The building has an irregular rectangular-shaped footprint, is oriented northwest/southeast, and rests on a concrete foundation. The building is of reinforced concrete and wood-framed construction and is covered with a flat roof sheathed in membrane roofing with two cement-like, tile-clad pyramid-shaped roof peaks at the northwestern end of the building which overlooks an artificial lake (aka Concrete Pond). The building was designed in 1969–1970 by Berkeley-based architect Walter Brooks and constructed in 1971. Apparent alterations include an addition and connecting covered walkway at the building's far right façade that changes the building footprint from a horizontal footprint to a shortened L-shape.

The Clarke Memorial Swim Center is a municipal pool facility consisting of a single-story pool house, three inground pools, a detached snack stand, concrete decks, and water filtration, chlorination, and heating equipment, surrounded by a chain-link fence enclosing an approximate 80,000-square-foot area. Built in 1971, the pool facility building is located near the southwestern corner of Heather Farm Park.

Native American Heritage Commission Consultation. On July 14, 2023, LSA sent an email describing the project with maps depicting the study area to the NAHC requesting a review of the Sacred Lands File (SLF) to determine the potential presence of Native American cultural resources that might be affected by the proposed project. Cody Campagne, NAHC Cultural Resource Analyst, responded via email on July 27, 2023, stating that a search of the Sacred Lands File for the study area had negative results. The NAHC provided a list of Native American individuals to contact for information regarding the identified resources.

*a. Would the project cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5? **(Less Than Significant with Mitigation Incorporated)***

As outlined in Chapter 2.0, Project Description, the proposed project would include the demolition of the existing Heather Farm Community Center (built 1969–1970) and Clarke Memorial Swim Center (built 1971). Due to their age, these two buildings constitute built environment cultural resources that had not been previously evaluated for inclusion in a national, State, or local register of historic properties. Background research and field survey indicates that neither the structure appear individually or collectively eligible for inclusion in the NRHP at any level of significance due to a lack of significant association with an event or pattern of events, the lives of important persons, or are representative examples of a type, period, or method of construction. For these same reasons, the Heather Farm Community Center and Clarke Memorial Swim Center do not appear eligible for inclusion in the California Register of Historical Resources (CRHR). Therefore, these resources do not qualify as a historical resource for the purposes of CEQA as defined in PRC Section 21084.1, as defined in PRC Section 5020.1(k), or deemed significant pursuant to criteria set forth in PRC Section 5024.1(g). As these two built environment resources have been evaluated for significance as a

historical resource and were found to be not eligible, for inclusion on the CRHR, their demolition would not adversely cause a substantial adverse change in the significance of a historical resource.

However, based on the age and type of landforms in the project area, as well as the proximity of the Nature Lake and former tributary stream, the project site has potential for containing buried pre-contact archaeological resources. This is underscored by earlier discoveries of buried archaeological sites elsewhere in the Walnut Creek floodplain. Because the alluvium in the project area reaches considerable depths, the potential for buried archaeological resources also could extend deep below the surface. The archaeological sensitivity of the project site is offset to some extent by past ground-disturbing activities associated with the development of Heather Farm Park that included contouring of the ground surface for drainage and recreation purposes, as well as construction of buildings, parking lots, the swimming pool, the Concrete Pond, and the playground. This does not, however, preclude the possibility of intact archaeological deposits to be present outside of/below these developments.

Given the potential for buried intact pre-contact archaeological resources to be present within the project site, the following mitigation measures, in addition to the mitigation measures identified in Section 4.18, Tribal Cultural Resources, would be implemented to reduce potential impacts to these resources to a less than significant level.

Mitigation Measure CUL-1a A qualified professional archaeologist (either an archaeologist who meets the Secretary of the Interior's Professional Qualifications Standards for Archeology or an archaeologist supervised by such an archaeologist) shall monitor all construction-related ground-disturbing activities, including (but not limited to) demolition work such as removal of existing building foundations and pool; surface grading; excavations for new utility connections, building foundations, and swimming pools, as well as excavations along the Nature Lake shoreline. Archaeological monitoring shall occur during these excavation activities until the Project Archaeologist, based on their observations, is satisfied that there is little likelihood of encountering intact archaeological deposits. The Project Archaeologist may also determine that it is appropriate to reduce monitoring to spot-checking on a part-time basis.

Mitigation Measure CUL-1b Should an archaeological deposit be encountered during project subsurface construction activities, all ground-disturbing activities within 50 feet shall be redirected, and the Construction Contractor shall contact a qualified Project Archaeologist meeting the Secretary of the Interior's Professional Qualifications Standards for Archaeology to assess the situation, notify the United States Army Corps of Engineers (USACE) and the City of Walnut Creek, consult with agencies as appropriate, and make recommendations for the treatment of the discovery. If the Project Archaeologist finds the deposit to be potentially significant (i.e., potentially eligible for listing in the California Register of Historical Resources), the City of

Walnut Creek shall be responsible for funding and implementing appropriate mitigation measures. Mitigation measures may include recording the archaeological deposit, data recovery and analysis, and public outreach regarding the scientific and cultural importance of the discovery. Upon completion of the selected mitigations, the Project Archaeologist shall prepare a report documenting methods, findings, and recommendations; shall submit the report to the USACE and City for review; and shall submit the final report to the Northwest Information Center at Sonoma State University. Recovered archaeological materials shall be submitted to an appropriate local curation facility and may be used for future research and public interpretive displays, as appropriate.

With implementation of Mitigation Measures CUL-1a and CUL-1b, which require monitoring and work stoppage in the event of an archaeological discovery, potential impacts to archaeological historical resources would be reduced to a less than significant level with mitigation incorporated.

b. Would the project cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5? ***(Less Than Significant with Mitigation Incorporated)***

According to *State CEQA Guidelines* Section 15064.5(c)(1), "When a project will impact an archaeological site, a lead agency shall first determine whether the site is an historical resource." Those archaeological sites that do not qualify as historical resources shall be assessed to determine if they qualify as "unique archaeological resources" (California PRC Section 21083.2).

Archaeological deposits identified during project construction would be treated by the City and project applicant—in consultation with a qualified archaeologist meeting the Secretary of the Interior's Professional Qualifications Standards for Archaeology—in accordance with Mitigation Measure CUL-1. With implementation of Mitigation Measure CUL-1, identified above, impacts to archaeological resources would be less than significant with mitigation incorporated.

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

Based on previous archaeological investigation and analysis, there is a potential for the disturbance of human remains. If human remains are encountered at the project site, State Health and Safety Code Section 7050.5 and *State CEQA Guidelines* Section 15064.5(e)(1) state that no further disturbance shall occur to the area of the find until the Contra Costa County Coroner has made a determination of origin and disposition of the human bone pursuant to PRC Section 5097.98. The County Coroner must be notified of the find immediately and shall make a determination within 2 working days of being notified. If the remains are determined to be Native American, the County Coroner shall notify the NAHC by phone within 24 hours, and the NAHC shall then immediately determine and notify a Most Likely Descendant (MLD). With the permission of the landowner or his/her authorized representative, the MLD may inspect the site of the discovery. The MLD shall complete the inspection and make recommendations or preferences for treatment of the remains within 48 hours of being granted access to the site. MLD recommendations may include scientific

removal and nondestructive analysis of human remains and items associated with Native American burials, preservation of Native American human remains and associated items in place, relinquishment of Native American human remains and associated items to the descendants for treatment, or any other culturally appropriate treatment.

Compliance with Section 7050.5 of the California Health and Safety Code and PRC Section 5097.98 regarding the treatment of human remains would ensure that potential impacts to human remains would be less than significant.

4.6 ENERGY

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a. Result in a 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?	☐	☐	☒	☐

*a. Would the project result in a 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 result in a small increase in the demand for electricity and gasoline. The discussion and analysis provided below is based on data included in the California Emissions Estimator Model (CalEEMod) output, which is included in Appendix A.

Construction-Period Energy Use. The proposed project would require demolition, site preparation, grading, building construction, paving, and architectural coating activities during construction. Construction of the proposed project would require energy for the manufacture and transportation of construction materials, preparation of the site for grading activities, and construction of the proposed park improvements. Petroleum fuels (e.g., diesel and gasoline) would be the primary sources of energy for these activities. In order to increase energy efficiency on the site during project construction, the idling times for construction vehicles would be restricted to 5 minutes or less and construction workers would be required to shut off idle equipment, as required by Mitigation Measure AIR-1. In addition, construction activities are not anticipated to result in an inefficient use of energy as gasoline and diesel fuel would be supplied by construction contractors who would conserve the use of their supplies to minimize their costs on the project. Energy usage on the project site during construction would be temporary in nature and would be relatively small in comparison to the State's available energy sources. Therefore, construction energy impacts would be less than significant.

Operational Energy Use. Operational energy usage is typically associated with natural gas use, electricity consumption, and fuel used for vehicle trips. The proposed buildings would be all-electric. Natural gas usage would only be associated with the pool heating equipment. Electricity and natural gas consumption was estimated for the proposed project using default energy intensities by land use type in CalEEMod and are shown in Table 4.6.A.

In addition, the proposed project would result in energy usage associated with gasoline to fuel project-related trips. Based on the CalEEMod analysis, the proposed project would result in approximately 255,029 net new vehicle miles traveled (VMT) per year. The average fuel economy for light-duty vehicles (autos, pickups, vans, and SUVs) in the United States has steadily increased

from about 14.9 miles per gallon (mpg) in 1980 to 22.9 mpg in 2021.[12] The average fuel economy for heavy-duty trucks in the United States has also steadily increased, from 5.7 mpg in 2013 to a projected 8.0 mpg in 2021.[13] Therefore, using the United States Environmental Protection Agency (USEPA) fuel economy estimates for 2021, the proposed project would result in the consumption of approximately 9,125 additional gallons of gasoline per year and 5,754 additional gallons of diesel fuel per year.

Table 4.6.A, below, shows the estimated potential increased energy usage associated with the proposed project.

Table 4.6.A: Estimated Annual Energy Use of Proposed Project

Electricity Use (kWh per year)	Natural Gas (Therms per year)	Gasoline (gallons per year)	Diesel (gallons per year)
378,904	11,823	9,125	5,754

Source: LSA (March 2024).
kWh = kilowatt-hours

As shown in Table 4.6.A, the estimated potential increased electricity demand associated with the proposed project is 378,904 kilowatt-hours (kWh) per year. In 2022, Contra Costa County consumed 8,338 gigawatt-hours (GWh) or 8,337,835,566 kWh.[14] Therefore, electricity demand associated with the proposed project would be less than 0.1 percent of Contra Costa County's total electricity demand.

As shown in Table 4.6.A, the estimated potential increased natural gas demand associated with the proposed project is 11,823 therms per year. In 2022, Contra Costa County consumed 894,541,308 therms.[15] Therefore, natural gas demand associated with the proposed project would be less than 0.1 percent of Contra Costa County's total natural gas demand.

In addition, the proposed project would result in energy usage associated with gasoline and diesel to fuel project-related trips. As shown above in Table 4.6.A, the increase in vehicle trips associated with the proposed project would consume approximately 9,125 additional gallons of gasoline per year and 5,754 additional gallons of diesel fuel per year. Based on fuel consumption obtained from EMFAC2021, approximately 365.0 million gallons of gasoline and approximately 62.1 million gallons of diesel fuel will be consumed from vehicle trips in Contra Costa County in 2024. Therefore, fuel demand generated by vehicle trips associated with the proposed project would increase the annual fuel use in Contra Costa County by less than 0.1 percent for gasoline fuel usage and by less than 0.1

12 U.S. Department of Transportation (USDOT). 2017. "Table 4-23: Average Fuel Efficiency of U.S. Light Duty Vehicles." Website: https://www.bts.gov/content/average-fuel-efficiency-us-light-duty-vehicles (accessed January 2024).

13 California Energy Commission (CEC). 2015. Medium and Heavy-Duty Truck Prices and Fuel Economy 2013–2026. Website: efiling.energy.ca.gov/getdocument.aspx?tn=206180 (accessed January 2024)

14 Ibid.

15 Ibid.

percent for diesel fuel usage. Therefore, the proposed project would result in fuel usage that is a minimal fraction of current annual fuel consumption in Contra Costa County.

Further, the project site is located within walking or bicycling distance from the surrounding residential areas and would provide paved pedestrian pathways around and between the proposed buildings. Additionally, there are multi-use trails in the vicinity of the project site and existing bus stops are located within 0.5 mile along Ygnacio Valley Road. Therefore, the project would support the ability of visitors to use alternative modes of transportation. As such, fuel consumption associated with vehicle trips generated by project operations would not be considered inefficient, wasteful, or unnecessary in comparison to other similar developments in the region.

In addition, the proposed new development would be constructed using energy efficient modern building materials and construction practices, and the proposed project also would use new modern appliances and equipment, in accordance with the Appliance Efficiency Regulations (Title 20, California Code of Regulations [CCR] Sections 1601 through 1608). The expected energy consumption during construction and operation of the proposed project would be consistent with typical usage rates for recreational uses.

Pacific Gas & Electric (PG&E) is the private utility that would supply the proposed project's electricity and natural gas services. In 2022, approximately 40 percent of PG&E's delivered electricity came from renewable sources, including solar, wind, geothermal, small hydroelectric, and various forms of bioenergy.[16] PG&E reached California's 2020 renewable energy goal in 2017, and is positioned to meet the State's 60 percent by 2030 renewable energy mandate set forth in Senate Bill (SB) 100. In addition, PG&E plans to continue to provide reliable service to their customers and upgrade their distribution systems as necessary to meet future demand.

Therefore, the proposed project would not result in the wasteful, inefficient, or unnecessary consumption of fuel or energy and would incorporate renewable energy or energy efficiency measures into building design, equipment use, and transportation. Construction and operation period impacts related to consumption of energy resources would be less than significant.

b. Conflict with or obstruct a state or local plan for renewable energy or energy efficiency? ***(Less Than Significant Impact)***

In 2002, the State Legislature passed Senate Bill (SB) 1389, which required the California Energy Commission (CEC) to develop an integrated energy plan every two years for electricity, natural gas, and transportation fuels for the California Energy Policy Report. The plan calls for the State to assist in the transformation of the transportation system to improve air quality, reduce congestion, and increase the efficient use of fuel supplies with the least environmental and energy costs. To further this policy, the plan identifies a number of strategies, including assistance to public agencies and fleet operators in implementing incentive programs for zero emission vehicles and their

[16] Pacific Gas & Electric (PG&E). 2023. *Exploring Clean Energy Solutions*. Website: https://www.pge.com/en/about/corporate-responsibility-and-sustainability/taking-responsibility/clean-energy-solutions.html (accessed January 2024).

infrastructure needs, and encouragement of urban designs that reduce VMT and accommodate pedestrian and bicycle access.

The most recently adopted CEC energy report is the 2023 Integrated Energy Policy Report. The 2023 Integrated Energy Policy Report provides the results of the CEC's assessments of a variety of energy issues facing California. Many of these issues will require action if the State is to meet its climate, energy, air quality, and other environmental goals while maintaining energy reliability and controlling costs. The 2023 Integrated Energy Policy Report covers a broad range of topics, including implementation of SB 350, integrated resource planning, distributed energy resources, transportation electrification, solutions to increase resiliency in the electricity sector, energy efficiency barriers faced by disadvantaged communities, demand response, transmission and landscape-scale planning, the California Energy Demand Preliminary Forecast, the preliminary transportation energy demand forecast, renewable gas (in response to SB 1383), updates on Southern California electricity reliability, natural gas outlook, and climate adaptation and resiliency.

As indicated above, energy usage on the project site during construction would be temporary in nature. In addition, energy usage associated with operation of the proposed project would be relatively small in comparison to the State's available energy sources and energy impacts would be negligible at the regional level. Because California's energy conservation planning actions are conducted at a regional level, and because the project's total impact to regional energy supplies would be minor, the proposed project would not conflict with California's energy conservation plans as described in the CEC 2023 Integrated Energy Policy Report. Therefore, the proposed project would not conflict with or obstruct a State or local plan for renewable energy or energy efficiency and this impact would be less than significant.

4.7 GEOLOGY AND SOILS

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
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? Refer to Division of Mines and Geology Special Publication 42.	☐	☐	☐	☒
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 waste water disposal systems where sewers are not available for the disposal of waste water?	☐	☐	☐	☒
f. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	☒	☐	☐

Unless noted otherwise, the following analysis is based on the site-specific Preliminary Geotechnical Engineering Report prepared for the proposed project.[17] A copy of the geotechnical report is included in Appendix F.

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? Refer to Division of Mines and Geology Special Publication 42. **(No Impact)***

The State of California enacted the Alquist-Priolo Earthquake Fault Zoning Act in 1972, requiring the State Geologist to delineate Earthquake Fault Zones (EFZs) along known active faults that have high potential for fault rupture. Active faults are defined as faults that have surface displacement within

[17] Terracon. 2024. *Aquatic-Community Center at Heather Farm Park, Preliminary Geotechnical Engineering Report.* January 19.

the last 11,000 years.[18] Alquist-Priolo EFZs delineate areas around active faults with potential surface fault rupture hazards that would require specific geological investigations prior to approval of certain kinds of development within the delineated area. State regulations prohibit habitable structures from being sited within 50 feet of an active fault.

According to the California Earthquake Hazards Zone Application ("EQ Zapp"),[19] the Concord Fault is the nearest Alquist-Priolo Fault Zone to the project site, which is located 1.8 miles east of the site. Based on the distance from the project site, rupture of the Concord Fault through the site is not anticipated, and the proposed project would not directly or indirectly cause substantial adverse effects related to fault rupture. No impact would occur.

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

The project site is located in the San Francisco Bay Area, a region of intense seismic activity. Due to the location of the project site in a seismically active area, strong seismic ground shaking at the site is highly probable during the life of the project. The intensity of ground shaking would depend on the characteristics of the fault, distance from the fault, the earthquake magnitude and duration, and site-specific geologic conditions. The intensity of an earthquake is a subjective measure of the perceptible effects of a seismic event at a given point. The Modified Mercalli Intensity (MMI) scale is the most commonly used scale to measure the subjective effects of earthquake intensity. It uses values ranging from I to XII.[20]

Mapping has been compiled by the Metropolitan Transportation Commission (MTC) and Association of Bay Area Governments (ABAG) for the likely shaking intensities in the Bay Area that would have a 10 percent chance of occurring in any 50-year period. A large earthquake (magnitude 6.7 or greater) on one of the major active faults in the region would generate severe (MMI 8) ground shaking at the project site.[21]

The most significant adverse impact associated with strong seismic shaking is potential damage to structures and improvements. The risk of ground shaking impacts is reduced through adherence to the design and materials standards set forth in building codes. The California Building Code (CBC) (Title 24, Part 2 of the California Code of Regulations [CCR]), provides for stringent construction requirements on projects in areas of high seismic risk. The design and construction for the proposed project would be required to conform with, or exceed, current best standards for earthquake resistant construction in accordance with the latest CBC requirements in effect at the time of building permit application. Seismic design provisions of current building codes generally prescribe

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18 California Department of Conservation (DOC). n.d.-a. Alquist-Priolo Earthquake Fault Zones. Website: www. conservation.ca.gov/cgs/alquist-priolo (accessed February 5, 2024).

19 California Department of Conservation (DOC). n.d.-b. *California Earthquake Hazards Zone Application ("EQ Zapp").* Website: https://maps.conservation.ca.gov/cgs/EQZApp/app/ (accessed February 5, 2024).

20 United States Geological Survey (USGS). 2018. The Modified Mercalli Intensity Scale. Website: www.usgs.gov/natural-hazards/earthquake-hazards/science/modified-mercalli-intensity-scale?qt-science_center_objects=0#qt-science_center_objects (accessed February 2024).

21 Metropolitan Transportation Commission (MTC) and Association of Bay Area Governments (ABAG). 2018. Probabilistic Earthquake Shaking Hazard Map. Website: https://mtc.maps.arcgis.com/apps/webapp viewer/index.html?id=4a6f3f1259df42eab29b35dfcd086fc8 (accessed February 2024).

minimum lateral forces, applied statically to the structure, combined with the gravity forces of dead and live loads. The code-prescribed lateral forces are generally considered to be substantially smaller than the comparable forces that would be associated with a major earthquake. Therefore, structures would be able to: (1) resist minor earthquakes without damage; (2) resist moderate earthquakes without structural damage but with some nonstructural damage; and (3) resist major earthquakes without collapse but with some structural as well as nonstructural damage.

In addition, the geotechnical report completed for the proposed project includes design recommendations to address potential concerns associated with strong seismic shaking, including but not limited to utilization of shallow foundations directly bearing on firm native soil, a geogrid reinforced building pad or subgrade mitigated by ground improvement, such as aggregate piers and drilled displacement columns; removal of existing undocumented fills on the project site; compaction of site soils; soil stabilization; and utility trench backfill requirements.

Compliance with the CBC is a requirement for issuance of building permits for a project and a standard condition of City entitlements. Proper engineering design and construction in conformance with CBC standards and project-specific geotechnical recommendations would ensure that potential impacts associated with strong seismic ground shaking would be reduced to a less than significant level.

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

The potential for different types of ground failure to occur during a seismic event is discussed below.

Liquefaction. Liquefaction is the transformation of loose, fine-grained sediment to a fluid-like state similar to quicksand. This phenomenon occurs due to strong seismic activity and lessens the soil's ability to support a structural foundation. The primary factors affecting the possibility of liquefaction in soil are: (1) intensity and duration of earthquake shaking; (2) soil type and relative density; (3) overburden pressures; and (4) depth to groundwater. Soil most susceptible to liquefaction is clean, loose, fine-grained sands and non-plastic silts that are saturated.

The California Geological Survey (CGS) has mapped Seismic Hazard Zones that delineate areas susceptible to liquefaction and/or landslides that require proposed new developments in these areas to conduct additional investigation to determine the extent and magnitude of potential ground failure. According to CGS data, [22] the project site is located in an area mapped as a liquefaction hazard zone. The geotechnical report indicates that due to the surficial soils across the site consisting primarily of stiff to hard lean clay and sandy lean clay, the probability for liquefaction to manifest at the surface is relatively low; however, the differential liquefaction-induced settlement is estimated at approximately 0.75 inch over 30 feet. The geotechnical report concludes that the proposed structures should be founded on shallow foundations directly bearing on firm native soil or on a minimum 24 inches of granular structural fill. Alternatively, proposed structures should be founded on shallow foundations bearing on a geogrid reinforced building pad or on subgrade

[22] California Department of Conservation (DOC). n.d. California Geological Survey (CGS). California Earthquake Hazards Zone Application ("EQ Zapp"). Website: https://maps. conservation.ca.gov/cgs/EQZApp/app/ (accessed February 5, 2024).

mitigated by ground improvement (e.g., placement of aggregate piers) to account for potential settlement due to liquefaction. The proposed project would be designed and constructed consistent with the most current earthquake resistance standards for Seismic Zone 4 in the CBC, which includes specifications for site preparation, such as compaction requirements for foundations. In addition, the proposed project would be designed and constructed in accordance with the recommendations identified in the site-specific geotechnical evaluation prepared for the proposed project. Therefore, the proposed project would not directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving seismic-related ground failure. This impact would be less than significant.

Lateral Spreading. Lateral spreading is a phenomenon in which surficial soil displaces along a shear zone that has formed within an underlying liquefied layer. Upon reaching mobilization, the surface soils are transported downslope or in the direction of a free face by earthquake and gravitational forces. The project site is relatively flat and the geotechnical report determined that the potential for lateral spreading is low. Therefore, the proposed project would have a less than significant impact related to lateral spreading.

iv. Landslides? ***(Less Than Significant Impact)***

A landslide generally occurs on relatively steep slopes and/or on slopes underlain by weak materials. The project site is located on a relatively flat area and is not located next to any hills. The project site is considered Flatland, and therefore would not be susceptible to landslides.[23] Therefore, the potential for the proposed project to expose people or structures to risk as a result of landslides would be less than significant.

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

Grading and earthmoving during project construction has the potential to result in erosion and loss of topsoil. The potential for soil erosion exists during the period of earthwork activities and between the time when earthwork is completed, and new vegetation is established or hardscape is installed. Exposed soils could be entrained in stormwater runoff and transported off the project site. Because the proposed project would involve over 1 acre of land disturbance, it would be required to comply with the Construction General Permit,[24] which requires preparation and implementation of a Storm Water Pollution Prevention Plan (SWPPP) prior to any ground disturbance activities. Although designed primarily to protect stormwater quality, the SWPPP would provide the details of the erosion control measures to be applied on the project site during the construction period, including

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23 Metropolitan Transportation Commission (MTC) and Association of Bay Area Governments (ABAG). 1997. Landslide Hazard (Rainfall Induced) Map. Website: https://mtc.maps.arcgis.com/apps/webapp viewer/index.html?id=4a6f3f1259df42eab29b35dfcd086fc8 (accessed February 2024).

24 State Water Resources Control Board (SWRCB). 2022. National Pollutant Discharge Elimination System (NPDES) General Permit for Stormwater Discharges Associated with Construction and Land Disturbance Activities (CGP), Order No. 2022-0057-DWQ, NPDES No. CAS000002. Website: https://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2022/wqo_2022-0057-dwq.pdf (accessed February 2024).

Best Management Practices (BMPs) for erosion control that are recognized by the Regional Water Quality Control Board (RWQCB). Additional details regarding the SWPPP are provided in Section 4.10, Hydrology and Water Quality. Compliance with the requirements of the Construction General Permit would ensure that the proposed project would result in less than significant impacts related to soil erosion or the loss of topsoil.

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)***

As described in Section 4.7.1.a, soils on the project site would not be subject to lateral spreading, or landslides, but could be subject to liquefaction. The proposed project would be required to conform with the CBC and the site-specific recommendations identified in the geotechnical report, which would reduce risks related to unstable soils. Therefore, the proposed project would have a less than significant impact related to unstable soils.

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)***

Expansive soils are characterized by the potential for shrinking and swelling as the moisture content of the soil decreases and increases, respectively. Shrink-swell potential is influenced by the amount and type of clay minerals present and can be measured by the percentage of change in the soil volume. Soils underlying the project site are composed of Clear Lake clay (0 to 15 percent slopes) and Tierra loam (2 to 9 percent slope) according to the United States Department of Agriculture (USDA) Natural Resources Conservation Service (NRCS) Web Soil Survey.[25]

Clear Lake Clay consists of poorly drained soils in basins. Tierra loam consists of gently sloping to moderately sloping soil on terraces. Clear Lake Clay has a high shrink-swell potential.[26] The geotechnical report includes recommendation to minimize the effects of soil shrinkage and expansion, including timing for grading activities (e.g., during the warmer and drier times of the year), subgrade improvement and fill placement, shallow foundations for buildings directly bearing on native soil or structural fill, and over-excavation or chemical treatment of near-surface moderate to high plasticity clays.

As described above, the proposed project would be required to comply with the CBC and the geotechnical recommendations identified in the site-specific geotechnical investigation. Compliance with geotechnical recommendations and the CBC during design and construction would ensure that the potential impacts associated with expansive soils would be less than significant.

[25] United States Department of Agriculture (USDA) Natural Resources Conservation Service (NRCS). 2024. Web Soil Survey. Website: websoilsurvey.sc.egov.usda.gov/App/WebSoilSurvey.aspx (accessed February 2024).

[26] Ibid.

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? ***(No Impact)***

The proposed project would connect to the City's wastewater conveyance system. On-site treatment and disposal of wastewater is not proposed for the project; therefore, the proposed project would have no impacts associated with soils incapable of supporting alternative wastewater disposal systems.

f. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? ***(Less Than Significant with Mitigation Incorporated)***

Project plans, geologic maps of the project site, and relevant geological and paleontological literature were reviewed to determine which geologic units are present within the project site and whether fossils have been recovered within the project site or from those or similar geologic units elsewhere in the region. In addition, a search for known fossil localities was conducted through the online collections of the University of California Museum of Paleontology (UCMP) at Berkeley to determine the status and extent of previously recorded paleontological resources within and surrounding the project site.

Results of the literature review indicate that the project site is located in the central part of the Coast Ranges Geomorphic Province of California.[27] The Coast Ranges Geomorphic Province is characterized by mountain ranges and valleys that stretch for 600 miles from the Oregon border to the Santa Ynez River in Santa Barbara County.[28] These mountains and valleys trend in a northwest direction, subparallel to the direction of the San Andreas Fault. Within the province, basement rocks consist of Jurassic and Cretaceous (201.3–66 million years ago [Ma]) igneous, metamorphic, and marine sedimentary rocks that formed in island arc, subduction zone, and deep to shallow marine environments.[29] These basement rocks are overlain by Cenozoic (less than 66 Ma) sedimentary rocks that accumulated in deep to shallow and eventually continental environments. Surficial geologic mapping indicates that the project site contains surficial sediments and Monterey Formation.[30] Although Artificial Fill was not mapped, the project site likely contains Artificial Fill that was placed during previous development of the surrounding park.

Artificial Fill consists of sediments that have been removed from one location and transported to another by human activity rather than by natural means. The transportation distance can vary from a few feet to many miles, and composition is dependent on the source and purpose. Artificial Fill will sometimes contain modern debris such as asphalt, wood, bricks, concrete, metal, glass, plastic, and even plant material. While Artificial Fill may contain fossils, these fossils have been removed from

27 California Department of Conservation (DOC). 2002. California Geological Survey (CGS). California Geomorphic Provinces. California Geologic Survey Note 36.

28 Norris, R.M., and R.W. Webb. 1976. *Geology of California*. John Wiley and Sons, Inc., Santa Barbara.

29 Howard, Arthur D. 1979. *Geologic History of Middle California.* California Natural History Guides No. 43. University of California Press, Berkeley, California. 113 pp.

30 Dibblee, T.W., and Minch, J.A. 2005. Geologic Map of the Hayward Quadrangle, Contra Costa and Alameda Counties, California.

their original location and are thus out of stratigraphic context. Therefore, they are not considered important for scientific study, and Artificial Fill has no paleontological sensitivity.

Surficial sediments consist of clay, sand, and gravel of the valley areas. The surficial sediments within the project area were deposited during the Holocene (11,700 years ago to the present). Although Holocene-age deposits may contain remains of plants and animals, generally not enough time has passed for the remains to become fossilized, except for those sediments at the older end of the Holocene. In addition, except for the early Holocene (approximately 11,700 to 8,200 years ago), the remains are conspecific with modern species, and therefore, are usually not considered to be scientifically significant. For these reasons, the Young Alluvial Valley Deposits are assigned a Low paleontological sensitivity rating.

At the southern boundary of the project site is the contact between the surficial sediments and the Monterey Formation. The Monterey Formation may also be found at an unknown depth below the surficial sediments. The marine Monterey Formation is late to middle Miocene (5.333–15.97 Ma) in age and consists of gray, massive to slightly bedded clay shale and siltstone, with beds of fine-grained silty sandstone.) The Monterey Formation in California has produced diatoms, foraminifera, mollusks, fish, whales, desmostylians (large, fully aquatic quadrupeds), birds, and very rarely land mammals and land plants, which would have washed in from shore. [31] Based on the abundance, diversity, and scientific significance of the fossils previously recovered from the Monterey Formation, this unit is considered to have high paleontological sensitivity.

According to the locality search conducted through the online collections of UCMP, there are no known fossil localities within the project site. However, the UCMP has a record of a fossil locality nearby the Monterey Formation, which is likely present at depth within the project site. Locality V4616 produced a fossil specimen of whale (Cetacea). Additionally, the UCMP has 17 invertebrate fossil localities from the Monterey Formation within Contra Costa County.

The fossil locality search through the UCMP found that no paleontological resources or unique geologic features are known to exist within or near the project site. A field survey of the area noted one fossil shell at the surface of a slope on the southern boundary of the project site at the contact between the surficial sediments and the Monterey Formation. Ground disturbance is not expected to extend below a depth of 8 feet, except for the proposed pool, which could extend to a depth of up to 18 feet. Therefore, because project excavation activities are expected to remain in deposits with low paleontological sensitivity, the potential to impact paleontological resources is unlikely. However, to ensure that potential impacts to undiscovered paleontological resources remain less than significant, Mitigation Measure GEO-1 is proposed as outlined below.

Mitigation Measure GEO-1 If paleontological resources are encountered during the course of ground disturbance, work in the immediate area of the find shall be redirected and a paleontologist shall be contacted to assess the find for scientific significance. If determined to be significant, the fossil shall be collected from the field. The paleontologist may also make

[31] Bramlette, M.N. 1946. *The Monterey Formation of California and the Origin of Its Siliceous Rocks*. United States Geological Survey Professional Paper 212. 57 pp.

recommendations regarding additional mitigation measures, such as paleontological monitoring. Scientifically significant resources shall be prepared to the point of identification, identified to the lowest taxonomic level possible, cataloged, and curated into the permanent collections of a museum repository. If scientifically significant paleontological resources are collected, a report of findings shall be prepared to document the collection**.**

4.8 GREENHOUSE GAS EMISSIONS

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
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?	☐	☐	☒	☐

a. Would the project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?

Greenhouse gases (GHGs) are present in the atmosphere naturally, are released by natural sources, or are formed from secondary reactions taking place in the atmosphere. The gases that are widely seen as the principal contributors to human-induced global climate change are:

- Carbon dioxide (CO_2);
- Methane (CH_4);
- Nitrous oxide (N_2O);
- Hydrofluorocarbons (HFCs);
- Perfluorocarbons (PFCs); and
- Sulfur Hexafluoride (SF_6).

Over the last 200 years, humans have caused substantial quantities of GHGs to be released into the atmosphere. These extra emissions are increasing GHG concentrations in the atmosphere and enhancing the natural greenhouse effect, believed to be causing global warming. While manmade GHGs include naturally occurring GHGs such as CO_2, methane, and N_2O, some gases, like HFCs, PFCs, and SF_6 are completely new to the atmosphere.

Certain gases, such as water vapor, are short-lived in the atmosphere. Others remain in the atmosphere for significant periods of time, contributing to climate change in the long term. Water vapor is excluded from the list of GHGs above because it is short-lived in the atmosphere and its atmospheric concentrations are largely determined by natural processes, such as oceanic evaporation.

These gases vary considerably in terms of Global Warming Potential (GWP), a concept developed to compare the ability of each GHG to trap heat in the atmosphere relative to another gas. The GWP is based on several factors, including the relative effectiveness of a gas to absorb infrared radiation and length of time that the gas remains in the atmosphere ("atmospheric lifetime"). The GWP of each gas is measured relative to CO_2, the most abundant GHG. The definition of GWP for a particular GHG is the ratio of heat trapped by one unit mass of the GHG to the ratio of heat trapped by one unit mass of CO_2 over a specified time period. GHG emissions are typically measured in terms of pounds or tons of "CO_2 equivalents" (CO_2e).

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 Bay Area Air Quality Management District's (BAAQMD) 2022 CEQA Guidelines identify applicable GHG significance thresholds. The BAAQMD recommends these thresholds of significance for use in determining whether a proposed project will have a significant impact related to climate change. These thresholds evaluate a project based on its effect on California's efforts to meet the State's long-term climate goals. Applying this approach, the BAAQMD identifies and provides supporting documentation, outlining the requirements for new land use development projects necessary to achieve California's long-term climate goal of carbon neutrality by 2045. Based on their analysis, the BAAQMD found that new land use development projects need to incorporate design elements to do its "fair share" to implement the goal of carbon neutrality by 2045. If a project is designed and built to incorporate the identified design elements, then it will contribute its portion of what is necessary to achieve California's long-term climate goals—its "fair share"—and an agency reviewing the project under CEQA can conclude that the project will not make a cumulatively considerable contribution to global climate change. The document concludes that if a project does not incorporate these design elements, then it should be found to make a significant climate impact because it will hinder California's efforts to address climate change.

According to the BAAQMD, a project would have a less than significant impact related to GHG emissions if it would:

a. Include, at a minimum, the following project design elements:

    1. Buildings

        a. The project will not include natural gas appliances or natural gas plumbing (in both residential and nonresidential development).

        b. The project will not result in any wasteful, inefficient, or unnecessary electrical usage as determined by the analysis required under CEQA Section 21100(b)(3) and Section 15126.2(b) of the State CEQA Guidelines.

    2. Transportation

        a. Achieve a reduction in project-generated VMT below the regional average consistent with the current version of the California Climate Change Scoping Plan (currently 15 percent) or meet a locally adopted Senate Bill (SB) 743 VMT target, reflecting the recommendations provided in the Governor's Office of Planning and Research's Technical Advisory on Evaluating Transportation Impacts in CEQA:

            1. Residential projects: 15 percent below the existing VMT per capita

            2. Office projects: 15 percent below the existing VMT per employee

            3. Retail projects: no net increase in existing VMT

b. Achieve compliance with off-street electric vehicle requirements in the most recently adopted version of CALGreen Tier 2.

b. Or be consistent with a local GHG reduction strategy that meets the criteria under State CEQA Guidelines Section 15183.5(b).

The City of Walnut Creek adopted a Sustainability Action Plan[32] on July 18, 2023. The City's Sustainability Action Plan meets the requirements for a Qualified Greenhouse Gas Reduction Strategy and is designed to streamline environmental review of future development projects in the City, consistent with *State CEQA Guidelines* Section 15183.5(b). Therefore, the proposed project is evaluated for consistency with the Sustainability Action Plan.

The Sustainability Action Plan focuses on the actions that the community will take in order to address climate change and improve the health and wellbeing of everyone in Walnut Creek. The Sustainability Action Plan will continue the City's efforts to address climate change by reducing GHG emissions 40 percent below 1990 GHG emission levels by 2030 and 85 percent below 1990 GHG emission levels by 2045. The Sustainability Action Plan identifies 21 GHG reduction strategies related to Buildings and Energy Supply, Transportation and Land Use, Water and Wastewater, Waste, Outdoor Equipment, and Community Health and Resilience. The following strategies apply to the proposed project:

Buildings

- 3: Facilitate energy efficiency and electrification at existing buildings and infrastructure.
- 4: Require electrification and low-carbon materials for new buildings.

Transportation and Land Use

- 5: Expand adoption and accessibility of electric vehicle modes.
- 6: Increase availability of electric vehicle charging.
- 8: Promote sustainable development, which reduces vehicle miles traveled and greenhouse gas. emissions.
- 9: Ensure safe, efficient, and reliable mobility options throughout the community.

Water and Wastewater

- 12: Expand City-led efforts to reduce water use community-wide.

[32] City of Walnut Creek. 2023. *City of Walnut Creek Sustainability Action Plan*. July 18. Website: https://www.walnutcreekca.gov/home/showpublisheddocument/30592/638264039182030000 (accessed March 2024).

The proposed project would include the demolition of the existing Heather Farm Community Center, construction of a new Aquatic/Community Center and associated improvements, and future demolition of the Clarke Memorial Swim Center. The proposed project would comply with the latest California Green Building Standards Code (CALGreen Code), regarding energy conservation and green building standards, and the proposed buildings would be all-electric. As such, the proposed project would be consistent with the building-related strategies.

In addition, the proposed project would be required to include electric vehicle charging to meet CALGreen Code requirements. The project site is also located within walking or bicycling distance from the surrounding residential areas and would provide paved pedestrian pathways around and between the proposed buildings. Additionally, there are multi-use trails in the vicinity of the project site and existing bus stops are located within 0.5 mile along Ygnacio Valley Road. Therefore, the project would support the ability of visitors to use alternative modes of transportation, which would reduce vehicle trips and vehicle miles traveled (VMT) consistent with the intent of the Transportation and Land Use strategies.

The proposed project would also be required to comply with the latest CALGreen Code standards, which include a variety of different measures, including reduction of wastewater and water use, and would be required to comply with the California Model Water Efficient Landscape Ordinance, consistent with the Water and Wastewater strategies. As such, the proposed project would be consistent with the applicable City of Walnut Creek Sustainability Action Plan strategies. Therefore, the proposed project would not generate significant GHG emissions that would have a significant effect on the environment, and this impact would be less than significant.

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)***

As discussed above, the proposed project is consistent with the City of Walnut Creek Sustainability Action Plan. Absent any other local or regional Climate Action Plan, the proposed project was analyzed for consistency with the goals of the Scoping Plan, Executive Order (EO) B-30-15, Senate Bill (SB) 32, and Assembly Bill (AB) 1279.

EO B-30-15 added the immediate target of reducing GHG emissions to 40 percent below 1990 levels by 2030. SB 32 affirms the importance of addressing climate change by codifying into statute the GHG emissions reductions target of at least 40 percent below 1990 levels by 2030 contained in EO B-30-15. The California Air Resources Board (CARB) released the 2017 Scoping Plan,[33] to reflect the 2030 target set by EO B-30-15 and codified by SB 32. SB 32 builds on AB 32 and keeps us on the path toward achieving the State's 2050 objective of reducing emissions to 80 percent below 1990 levels. The companion bill to SB 32, AB 197, provides additional direction to the CARB related to the adoption of strategies to reduce GHG emissions. Additional direction in AB 197 intended to provide easier public access to air emissions data that are collected by CARB was posted in December 2016.

[33] California Air Resources Board (CARB). 2017. *California's 2017 Climate Change Scoping Plan*. November.

The 2022 Scoping Plan[34] assesses progress toward the statutory 2030 target, while laying out a path to achieving carbon neutrality no later than 2045. The 2022 Scoping Plan Update focuses on outcomes needed to achieve carbon neutrality by assessing paths for clean technology, energy deployment, natural and working lands, and others, and is designed to meet the State's long-term climate objectives and support a range of economic, environmental, energy security, environmental justice, and public health priorities.

The 2022 Scoping Plan focuses on building clean energy production and distribution infrastructure for a carbon-neutral future, including transitioning existing energy production and transmission infrastructure to produce zero-carbon electricity and hydrogen, and utilizing biogas resulting from wildfire management or landfill and dairy operations, among other substitutes. The 2022 Scoping Plan states that in almost all sectors, electrification will play an important role. The 2022 Scoping Plan evaluates clean energy and technology options and the transition away from fossil fuels, including adding four times the solar and wind capacity by 2045 and about 1,700 times the amount of current hydrogen supply. As discussed in the 2022 Scoping Plan, EO N-79-20 requires all new passenger vehicles sold in California will be zero-emission by 2035, and all other fleets will have transitioned to zero-emission as fully possible by 2045, which will reduce the percentage of fossil fuel combustion vehicles.

Energy efficient measures are intended to maximize energy efficiency building and appliance standards, pursue additional efficiency efforts including new technologies and new policy and implementation mechanisms, and pursue comparable investment in energy efficiency from all retail providers of electricity in California. In addition, these measures are designed to expand the use of green building practices to reduce the carbon footprint of California's new and existing inventory of buildings. As discussed above, the proposed project would comply with the CALGreen Code, regarding energy conservation and green building standards. In addition, the elimination of natural gas in new development would help projects implement their "fair share" of GHG emission reductions necessary to achieve carbon neutrality by 2045, consistent with State goals. As such, if a project does utilize natural gas, a lead agency can conclude that it would not be consistent with achieving the 2045 neutrality goal and would have a cumulative considerable impact on climate change. As discussed in the preceding section, the proposed buildings would be all-electric. Natural gas usage would only be associated with the pool heating equipment; however, since the proposed project would replace an existing pool, the proposed project is not expected to result in an increase in natural gas usage. Therefore, the proposed project would contribute to its "fair share" of GHG emission reductions necessary to support achieving the State goals of long-term GHG emission reductions and carbon neutrality by 2045.

Water conservation and efficiency measures are intended to continue efficiency programs and use cleaner energy sources to move and treat water. Increasing the efficiency of water transport and reducing water use would reduce GHG emissions. As identified above, the proposed project would be required to comply with the latest CALGreen Code standards, which include a variety of different measures, including reduction of wastewater and water use. In addition, the proposed project would be required to comply with the California Model Water Efficient Landscape Ordinance.

[34] California Air Resources Board (CARB). 2022. *2022 Scoping Plan for Achieving Carbon Neutrality*. December.

Therefore, the proposed project would not conflict with any of the water conservation and efficiency measures.

The goal of transportation and motor vehicle measures is to increase zero emission vehicles and decrease vehicle miles traveled. As described above, the proposed project would be required include electric vehicle charging to meet CALGreen standards. The project site is also located within walking or bicycling distance from the surrounding residential areas and would provide paved pedestrian pathways around and between the proposed buildings. Additionally, there are multi-use trails in the vicinity of the project site, and existing bus stops are located within 0.5 mile along Ygnacio Valley Road. Therefore, the project would support the ability of visitors to use alternative modes of transportation, which would reduce vehicle trips and VMT. As such, the proposed project would not conflict with the transportation and motor vehicle measures.

As demonstrated above, the proposed project would comply with existing State regulations adopted to achieve the overall GHG emissions reduction goals identified in EO B-30-15, SB 32, and AB 1279 and would be consistent with applicable plans and programs designed to reduce GHG emissions. Therefore, the proposed project would not conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of GHGs. This impact would be less than significant.

4.9 HAZARDS AND HAZARDOUS MATERIALS

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
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 it 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 2 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?	☐	☐	☒	☐

a. Would the project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials? ***(Less Than Significant Impact)***

The proposed project involves the demolition of the existing Heather Farm Community Center, construction of a new Aquatic/ Community Center and associated improvements, and demolition of the Clarke Memorial Swim Center following construction of the new facility. Small quantities of commercially-available hazardous materials (e.g., paint, cleaning supplies, pool chemicals) would be routinely used at the project site and in the new community center and aquatics facility during operation, similar to existing conditions. However, the City of Walnut Creek would be required to comply with existing government regulations[35] in its use and disposal of these materials, and such materials would not be used in sufficient strength or quantity to create a substantial risk to human or environmental health.

[35] The United States Environmental Protection Agency regulates "small-quantity generators" (SQGs) of hazardous wastes, which are defined as facilities that generate more than 100 kilograms (kg) (approximately 220 pounds [lbs]) but less than 1,000 kg (2,200 lbs), of hazardous waste per month.

Construction of the proposed project has the potential to create a hazard to the public or environment through the routine transportation, use, and disposal of construction-related hazardous materials such as fuels, soils, solvents, and other materials. These materials are typical of materials delivered to construction sites.

The removal of hazardous building materials prior to demolition of structures is governed by federal and State laws and regulations. Federal regulations require that lead-based paint be removed prior to demolition if the paint is loose and peeling. Loose and peeling paint must be disposed of as a State and/or federal hazardous waste if the concentration of lead exceeds applicable waste thresholds. State and federal construction worker health and safety regulations require air monitoring and other protective measures during demolition activities where lead-based paint is present, and notification to the California Division of Occupational Safety and Health (DOSH) for abatement activities.

Workers who conduct hazardous materials abatement and demolition activities must be trained in accordance with Occupational Health and Safety Administration (OSHA) and California OSHA (Cal/OSHA) requirements. Hazardous building materials removed during construction must be transported in accordance with United States Department of Transportation (USDOT) regulations and disposed of in accordance with the federal Resource Conservation and Recovery Act (RCRA), the California Code of Regulations (CCR), and/or the California Universal Waste Rule at a facility permitted to accept the wastes. Section 19827.5 of the California Health and Safety Code requires that local agencies not issue demolition or alteration permits until an applicant has demonstrated compliance with notification requirements under applicable federal regulations regarding hazardous air pollutants, including asbestos. If asbestos is identified, the Bay Area Air Quality Management District (BAAQMD) Regulation 11-2-401.3 requires notification to be made to BAAQMD prior to demolition activities. Other hazardous building materials, such as electrical equipment and fluorescent light ballasts containing polychlorinated biphenyls (PCBs), and fluorescent tubes or thermostats containing mercury, must be removed from buildings prior to demolition and disposed of in accordance with the California Universal Waste Rule and other federal and State regulations. Compliance with these regulations would ensure that demolition and removal of existing structures on the project site would be less than significant.

Transport and use of hazardous materials would be subject to all applicable State and federal laws, such as the Hazardous Materials Transportation Act, the RCRA, the California Hazardous Materials Management Act, the California Health and Safety Code, and CCR Title 8 and Title 22. Therefore, compliance with existing regulations would ensure that the proposed project would not create a significant hazard to the public, or the environment associated with the routine transport, use, or disposal of hazardous materials by ensuring these materials are properly handled during construction of the proposed project. Therefore, this impact would be less than significant.

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

There are two main ways that the public and/or the environment could be affected by the release of hazardous materials from the project site, including: (1) exposing workers and/or the public to

potentially contaminated soil and groundwater during construction and/or operation of the project; or (2) exposing workers and/or the public to hazardous building materials (e.g., lead paint, asbestos) during demolition of existing structures.

As described above, small quantities of common hazardous materials would be used at the project site during construction and operation of the proposed project. Hazardous materials used during project operations would be similar to existing conditions. Improper use, storage, or handling could result in a release of hazardous materials into the environment which could pose a risk to construction workers and the public. However, the City would be required to comply with existing government regulations in the use and disposal of these materials, and such materials would not be used in sufficient strength or quantity to create a substantial risk to human or environmental health.

As described above in Section 4.9.a., the proposed project involves the demolition of the existing Heather Farm Community Center, construction of a new Aquatic/ Community Center and associated improvements, and demolition of the Clarke Memorial Swim Center following construction of the new facility. The removal of hazardous building materials prior to demolition of structures is governed by federal and State laws and regulations. Federal regulations require that lead-based paint be removed prior to demolition if the paint is loose and peeling. Loose and peeling paint must be disposed of as a State and/or federal hazardous waste if the concentration of lead exceeds applicable waste thresholds. State and federal construction worker health and safety regulations require air monitoring and other protective measures during demolition activities where lead-based paint is present, and notification to the California Division of Occupational Safety and Health (DOSH) for abatement activities.

As described further below in Section 4.9.d, there are no known hazardous materials sites located in proximity to the project site that would represent a significant risk to public health or safety (e.g., on-site storage, leaking tanks, or approaching groundwater contamination plume). Therefore, it is unlikely that the soil and groundwater are contaminated with significant toxic or hazardous materials that would be released during construction. Additionally, compliance with the regulations described previously in Section 4.9.a would ensure that the proposed project would not create a significant hazard to the public or the environment through accident conditions involving the release of hazardous materials into the environment during the transport, use, or disposal of hazardous materials by ensuring that these materials are properly handled during construction of the proposed project. Therefore, this impact would be less than significant.

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? ***(No Impact)***

There are no existing or proposed schools within 0.25 mile of the proposed project. The three closest schools to the project site are: Seven Hills School, located at 975 North San Carlos Drive approximately 0.32 mile northwest of the project site; Bancroft Elementary School, located at 2200 Parish Drive approximately 0.69 mile northeast of the project site; and Sonder Creek Academy, located at 860 Bancroft Road approximately 0.8 mile north of the project site. Because these distances are greater than 0.25 mile from the project site, the proposed project would not emit

hazardous emissions or handle hazardous materials within 0.25 mile of an existing or proposed school. No 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? ***(Less Than Significant Impact)***

The project site does not include any active storage sites listed on the San Francisco Bay Regional Water Quality Control Board (San Francisco Bay RWQCB) Leaking Underground Storage (LUST) database or the RWQCB's site cleanup program,[36] two of the component databases that comprise the State Hazardous Waste and Substances Sites (Cortese) List[37] of known hazardous materials compiled pursuant to Government Code Section 65962.5. Active sites are not listed for the project site on other components of the Cortese List, including the California Department of Toxic Substances Control's (DTSC) hazardous waste and substance list.[38]

The project site and a 1-mile radius encompassing the project site were evaluated via the State Water Resources Control Board (SWRCB) GeoTracker database,[39] the DTSC's EnviroStor database,[40] and the Cortese List for the purposes of identifying recognized environmental conditions or historical recognized environmental conditions. A total of five properties with recognized environmental conditions or historical recognized environmental conditions were identified within 1 mile of the project site, as detailed in Table 4.9.A.

As shown in Table 4.9.A, the regulatory oversight statuses of all but one recorded LUST and spill sites within 1 mile of the project site are listed as closed. A closed site indicates that regulatory requirements for response actions, such as site assessment and remediation, have either been completed or were not necessary and therefore potential migration of residual contaminants in groundwater beneath the project site does not likely pose a risk to human health and the environment.

The one active cleanup site identified is the Shell Service Station at 1790 Ygnacio Valley Road approximately 1,200 feet south of the project site. Based on the type of cleanup site and its distance from the project site, this site does not represent a significant risk to public health or safety on the project site. Therefore, impacts would be less than significant.

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36 San Francisco Bay Regional Water Quality Control Board (RWQCB). 2018. GeoTracker. Website: geotracker.water boards.ca.gov/map (accessed July 24, 2018).

37 California Environmental Protection Agency (Cal/EPA). 2024. Cortese List Data Resources. Website: calepa.ca.gov/sitecleanup/corteselist/ (accessed February 5, 2024).

38 California Department of Toxic Substances Control (DTSC). 2018. Hazardous Waste and Substances Site List. Website: www.envirostor.dtsc.ca.gov/public (accessed July 24, 2018).

39 State Water Resources Control Board (SWRCB). 2024. Geotracker Database. Website: https://geotracker.waterboards.ca.gov/ (accessed February 5, 2024).

40 California Department of Toxic Substances Control (DTSC). 2024. EnviroStar Database Website: https://www.envirostor.dtsc.ca.gov/public/ (accessed February 5, 2024).

Table 4.9.A: Hazardous Materials Database Search

Property	Recognized Environmental Condition/ Historical Recognized Environmental Condition	Location Relative to the Project Site	Status of the Property
Chevron at 1805 Ygnacio Valley Road	Gasoline, waste oil, motor oil, hydraulic oil, and lubricating oil contamination of aquifer used for drinking water supply.	Approximately 1,350 feet south of the project site.	Completed – Case closed as of 6/12/1998. A closure letter or other formal closure decision document has been issued for the site.
Former Premium/Plaza Dry Cleaner Facility at 1831 Ygnacio Valley Road	Tetrachloroethylene (PCE) and trichloroethylene (TCE) contamination of groundwater for uses other than drinking water.	Approximately 1,000 feet south of the project site.	Completed – Case closed as of 1,30/2017. A closure letter or other formal closure decision document has been issued for the site.
Shell Service Station at 1790 Ygnacio Valley Road	Leaking Underground Storage Tank Site - Gasoline, MTBE, TBA, other fuel oxygenates, and other petroleum contamination of groundwater for uses other than drinking water and soil	Approximately 1,200 feet south of the project site.	Open – Site Assessment as of 2/2/2010.
Walnut Creek School District at 2461 Walnut Boulevard	Gasoline contamination of groundwater for uses other than drinking water.	Approximately 1 mile southwest of the project site.	Completed - Case closed as of 10/27/2009. A closure letter or other formal closure decision document has been issued for this site.
Habitat for Humanity East Bay/Silicon Valley at 1250 Las Juntas Way	Voluntary Cleanup Site - Arsenic contamination of soil.	Approximately 1 mile north of the project site.	Completed – DTSC approved the Removal Action Completion Report and certified the site for unrestricted use on August 20, 2021.

Sources: State Water Resources Control Board (SWRCB) (2024); California Department of Toxic Substances Control (DTSC) (2024).

e. Would the project be located within an airport land use plan or, where such a plan has not been adopted, within 2 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 City of Walnut Creek has not adopted an airport land use plan and has no public airports within the City limits. The closest airports serving the City of Walnut Creek and the project site are Buchanan Field Airport (approximately 8 miles from the project site), Oakland International Airport (approximately 16 miles from the project site), San Francisco International Airport (approximately 37 miles from the project site), San Jose International Airport (approximately 50 miles from the project site), and Sacramento International Airport (approximately 76 miles from the project site). All of these airports are located farther than 2 miles from the project site. Therefore, the project would result in no impact regarding safety hazards or excessive noise for people residing within the project area.

f. Would the project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? ***(Less Than Significant Impact)***

The County of Contra Costa adopted the Countywide Emergency Operations Plan (EOP) in May 2011.[41] The EOP does not designate specific roadways as evacuation routes, and instead empowers law enforcement resources to designate evacuation scheduling and routes in the event of an emergency. Roadways that could serve emergency response and evacuation routes in the vicinity of the project site include Ygnacio Valley Road, Walnut Avenue, Treat Boulevard, and Interstate 680 (I-680). The proposed project would not alter or block adjacent roadways, and implementation of the proposed project would not be expected to impair the function of nearby emergency evacuation routes. The proposed project would design, construct, and maintain structures, roadways, and facilities in accordance with applicable standards associated with vehicular access, resulting in the provision of adequate vehicular access that would provide for adequate emergency access and evacuation. The proposed project would include vehicular access to the project at several entry points along North San Carlos Drive. The proposed project design would be submitted to and approved by the Contra Costa County Fire Protection District and reviewed by the City's Police Department prior to the issuance of building permits.

Construction activities, such as installation of utility lines in public rights-of-way, may temporarily restrict vehicular traffic on the adjacent roadway. While these activities are occurring, the applicant's contractors would implement adequate and appropriate measures to facilitate the passage of persons and vehicles through/around any required road closures. As a condition of project approval, and prior to commencement of construction within a public right-of-way, the applicant's construction manager will be required to obtain an encroachment permit from the City Engineer and to provide lane closure and traffic control plans to the City Engineer and to local emergency service responders (i.e., ambulance companies, the fire department, and the police department). Adherence to the emergency access measures required by the City would ensure a less than significant impact related to implementation of or physical interference with an adopted emergency response plan or emergency evacuation plan.

g. Would the project expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires? ***(Less Than Significant Impact)***

The project site is located in a Local Responsibility Area (LRA) but not located within a Very High Fire Hazard Severity Zone (VHFHSZ) according to California Department of Forestry and Fire Protection (CAL FIRE) mapping.[42] Although the project site is not designated as a VHFHSZ, the project site and adjacent areas include areas of vegetation and trees, particularly on the northern side of the proposed building and around the Nature Lake. The City's General Plan indicates that the project site is located within a Very High Wildland/Urban Interface Fire Threat Area.[43] Fire services to the City of Walnut Creek are provided by the Contra Costa County Fire Protection District (CCCFPD). The

41 County of Contra Costa. 2011. *Contra Costa Operational Area Emergency Operations Plan.* May.
42 California Department of Forestry and Fire Protection (CAL FIRE). n.d. Fire Hazard Severity Zone Viewer. Website: https://egis.fire.ca.gov/FHSZ/ (accessed February 5, 2024).
43 City of Walnut Creek. 2006. Walnut Creek General Plan 2025. April 4.

nearest CCCFPD station is located at 1050 Walnut Avenue (approximately 1.6 miles from the project site).

The proposed project is required to be designed in compliance with all applicable State and local standards and recommendations for new development (e.g., the CCCFPD's requirements for providing a water supply system for fire protection and adequate emergency and fire access). In addition, the project would be required to comply with the current California Fire Code, as specified in Chapter 19 of the City of Walnut Creek Municipal Code. The California Fire Code calls for the installation, maintenance, and ongoing inspection of fire protection systems under the direction of the local Fire Chief. In addition, the Fire Code authorizes the Fire Chief to specify water supply and road design standards. Prior to approval of final maps and improvement plans for any development project within the City, plan review and approval by the CCCFPD is required.

The proposed project would also be subject to requirements in Section 13000 et seq. of the California Health and Safety Code, the CBC, and the California State Fire Code, which include regulations concerning the following: building standards for fire protection; fire protection and notification systems such as extinguishers and smoke alarms; safety for firefighters and emergency responders during emergency operations; minimum standards for hazardous vegetation and fuel management, defensible space, and building construction; and minimum standards for emergency access and water supply for fire response.

Compliance with these existing regulatory requirements would reduce impacts related to the exposure of people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires to a less than significant level.

4.10 HYDROLOGY AND WATER QUALITY

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a. Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater 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 the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:	☐	☐	☒	☐
i. Result in substantial erosion or siltation on- or off-site;	☐	☐	☒	☐
ii. Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite;	☐	☐	☒	☐
iii. Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or	☐	☐	☒	☐
iv. Impede or redirect flood flows?	☐	☐	☐	☒
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?	☐	☐	☒	☐

*a. Would the project violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality? **(Less Than Significant Impact)***

The State Water Resources Control Board (SWRCB) and nine Regional Water Quality Control Boards (RWQCBs) regulate the quality of surface water and groundwater bodies throughout California. In the City of Walnut Creek, the San Francisco Bay Regional Water Quality Control Board (San Francisco Bay RWQCB) is responsible for implementation of the Water Quality Control Plan (Basin Plan). The Basin Plan establishes beneficial water uses and water quality objectives for waterways and water bodies within the region. Section 303(d) of the federal Clean Water Act (CWA) requires that states identify water bodies including bays, rivers, streams, creeks, and coastal areas that do not meet water quality standards and the pollutants that are causing the impairment. Total Maximum Daily Loads (TMDLs) describe the maximum amount of a pollutant that a water body can receive while still meeting established water quality standards. A TMDL establishes limits for pollutant discharges into impaired water bodies.

Under existing conditions, stormwater from the approximately 4.7-acre project site is collected by existing catch basins and discharged into either Crawdad Creek, located along the eastern project site boundary, or the Concrete Pond via existing storm drainpipes. Flows from the Concrete Pond

drain to Nature Lake, which then discharges into the Contra Costa Canal via Otter Creek. Flows from Crawdad Creek are either discharged into Nature Lake or diverted to Otter Creek east of Nature Lake via an existing storm drainpipe. Otter Creek then discharges to the Contra Costa Canal. The project site also receives stormwater flows from the residential neighborhood to the southwest. Flows from this neighborhood are collected via existing catch basins and discharged into Rose Creek via existing storm drainpipes, which ultimately drains to the Concrete Pond, Nature Lake, Otter Creek, and the Contra Costa Canal. The Ygnacio Valley Canal is also located along the west site of the project site and Nature Lake. The Ygnacio Valley Canal receives flows from south of the project site and discharges into the Contra Costa Canal. The Contra Costa Canal discharges into Walnut Creek northwest of the project site, which then discharges into Pacheco Creek before draining to Suisun Bay.[44]

The SWRCB Surface Water Quality Assessment 2020–2022 Integrated Report for Clean Water Act Sections 303(d) and 305(b) does not list any impairments for Crawdad Creek, Otter Creek, Nature Lake (i.e., Heather Farm Park Lake), Contra Costa Canal, Ygnacio Valley Canal, or Pacheco Creek. Walnut Creek is listed as an impaired water body for pesticides (diazinon), and Suisun Bay is listed as an impaired water body for pesticides (chlordane, dichlorodiphenyltrichloroethane [DDT], and dieldrin), toxic organics (dioxin compounds, furan compounds, polychlorinated biphenyls [PCBs), invasive species, and metals (mercury and selenium).[45]

Runoff water quality is regulated by the National Pollutant Discharge Elimination System (NPDES) Program (established through the federal CWA). The NPDES program objective is to control and reduce pollutant discharges to surface water bodies. Compliance with NPDES permits is mandated by State and federal statutes and regulations. Locally, the NPDES Program is administered by the San Francisco Bay RWQCB.

In 2022, the City applied two types of aquatic pesticide applications, Sonar Genesis (fluridone), and Pak27 (sodium carbonate peroxyhydrate), to the Concrete Pond to treat the highly invasive duckweed present in the pond pursuant to the Statewide General NPDES Permit for the Discharge of Aquatic Pesticides for Aquatic Weed Control in Waters of the United States, General Permit No. CAG990005. The applications of the aquatic pesticides occurred on May 10 and November 4, 2022. The total toxic aquatic pesticide use at Heather Farm Park in 2022 was two applications of Sonar Genesis and one application of Pak27. The dosage of Sonar Genesis (fluridone) was lower than typical applications as the Concrete Pond contains two small islands of emergent plants that provide wildlife habitat and have a root system in the pond water that pulls nutrients from the water (referred to as “bio-havens”). To prevent the Sonar Genesis treatments for duckweed from also killing the plants of the bio-havens, a low concentration of fluridone was applied. Therefore, the fluridone level in the Concrete Pond was always well below the 560 ug/L (micrograms per liter) level

[44] Contra Costa Clean Water Program (CCCWP). 2003. *Contra Costa County Watershed Atlas, Chapter 9: Walnut Creek Watershed.* November.

[45] State Water Resources Control Board (SWRCB). 2023. *2020–2022 California Integrated Report (Clean Water Act Section 303(d) List and 305(b) Report)*. Website: https://view.officeapps.live.com/op/view.aspx?src=https%3A%2F%2Fwww.waterboards.ca.gov%2Fwater_issues%2Fprograms%2Ftmdl%2F2020_2022state_ir_reports_revised_final%2Fapx-a-303d-list.xlsx&wdOrigin=BROWSELINK (accessed February 6, 2024).

for municipal (MUN) water designated by the SWRCB. Further, water from the Concrete Pond was not released to downstream drainages during the Sonar Genesis applications or for at least 60 days following the application. According to the *Statewide General NPDES Permit for the Discharge of Aquatic Pesticides for Aquatic Weed Control in Waters of the United States, General Permit No. CAG990005 2022 Annual Report Summary for Agency Submittal* (2022 Annual Report)[46] prepared for the proposed project, there were no fish kills at any time and all applications of aquatic pesticides to the Concrete Pond in 2022 had no adverse impact on desirable biota.

Construction activities are subject to the SWRCB NPDES General Permit for Stormwater Discharges Associated with Construction and Land Disturbance Activities (Construction General Permit), Order No. 2022-0057-DWQ, NPDES No. CAS000002.[47] Any construction activity, including grading, that would result in the disturbance of 1 acre or more would require compliance with SWRCB's Construction General Permit, which requires preparation of a Storm Water Pollution Prevention Plan (SWPPP) and implementation of Construction Best Management Practices (BMPs) during construction activities. Construction BMPs would include, but not be limited to, Erosion Control and Sediment Control BMPs designed to minimize erosion and retain sediment on site and Good Housekeeping BMPs to prevent spills, leaks, and discharge of construction debris and waste into receiving waters.

Project operations are subject to the California Regional Water Quality Control Board San Francisco Bay Region Municipal Regional Stormwater NPDES Permit, Order No. R2-2022-0018, as amended by Order No. R2-2023-0019, NPDES Permit No. CAS612008 (Municipal Regional Stormwater NPDES Permit [MRP]). The MRP prohibits discharges, sets limits on pollutants being discharged into receiving waters, and requires implementation of technology-based standards. The MRP requires co-permittees to develop and implement standard design and post-development BMP guidance to guide application of Low Impact Development (LID) BMPs to the maximum extent practicable.

MRP Provision C.3 addresses post-construction stormwater management requirements for regulated projects. Regulated projects include new development and redevelopment projects that create or replace 5,000 square feet or more of impervious surface, and special land use categories that create or replace 5,000 square feet or more of impervious surface. Provision C.3 requires regulated projects to implement LID source control, site design, and stormwater treatment. LID employs principles such as preserving and recreating natural landscape features and minimizing impervious surfaces to create functional and appealing site drainage that treats stormwater as a resource rather than a waste product. Practices used to adhere to these LID principles include measures such as rain barrels and cisterns, green roofs, permeable pavement, preserving undeveloped open space, and biotreatment through rain gardens, bioretention areas, bioswales, and planter/tree boxes.

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46 SOLitude Like Management, LLC. 2022. *Statewide General NPDES Permit for the Discharge of Aquatic Pesticides for Aquatic Weed Control in Waters of the United States, General Permit No. CAG990005 2022 Annual Report Summary for Agency Submittal, Heather Farm Park Waters, City of Walnut Creek, California.* December 22.

47 NPDES General Permit for Stormwater Discharges Associated with Construction and Land Disturbance Activities (Order No. 2022-0057-DWQ, NPDES No. CAS000002).

MRP Provision C.3.g pertains to hydromodification management, which requires certain regulated projects to ensure that stormwater discharges from the project site do not cause an increase in the erosion potential of the receiving stream over the existing condition. Provision C.3.g provides various exceptions from hydromodification management requirements, including if the post-project impervious surface area is less than or the same as the pre-project impervious surface area or is less than 1 acre.

Chapter 16, Storm Water Management and Discharge Control, of the City's Municipal Code[48] also regulates stormwater discharge in the City. The intent of Chapter 16 is to protect and enhance the water quality in the City's watercourses pursuant to, and consistent with the Porter-Cologne Water Quality Control Act and the CWA and carries out the conditions in the MRP that require implementation of appropriate source control and site design measures and stormwater treatment measures for development projects. Chapter 16 requires that any project subject to the development runoff requirements in the MRP shall prepare a stormwater control plan that meets the criteria in the most recent version of the *Contra Costa Clean Water Program Stormwater C.3. Guidebook* (Stormwater C.3 Guidebook).[49]

Construction. The proposed project would include demolition of the existing Heather Farm Community Center, construction of a new Aquatic/Community Center, modifications to the Concrete Pond, implementation of parking and other site improvements, and future demolition of the Clarke Memorial Swim Center. Construction activities would disturb approximately 193,200 square feet (4.4 acres) of soil.

Pollutants of concern during construction include sediments, trash, petroleum products, concrete waste (dry and wet), sanitary waste, and chemicals. Each of these pollutants on its own or in combination with other pollutants can have a detrimental effect on water quality. During construction activities, excavated soil would be exposed, and there would be an increased potential for soil erosion and sedimentation compared to existing conditions. In addition, chemicals, liquid products, petroleum products (e.g., paints, solvents, and fuels), and concrete-related waste may be spilled or leaked, and they have the potential to be transported via stormwater runoff into receiving waters.

Because construction of the proposed project would disturb greater than 1 acre of soil, the proposed project is subject to the requirements of the Construction General Permit. As required by the Construction General Permit, the Construction Contractor would be required to prepare a SWPPP and implement construction BMPs detailed in the SWPPP during construction activities. Construction BMPs would include, but are not limited to, Erosion Control and Sediment Control BMPs designed to minimize erosion and retain sediment on site and Good Housekeeping BMPs to prevent spills, leaks, and discharge of construction debris and waste into receiving waters.

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48 City of Walnut Creek. *Municipal Code Title 9: Building Regulations, Chapter 16: Storm Water Management and Discharge Control.* Website: https://www.codepublishing.com/CA/WalnutCreek/#!/WalnutCreek09/WalnutCreek0916.html#9-16 (accessed February 6, 2024).

49 Contra Costa Clean Water Program (CCCWP). 2022. *Stormwater C.3 Guidebook, Stormwater Quality Requirements for Development Applications, 8th Addition.* December 23.

Prior to the commencement of any land-disturbing activities, the Construction Contractor will obtain coverage under the State Water Resources Control Board (SWRCB) National Pollutant Discharge Elimination System (NPDES) General Permit for Stormwater Discharges Associated with Construction and Land Disturbance Activities (Order No. 2022-0057-DWQ, National Pollutant Discharge Elimination System No. CAS000002) (Construction General Permit). This will include submission of Permit Registration Documents (PRDs), including a Notice of Intent for coverage under the permit to the SWRCB via the Stormwater Multiple Application and Report Tracking System (SMARTs). The Construction Contractor will provide the Waste Discharge Identification Number (WDID) to the City of Walnut Creek (City), or designee, to demonstrate proof of coverage under the Construction General Permit. Project construction will not be initiated until a WDID is received from the SWRCB and is provided to the City, or designee.

According to the California Department of Water Resources (DWR), the project site is located within the Ygnacio Valley Groundwater Basin.[50] Groundwater level data from the DWR indicates that groundwater has historically been encountered at depths between 6 and 14 feet below ground surface (bgs) at Local Well No. 01N02W13P001M (Site Code 379279N1220357W001, State Well No. 01N02W13P001M), located approximately 0.6 mile northeast of the project site.[51] In addition, according to the Preliminary Geotechnical Engineering Report,[52] groundwater was encountered at the project site between 10 and 25 feet bgs. The proposed project will require excavation to a maximum depth of 15 feet bgs.

Because the proposed project would require excavation to a maximum depth of 15 feet bgs and groundwater was encountered between 10 and 25 feet bgs, construction activities could require groundwater dewatering. In the event that groundwater or perched groundwater is encountered during construction, it would be necessary to obtain coverage under the San Francisco Bay RWQCB's General Waste Discharge Requirements for Discharge or Reclamation of Extracted Brackish Groundwater, Reverse Osmosis Concentrate Resulting from Treated Brackish Groundwater, and Extracted Groundwater from Structural Dewatering Requiring Treatment to Surface Waters (Order No. R2-2018-0026, NPDES No. CAG912004) (Groundwater General Permit), or any other subsequent permit. The Groundwater General Permit would require testing and treatment (as necessary) during groundwater dewatering prior to release to surface waters to ensure that discharges do not exceed water quality limits specified in the permit. With adherence to the Groundwater General Permit, groundwater dewatering, if necessary during construction activities, would not introduce pollutants to receiving waters at levels that would violate water quality standards or water discharge requirements, degrade water quality, or alter the quality of the receiving water.

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50 California Department of Water Resources (DWR). n.d.-a. *Groundwater Basin Boundary Assessment Tool.* Website: https://gis.water.ca.gov/app/bbat/ (accessed February 6, 2024).

51 California Department of Water Resources (DWR). *Groundwater Level Report, Station 379279N1220357W001.* Website: https://wdl.water.ca.gov/waterdatalibrary/GroundwaterBrowseData.aspx?SelectedCounties=7&SiteCode=&LocalWellNumber=&StationId=39107&SelectedGWBasins=2-006+Ygnacio+Valley&StateWellNumber= (accessed February 6, 2024).

52 Terracon. 2024. *Aquatic-Community Center at Heather Farm Park, Preliminary Geotechnical Engineering Report.* January 19.

Further, dewatered groundwater would be discharged to the storm drain system, which discharges to surface waters in the vicinity of the project site, rather than back into groundwater and therefore would not introduce pollutants to groundwater. Infiltration of stormwater has the potential to affect groundwater quality in areas of shallow groundwater. As discussed above, groundwater has historically occurred at depths from 6 and 14 feet bgs in the vicinity of the project site and between 10 and 25 feet bgs at the project site. Pollutants in stormwater are generally removed by soil through absorption as water infiltrates. In areas of deep groundwater, there is more absorption potential and, as a result, less potential for pollutants to reach groundwater. Due to the depth to groundwater, it is not expected that any stormwater that may infiltrate during construction would affect groundwater quality because there is not a direct path for pollutants to reach groundwater. Therefore, project construction activities would not substantially degrade groundwater quality.

Compliance with the Construction General Permit and Groundwater General Permit would ensure that construction impacts related to water quality standards, waste discharge requirements, and water quality for both surface and groundwater would be less than significant.

Operation. Pollutants of concern from long-term operations include pathogens (bacteria/viruses), metals, nutrients, motor vehicle lubricants, coolants, disc brake dust, toxic organic compounds, pesticides/herbicides, sediments/total suspended solids, trash and debris, and oil and grease. As discussed above, the SWRCB Surface Water Quality Assessment 2020–2022 Integrated Report for Clean Water Act Sections 303(d) and 305(b) does not list any impairments for Crawdad Creek, Otter Creek, Nature Lake (i.e., Heather Farm Park Lake), Contra Costa Canal, Ygnacio Valley Canal, or Pacheco Creek. Walnut Creek is listed as an impaired water body for pesticides (diazinon), and Suisun Bay is listed as an impaired water body for pesticides (chlordane, dichlorodiphenyl-trichloroethane [DDT], and dieldrin), toxic organics (dioxin compounds, furan compounds, polychlorinated biphenyls [PCBs), invasive species, and metals (mercury and selenium).[53] TDMLs have been adopted to address diazinon in Walnut Creek and pesticides, toxic organics, and metals in Suisun Bay, which would be applicable to the proposed project.

The proposed project would be required to comply with the requirements of the MRP, and associated guidance documents. MRP Provision C.3 addresses post-construction stormwater management requirements for regulated projects. Regulated projects include new development and redevelopment projects that create or replace 5,000 square feet or more of impervious surface and special land use categories that create or replace 5,000 square feet or more of impervious surface. Development of the proposed project would increase the impervious surface area at the project site from approximately 92,400 square feet to 147,570 square feet, or an increase in approximately 55,170 square feet. As the proposed project would create more than 5,000 square feet of new impervious surface area, the proposed project would be considered a regulated project and is subject to the development requirements of the MRP. Provision C.3 requires regulated projects to implement LID source control, site design, and stormwater treatment to treat 100 percent of the

[53] State Water Resources Control Board (SWRCB). 2023. *2020–2022 California Integrated Report (Clean Water Act Section 303(d) List and 305(b) Report)*. Website: https://view.officeapps.live.com/op/view.aspx?src=https%3A%2F%2Fwww.waterboards.ca.gov%2Fwater_issues%2Fprograms%2Ftmdl%2F2020_2022state_ir_reports_revised_final%2Fapx-a-303d-list.xlsx&wdOrigin=BROWSELINK (accessed February 6, 2024).

runoff form the project site. LID BMPs mimic a project site's natural hydrology by using design measures that capture, filter, store, evaporate, detain, and infiltrate runoff rather than allowing runoff to flow directly to piped or impervious storm drains. LID employs principles such as preserving and recreating natural landscape features and minimizing impervious surfaces to create functional and appealing site drainage that treats stormwater as a resource, rather than a waste product. Practices used to adhere to these LID principles include measures such as rain barrels and cisterns, green roofs, permeable pavement, preserving undeveloped open space, and biotreatment through rain gardens, bioretention areas, bioswales, and planter/tree boxes. Site design BMPs are stormwater management strategies that emphasize conservation and use of existing site features to reduce the amount of runoff and pollutant loading generated from a site. Source control BMPs are preventative measures that are implemented to prevent the introduction of pollutants into storm water. Stormwater treatment BMPs are structural BMPs designed to treat and reduce pollutants in stormwater runoff prior to releasing it to receiving waters. The proposed project would maintain a similar drainage pattern as existing conditions, directing flows to the Concrete Pond and Nature Lake. In addition, the proposed project would include LID stormwater management elements such as bioretention areas and flow-through planters. The bioretention areas and flow-through planters would be designed to meet the criteria outlined in the Stormwater C.3 Guidebook and appropriately sized to treat 100 percent of stormwater runoff from the project site as required by the MRP.

MRP Provision C.3.g pertains to hydromodification management, which requires certain regulated projects to ensure that stormwater discharges from the project site do not cause an increase in the erosion potential of the receiving stream over the existing condition. The existing stormwater flow from the project site is approximately 4.8 cubic feet per second (cfs) during a 10-year storm event. With development of the proposed project, stormwater flow is expected to increase to approximately 6.2 cfs during a 10-year storm event. During operation, the proposed project would incorporate stormwater detention measures to limit the impact of increased stormwater flow to the downstream existing storm drain system and receiving waters. These stormwater detention measures would detain the increased stormwater runoff associated with a 10-year storm event. Release of the stormwater peak flow to the downstream storm drain system and receiving waters would be controlled at a rate that is equal to the pre-project condition 10-year storm event flow level, which would ensure stormwater discharges from the project site do not cause an increase in the erosion potential of the receiving stream over the existing condition.

Compliance with the MRP for new development and redevelopment in the City is achieved through adherence with City Municipal Code Chapter 16. The purpose of Chapter 16 is to protect and enhance the water quality in the City's watercourses pursuant to, and consistent with the Porter-Cologne Water Quality Control Act and the CWA and carries out the conditions in the MRP that require implementation of appropriate source control and site design measures and stormwater treatment measures for development projects. As required by Chapter 16, prior to the start of any land-disturbing activities, the proposed project would be required to prepare and submit a stormwater control plan that meets the criteria in the most recent version of the Stormwater C.3 Guidebook and the development runoff requirements of the MRP.

Adherence to City Municipal Code Chapter 16, which requires compliance with the MRP and preparation of a stormwater control plan would ensure LID source control, site design, and

stormwater treatment BMPs are implemented during project operation that would capture, treat, and reduce pollutants of concern in 100 percent of the stormwater runoff from the project site.

With compliance with the City Municipal Code Chapter 16 and the MRP, operational impacts related to a violation of any water quality standards or waste discharge requirements would be less than significant.

Overall, because the proposed project would be required to comply with existing regulations including the Construction General Permit, the Groundwater General Permit, City Municipal Code Chapter 16, and the MRP, the proposed project would not violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality. Impacts would be less than significant.

b. Would the project substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin? ***(Less Than Significant Impact)***

According to the California Department of Water Resources (DWR), the project site is located within the Ygnacio Valley Groundwater Basin.[54] The Ygnacio Valley Groundwater Basin is in northern Contra Costa County along the south shore of Suisun Bay. It is bounded by Suisun Bay on the north, Interstate 680 (I-680) and Taylor Road on the west, the Concord Fault (which separates the basin from the Clayton Valley Groundwater Basin) on the east, and the City of Walnut Creek on the south. The Contra Costa Canal, and the cities of Pleasant Hill and Walnut Creek overlie the basin. Walnut and Grayson Creeks flow through the basin before draining into Pacheco Creek and then into the Suisun Bay. Average annual precipitation in the basin ranges from 17 to 21 inches increasing from east to west. [55]

Groundwater recharge in the Ygnacio Valley Groundwater Basin occurs primarily through natural infiltration and seepage of precipitation.[56] The Ygnacio Valley Groundwater Basin is managed by several agencies including the Contra Costa Water District (CCWD), the San Francisco Bay RWQCB, and the SWQCB. The Ygnacio Valley Groundwater Basin is designated as a Very Low Priority basin pursuant to the Sustainable Groundwater Management Act (SGMA). Although no published groundwater storage capacity data for the basin are available, hydrographs created from DWR well data in the Ygnacio Valley Groundwater Basin indicate that groundwater levels have declined gradually over the period of record. The depth to groundwater is generally greatest in summer months and shallowest in winter months.[57]

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54 California Department of Water Resources (DWR) n.d.-a. *Groundwater Basin Boundary Assessment Tool.* Website: https://gis.water.ca.gov/app/bbat/ (accessed February 6, 2024).

55 State Water Resources Control Board (SWRCB) Division of Water Rights. 2004. *Ygnacio Valley Groundwater Basin Bulletin 118*. February 27.

56 State Water Resources Control Board (SWRCB). 2021. *Clayton, Ygnacio, and Arroyo del Hambre Valley Groundwater Subbasins (2-5, 2-6, and 3-31).* September 14.

57 State Water Resources Control Board (SWRCB) Division of Water Rights. 2004. *Ygnacio Valley Groundwater Basin Bulletin 118*. February 27.

Construction. Groundwater level data from DWR indicate that groundwater has historically been encountered at depths between 6 and 14 feet bgs at Local Well No. 01N02W13P001M (Site Code 379279N1220357W001, State Well No. 01N02W13P001M), located approximately 0.6 mile northeast of the project site.[58] In addition, according to the Preliminary Geotechnical Engineering Report,[59] groundwater was encountered at the project site between 10 and 25 feet bgs. The proposed project will require excavation to a maximum depth of 15 feet bgs. In the event that groundwater dewatering is required during excavation, it would be conducted in accordance with the Groundwater General Permit, as specified in RCM HYD-2, which sets forth procedures to follow that would reduce potential impacts to a less than significant level. In addition, if groundwater dewatering is required during construction of the proposed project, dewatering activities would be temporary, and the volume of groundwater removed would not be substantial. Therefore, construction of the proposed project would not substantially decrease groundwater supplies such that the project may impede sustainable groundwater management of the basin.

In addition, because construction of the proposed project would primarily impact impervious surface area on the project site, construction of the proposed project would not substantially interfere with groundwater recharge such that the project may impede sustainable groundwater management of the nearby basin. Construction impacts associated with substantial decrease in groundwater supplies or interference with groundwater recharge would be less than significant, and no mitigation is required.

Operation. The proposed project would redevelop the project site with a new 27,023-square-foot Aquatic/Community Center, as well as construct associated improvements. It is anticipated that the proposed Aquatic/Community Center would operate similarly to existing conditions. No change in staffing levels or aquatic center programming (e.g., swim lessons, open swim, swim meets, etc.) are anticipated; therefore, use of the office and pool facilities are not expected to change with implementation of the proposed project. Expansion of the classroom and rental spaces would allow the City to meet current unmet demand for these facilities, resulting in a slight increase in visitation to the Aquatics/Community Center. Overall, implementation of the proposed project could increase the water demand at the project site from existing conditions.

Water service for the proposed project would be provided by the Contra Costa Water District (CCWD). CCWD provides treated and untreated water to approximately 500,000 people in Contra Costa County, including the City of Walnut Creek.[60] The CCWD's service area encompasses most of central and northeastern Contra Costa County, a total area of more than 140,000 acres. The CCWD diverts water from the Delta at four intake facilities located at Rock Slough, Old River, Middle River at Victoria Canal, and Mallard Slough. The backbone of the CCWD's water conveyance system is the 48-mile Contra Costa Canal, which starts at Rock Slough and ends at the Martinez Reservoir. Four

58 California Department of Water Resources (DWR). *Groundwater Level Report, Station 379279N1220357W001.* Website: https://wdl.water.ca.gov/waterdatalibrary/GroundwaterBrowseData.aspx?SelectedCounties=7&SiteCode=&LocalWellNumber=&StationId=39107&SelectedGWBasins=2-006+Ygnacio+Valley&StateWellNumber= (accessed February 6, 2024).

59 Terracon. 2024. *Aquatic-Community Center at Heather Farm Park, Preliminary Geotechnical Engineering Report.* January 19.

60 Contra Costa Water District (CCWD). 2021. *2020 Urban Water Management Plan*. June.

untreated water reservoirs—Los Vaqueros, Contra Loma, Mallard, and Martinez—provide a total of approximately 165,000 acre-feet of storage. These reservoirs are used to store water for blending and water quality purposes, dry-year and emergency use, supplying during peak demands, and flow regulation.[61] Water supply from CCWD primarily comes from these surface waters; and minimal groundwater production from municipal customer owned wells and private wells occurs within the CCWD's service area.[62] As such, operation of the proposed project would involve the use of surface water sources for potable water and would not rely on groundwater. Therefore, operation of the proposed project would not substantially decrease groundwater supplies such that the project may impede sustainable groundwater management of the basin.

Development of the proposed project would result in an increase in impervious surfaces on the project site from approximately 92,400 square feet to 147,570 square feet, or an increase in approximately 55,170 square feet, which could decrease on-site infiltration. As described above, groundwater recharge in the Ygnacio Valley Groundwater Basin occurs primarily through natural infiltration and seepage of precipitation. Under existing conditions, infiltration at the project site could occur via pervious surface area, such as landscaped areas and open space, and Nature Lake, which is a natural lake with an earthen bottom. During operation, the proposed project would maintain a similar drainage pattern as existing conditions, directing flows to the Concrete Pond and Nature Lake, which ultimately discharge to the Contra Costa Canal and Walnut Creek. As part of the proposed project, Nature Lake would be expanded at its southern end, which would increase groundwater infiltration at Nature Lake. Therefore, although the proposed project would increase impervious surface area, the expansion of Nature Lake would ensure that groundwater recharge at the project site would not be substantially impacted by the proposed project.

For the reasons listed above, impacts related to the decrease of groundwater supplies or interference with groundwater recharge would be less than significant.

c. Would the project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:

Under existing conditions, stormwater from the project site is collected by existing catch basins and discharged into either Crawdad Creek, located along the eastern project site boundary, or the Concrete Pond via existing storm drainpipes. Flows from the Concrete Pond drain to Nature Lake, which then discharges into the Contra Costa Canal via Otter Creek. Flows from Crawdad Creek are either discharged into Nature Lake or diverted to Otter Creek east of Nature Lake via an existing storm drainpipe. Otter Creek then discharges to the Contra Costa Canal. The project site also receives stormwater flows from the residential neighborhood to the southwest. Flows from this neighborhood are collected via existing catch basins and discharged into Rose Creek via existing storm drainpipes, which ultimately drains to the Concrete Pond, Nature Lake, Otter Creek, and the Contra Costa Canal. The Ygnacio Valley Canal is also located along the west site of the project site and Nature Lake. The Ygnacio Valley Canal receives flows from south of the project site and discharges into the Contra Costa Canal. The Contra Costa Canal discharges into Walnut Creek

61 Ibid.
62 Ibid.

northwest of the project site, which then discharges into Pacheco Creek before draining to Suisun Bay.[63] With implementation of the proposed project, the project site would maintain a similar drainage pattern as existing conditions, directing flows to the Concrete Pond and Nature Lake. In addition, the proposed project would include LID stormwater management elements such as bioretention areas and flow-through planters. The bioretention areas and flow-through planters would be designed to meet the criteria outlined in the Stormwater C.3 Guidebook and appropriately sized to treat 100 percent of the stormwater runoff from the project site as required by the MRP.

i. Result in substantial erosion or siltation on- or off-site; ***(Less Than Significant Impact)***

Construction. During grading and other construction activities, soil would be exposed, drainage patterns would be temporarily altered, and there would be an increased potential for soil erosion and siltation compared to existing conditions. Additionally, during a storm event, soil erosion and siltation could occur at an accelerated rate. The proposed project would be required to comply with the Construction General Permit, which requires the preparation of a SWPPP to identify construction BMPs to be implemented during construction of the proposed project to reduce impacts on water quality including those impacts associated with soil erosion and siltation. Compliance with the requirements in the Construction General Permit, including implementation of construction BMPs, would ensure that construction impacts related to on- or off-site erosion or siltation would be less than significant.

Operation. After the completion of project construction, the proposed project would not significantly alter the existing drainage pattern of the site. However, operation of the proposed project would result in an increase in impervious surfaces on the project site from approximately 92,400 square feet to approximately 147,570 square feet, which would result in a net increase in stormwater runoff that could lead to downstream erosion in receiving waters. As previously discussed, the existing stormwater flow from the project site is approximately 4.8 cfs during a 10-year storm event. With development of the proposed project, stormwater flow is anticipated to increase to approximately 6.2 cfs during a 10-year storm event. During operation, the proposed project would incorporate stormwater detention measures to limit the impact of increased stormwater flow to the downstream existing storm drain system and receiving waters. These stormwater detention measures would detain the increase in post-development condition 10-year storm event peak runoff from the project site. Release of the stormwater peak flow to the downstream storm drain system and receiving waters would be controlled at a rate that is equal to the pre-project condition 10-year storm event flow level.

Further, as discussed above, the proposed project would be required to prepare a stormwater control plan, which would demonstrate that the stormwater facilities meet water quality treatment and stormwater rate and volume requirements in compliance with the requirements of City Municipal Code Chapter 16 and the MRP. Therefore, operational impacts related to on- or off-site erosion or siltation would be less than significant.

[63] Contra Costa Clean Water Program (CCCWP). 2003. *Contra Costa County Watershed Atlas, Chapter 9: Walnut Creek Watershed.* November.

Overall, because the proposed project would be required to comply with existing regulations including the Construction General Permit, City Municipal Code Chapter 16, and the MRP, the proposed project would not result in substantial erosion or siltation on- or off-site. Impacts would be less than significant.

ii. Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite; ***(Less Than Significant Impact)***

Construction. Project construction would comply with the requirements of the Construction General Permit and would include the preparation and implementation of a SWPPP pursuant to RCM HYD-1. The SWPPP would include construction BMPs (e.g., soil binders, straw mulch, non-vegetative stabilization, fiber rolls, sandbag barrier, straw bale barrier, stabilized construction entrance/exit, stabilized construction roadway, and entrance/outlet tire wash) to control the rate and amount of on-site surface runoff and to direct flows to ensure that stormwater runoff from the construction site does not result in on- or off-site flooding. Therefore, construction impacts related to a substantial increase in the rate or amount of surface runoff that would result in in on- or off-site flooding would be less than significant.

Operation. Development of the proposed project would result in an increase in impervious surfaces on the project site from approximately 92,400 square feet to approximately 147,570 square feet, which could have the potential to increase the volume and rate of stormwater runoff discharged from the project site. However, development of the proposed project would also maintain a similar drainage pattern as existing conditions, directing flows to the Concrete Pond and Nature Lake. In addition, the proposed project would include LID stormwater management elements such as bioretention areas and flow-through planters. The bioretention areas and flow-through planters would be designed to meet the criteria outlined in the Stormwater C.3 Guidebook and appropriately sized to treat 100 percent of the stormwater runoff from the project site as required by the MRP. The bioretention areas and flow-through planters would be used for stormwater treatment and peak flow mitigation prior to discharging into the City's storm drain system, in compliance with the requirements of the City Municipal Code Chapter 16 and the MRP. Therefore, with implementation of the requirements of the City Municipal Code Chapter 16 and the MRP, including the implementation of LID techniques to address the volume and rate of stormwater runoff in the post-project condition, the proposed project would not substantially increase the rate or amount of surface runoff in a manner that would result in flooding on- or off-site. Impacts would be less than significant.

Overall, because the proposed project would be required to comply with existing regulations including the Construction General Permit, City Municipal Code Chapter 16, and the MRP, the proposed project would not substantially increase the rate or amount of surface runoff in a manner that would result in flooding on- or offsite. Impacts would be less than significant, and no mitigation is required.

iii. Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or ***(Less Than Significant Impact)***

Stormwater Drainage System Capacity. Development of the proposed project would maintain a similar drainage pattern as existing conditions, directing flows to the Concrete Pond and Nature Lake. In addition, the proposed project would include LID stormwater management elements such as bioretention areas and flow-through planters. The bioretention areas and flow-through planters would be designed to store and treat 100 percent of the stormwater runoff from the project site in accordance with City Municipal Code Chapter 16 and the MRP. In addition to addressing the rate and volume of stormwater runoff, the Concrete Pond and Nature Lake would target and reduce pollutants of concern in stormwater runoff.

Therefore, the proposed project would not contribute to an exceedance of existing or planned stormwater drainage systems, and impacts would be less than significant.

Polluted Runoff. Implementation of BMPs to reduce pollutants of concern in stormwater runoff in compliance with the Construction General Permit, City Municipal Code Chapter 16, and the MRP would ensure that the proposed project would result in less than significant impacts related to the discharge of polluted runoff during project construction and operations. Therefore, the proposed project would not contribute additional sources of polluted runoff, and impacts would be less than significant.

iv. Impede or redirect flood flows? ***(No Impact)***

According to the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM) No. 06013C0291F (effective 6/16/2009), the entirety of the project site is located in Zone X, which is identified as an area of minimal flood hazard.[64] The project site is not located within a 100-year floodplain. Therefore, the proposed project would not impede or redirect flood flows, and there would be no impact.

d. In flood hazard, tsunami, or seiche zones, would the project risk release of pollutants due to project inundation? ***(Less Than Significant Impact)***

Flooding. As discussed above, according to FEMA FIRM No. 06013C0291F (effective 6/16/2009), the entirety of the project site is located in Zone X, which is identified as an area of minimal flood hazard. During construction, BMPs would be implemented to ensure that during a rain event, pollutants would be retained on site and would be prevented from reaching downstream receiving waters in accordance with the Construction General Permit. During operation, the proposed project would maintain a similar drainage pattern as existing conditions, directing flows to the Concrete Pond and Nature Lake. In addition, the proposed project would include LID stormwater management elements such as bioretention areas and flow-through planters pursuant to the

[64] Federal Emergency Management Agency (FEMA). 2017. Flood Insurance Rate Map No. 06013C0308F. Map Effective June 16, 2009. Website: https://msc.fema.gov/portal/search?AddressQuery=heather%20farm%20park%2C%20walnut%20creek%2C%20ca (accessed February 6, 2024).

requirements of the City Municipal Code and the MRP, which would ensure that pollutants would be treated and prevented from reaching downstream receiving waters. Impacts associated with the release of pollutants resulting from inundation of the project site due to flooding would be less than significant.

Tsunami. The project site is approximately 29 miles east of the Pacific Ocean. Based on the distance from the Pacific Ocean, the project site is not located in a tsunami hazard zone and would not result in the release of pollutants due to inundation caused by a tsunami. Impacts associated with the release of pollutants resulting from inundation of the project site due to a tsunami would be less than significant.

Seiches. Seiches are waves that are created in an enclosed body of water such as a bay, lake, or harbor and go up and down or oscillate and do not progress forward like standard ocean waves. The project site contains two water bodies including the approximately 2.28-acre Concrete Pond and the approximately 5.12-acre Nature Lake. Although these bodies of water could experience a seiche during ground shaking, the proposed project would develop the project site with the same uses as existing conditions (i.e., community/aquatic center). As such, implementation of the proposed project would not result in a substantially greater potential impact associated with the release of pollutants due to seiche. Therefore, impacts associated with the release of pollutants due to inundation cause by a seiche would be less than significant.

Dam Inundation. According to the DWR Division of Safety of Dams, the project site is not located within a dam inundation area.[65] Therefore, the proposed project would not result in the release of pollutants due to flooding cause by a dam failure. No impact would occur.

For the reasons outlined above, implementation of the proposed project would not result in the release of pollutants from a flood, dam inundation, tsunami, or seiche greater than existing conditions. Impacts would be less than significant.

*e. Would the project conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan? **(Less Than Significant Impact)***

The project is within the jurisdiction of the San Francisco Bay RWQCB. The San Francisco Bay RWQCB adopted a Water Quality Control Plan (i.e., Basin Plan) (amended March 7, 2023)[66] that designates beneficial uses for all surface and groundwater within their jurisdiction and establishes the water quality objectives and standards necessary to protect those beneficial uses. As previously discussed, the proposed project would comply with existing NPDES permit requirements, including the Construction General Permit and MRP, and would implement construction and operational BMPs to reduce pollutants of concern in stormwater runoff. Compliance with these regulatory requirements would ensure that the proposed project would not degrade or alter water quality, which would

[65] Department of Water Resources (DWR) Division of Safety of Dams. *California Dam Breach Inundation Map.* Website: https://fmds.water.ca.gov/maps/damim/ (accessed February 6, 2024).

[66] San Francisco Bay Regional Water Quality Control Board (San Francisco Bay RWQCB). 2023. *Water Quality Control Plan (Basin Plan) for the San Francisco Bay Basin*. March 7. Website: https://www.waterboards.ca.gov/sanfranciscobay/basin_planning.html (accessed February 6, 2024).

cause the receiving waters to exceed the water quality objectives, or impair the beneficial use of receiving waters. As such, the proposed project would not result in water quality impacts that would conflict with the Basin Plan. Construction and operational impacts related to a conflict with the Basin Plan would be less than significant.

The Sustainable Groundwater Management Act (SGMA) was enacted in September 2014. SGMA requires governments and water agencies located within high- and medium-priority groundwater basins to halt overdraft of the basins. SGMA requires the formation of local Groundwater Sustainability Agencies (GSAs), which are required to adopt Groundwater Sustainability Plans (GSPs) to manage the sustainability of the groundwater basins. As previously discussed, the project site is located within the Ygnacio Valley Groundwater Basin.[67] The Ygnacio Valley Groundwater Basin is designated as a Very Low Priority basin pursuant to the SGMA; therefore, development of a GSP or an approved GSP alternative is not required.

As previously discussed, groundwater level data from DWR indicate that groundwater has historically been encountered at depths between 6 and 14 feet bgs at Local Well No. 01N02W13P001M (Site Code 379279N1220357W001, State Well No. 01N02W13P001M), located approximately 0.6 mile northeast of the project site.[68] The proposed project will require excavation to a maximum depth of 15 feet bgs. In the event that perched water is encountered and groundwater dewatering is necessary, compliance with the Groundwater General Permit, which would require testing and treatment (as necessary) of groundwater encountered during groundwater dewatering prior to release to surface waters, would ensure that discharges do not exceed water quality limits specified in the permit. In addition, if groundwater dewatering is required during construction of the proposed project, dewatering activities would be temporary, and the volume of groundwater removed would not be substantial. Therefore, construction of the proposed project would not substantially decrease groundwater supplies such that the project may impede sustainable groundwater management of the basin. Operation of the proposed project would involve the use of surface water sources for potable water and would not rely on groundwater. Therefore, operation of the proposed project would not substantially decrease groundwater supplies such that the project may impede sustainable groundwater management of the basin.

Further, as described above, groundwater recharge in the Ygnacio Valley Groundwater Basin occurs primarily through natural infiltration and seepage of precipitation. Under existing conditions, infiltration at the project site could occur via pervious surface area, such as landscaped areas and open space, and Nature Lake, which is a natural lake with an earthen bottom. During operation of the proposed project, the proposed project would maintain a similar drainage pattern as existing conditions, directing flows to the Concrete Pond and Nature Lake, which ultimately discharge to the Contra Costa Canal and Walnut Creek. As part of the proposed project, Nature Lake would be

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67 California Department of Water Resources (DWR). n.d.-a. *Groundwater Basin Boundary Assessment Tool.* Website: https://gis.water.ca.gov/app/bbat/ (accessed February 6, 2024).

68 California Department of Water Resources (DWR). n.d.-b. *Groundwater Level Report, Station 379279N1220357W001.* Website: https://wdl.water.ca.gov/waterdatalibrary/GroundwaterBrowseData.aspx?SelectedCounties=7&SiteCode=&LocalWellNumber=&StationId=39107&SelectedGWBasins=2-006+Ygnacio+Valley&StateWellNumber= (accessed February 6, 2024).

expanded at its southern end, which would increase groundwater infiltration at Nature Lake. Therefore, although the proposed project would increase impervious surface area, the expansion of Nature Lake would ensure that groundwater recharge at the project site would not be substantially impacted by the proposed project.

For the reasons above, impacts related to conflict with, or obstruction of, implementation of water quality control plans or sustainable groundwater management plans would be less than significant.

4.11 LAND USE AND PLANNING

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a. Physically divide an established community?	☐	☐	☒	☐
b. Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	☐	☐	☒	☐

*a. Would the project physically divide an established community? (**Less Than Significant Impact**)*

The physical division of an established community typically refers to the construction of a feature (such as an interstate highway or railroad tracks) or removal of a means of access (such as a local road or bridge) that would impair mobility within an existing community, or between a community and outlying areas. For instance, the construction of an interstate highway through an existing community may constrain travel from one side of the community to another; similarly, such construction may also impair travel to areas outside of the community.

The project site is an existing City of Walnut Creek park that is located in an urban area and surrounded by commercial, residential, and public uses. The existing Heather Farm Community Center would be demolished, and the proposed Aquatic/ Community Center would be constructed in approximately the same location, though with a larger footprint, as the existing community center. Following construction of the new Aquatic/Community Center, the existing Clarke Memorial Swim Center would be demolished. Local access to the project site is provided via North San Carlos Drive, which connects to Ygnacio Valley Road south of the site, and from Heather Drive which connects to Marchbanks Drive west of the site. The project site is accessed via a driveway along North San Carlos Drive that currently provides access to the drop-off area for the existing Heather Farm Community Center. This driveway would be retained and three new driveways, one to the north and two to the south of the existing driveway, would be constructed to provide additional vehicular access. The proposed project would not result in the realignment or closure of any existing roads. Therefore, the proposed project would not result in the physical division of an established community or adversely affect the continuity of land uses in the vicinity, and this impact would be less than significant.

*b. Would the project cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect? (**Less Than Significant Impact**)*

The project site is designated as Open Space-Recreation on the City's General Plan Land Use Map[69] and is classified as Planned Development (PD) on the City's Zoning Map.[70] The Open Space -

[69] City of Walnut Creek. 2023. *City of Walnut Creek General Plan Land Use Map.* January 1.

[70] City of Walnut Creek. n.d. Zoning Web Map Website: https://www.walnutcreekca.gov/government/community-development-department/zoning/maps/zoning-web-map (accessed February 6, 2024).

Recreation designation includes existing publicly-owned open space, parks, and golf courses as well as some Contra Costa County-owned land designated for open space use. The Planned Development zoning district allows for a diverse mix of buildings, land uses, structures, and open spaces established as part of the Planned Development approval. The PD District must comply with the regulations and provision of the General Plan and any applicable specific plan and provide adequate standards to promote the public, health, safety and general welfare without unduly inhibiting the advantages of modern building techniques and planning for residential or commercial purposes.[71]

Per *State CEQA Guidelines*, policy conflicts do not, in and of themselves, constitute significant environmental impacts. Policy conflicts are considered to be environmental impacts only when they would result in direct physical impacts or where those conflicts relate to avoiding or mitigating environmental impacts. As such, associated physical environmental impacts are discussed in this IS/MND under specific topical sections.

The project site is located in an urban area in the City of Walnut Creek, within Contra Costa County. It is surrounded by single- and multi-family residential uses, commercial uses, and public facilities. The proposed project would demolish the existing Heather Farm Community Center and construct a new Aquatic/Community Center in approximately the same location, though with a larger footprint, as the existing community center. Following construction of the new Aquatic/Community Center, the existing Clarke Memorial Swim Center would be demolished. The proposed project would be consistent with the type and intensity of development assumed for the project site in the General Plan and Zoning Ordinance and would not require any variances. Therefore, the proposed project would not conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigation an environmental effect, and this impact would be less than significant.

[71] City of Walnut Creek. 2023. City of Walnut Creek Municipal Code, Title 10. Planning and Zoning. Article 17. Planned Development District. Website: https://www.codepublishing.com/CA/WalnutCreek/#!/WalnutCreek10/WalnutCreek1002B-17.html#17 (accessed February 6, 2024).

4.12 MINERAL RESOURCES

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
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?	☐	☐	☐	☒

*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)***

According to the Contra Costa County General Plan,[72] the most valuable mineral resources mined within Contra Costa County are crushed rock in the Concord area, shale in the Port Costa area, and sand and sandstone in the Byron area. None of these resources is located in proximity to the project site. There are also regionally significant deposits of diabase, an intrusive igneous rock used as road base and riprap to prevent streambank erosion; diabase is found in the Mount Zion area near the cities of Concord and Clayton. The project site is located approximately 5.5 miles west of the nearest quarry and does not overlap with any quarry-associated activities. No mines or quarries are located within the project site. Because the project site is not within the immediate vicinity of the Mount Zion quarry or any regions identified within Contra Costa County as having known, valuable mineral resources, the project would not interfere with existing operations or access to these deposits. Furthermore, the project site is not located within an identified mineral resource zone as defined by the California Surface Mining and Reclamation Act of 1975. Therefore, the proposed project would have no impact on mineral resources.

*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)***

Refer to Section 4.12.a. The proposed project would have no impact on mineral resource recovery sites.

[72] County of Contra Costa. 2005. *Contra Costa County General Plan 2005-2020: Conservation Element*, 8.9 Mineral Resource Areas, pg. 8-33.

4.13 NOISE

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project result in:				
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 2 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?	☐	☐	☐	☒

Noise is usually defined as unwanted sound. Noise consists of any sound that may produce physiological or psychological damage and/or interfere with communication, work, rest, recreation, or sleep. Several noise measurement scales exist that are used to describe noise in a particular location. A decibel (dB) is a unit of measurement that indicates the relative intensity of a sound. Sound levels in dB are calculated on a logarithmic basis. An increase of 10 dB represents a ten-fold increase in acoustic energy, while 20 dB is 100 times more intense and 30 dB is 1,000 times more intense. Each 10 dB increase in sound level is perceived as approximately a doubling of loudness; and similarly, each 10 dB decrease in sound level is perceived as half as loud. Sound intensity is normally measured through the A-weighted sound level (dBA). This scale gives greater weight to the frequencies of sound to which the human ear is most sensitive. The A-weighted sound level is the basis for 24-hour sound measurements which better represent how humans are more sensitive to sound at night.

As noise spreads from a source, it loses energy so that the farther away the noise receiver is from the noise source, the lower the perceived noise level would be. Geometric spreading causes the sound level to attenuate or be reduced, resulting in a 6 dB reduction in the noise level for each doubling of distance from a single point source of noise to the noise sensitive receptor of concern.

There are many ways to rate noise for various time periods, but an appropriate rating of ambient noise affecting humans also accounts for the annoying effects of sound. Equivalent continuous sound level (L_{eq}) is the total sound energy of time varying noise over a sample period. However, the predominant rating scales for human communities in the State of California are the L_{eq}, the community noise equivalent level (CNEL), and the day-night average level (L_{dn}) based on dBA. L_{dn}, sometimes denoted as DNL, represents the time varying noise over a 24-hour period, with a 10 dBA weighting factor applied to noise occurring from 10:00 p.m. to 7:00 a.m. (defined as sleeping hours). L_{dn} is similar to the CNEL scale, but without the adjustment for events occurring during the evening relaxation hours of 7:00 p.m. to 10:00 p.m.

Characteristics of Vibration. Vibration refers to ground-borne noise and perceptible motion. Ground-borne vibration is almost exclusively a concern inside buildings and is rarely perceived as a problem outdoors, where the motion may not be discernible. Typically, there is more adverse reaction to effects associated with the shaking of a building. Vibration energy propagates from a source through intervening soil and rock layers to the foundations of nearby buildings. The vibration then propagates from the foundation throughout the remainder of the structure. Building vibration may be perceived by occupants as the motion of building surfaces, the rattling of items on shelves or hanging on walls, or a low-frequency rumbling noise. The rumbling noise is caused by the vibration of walls, floors, and ceilings that radiate sound waves. Annoyance from vibration often occurs when the vibration exceeds the threshold of perception by 10 dB or less. This is an order of magnitude below the damage threshold for normal buildings.

Typical sources of ground-borne vibration are construction activities (e.g., blasting, pile driving, and operating heavy-duty earthmoving equipment), steel-wheeled trains, and occasional traffic on rough roads. Problems with both ground-borne vibration and noise from these sources are usually localized to areas within approximately 100 feet from the vibration source, although there are examples of ground-borne vibration causing interference out to distances greater than 200 feet.[73] When roadways are smooth, vibration from traffic, even heavy trucks, is rarely perceptible. It is assumed for most projects that the roadway surface will be smooth enough that ground-borne vibration from street traffic will not exceed the impact criteria; however, construction of the project could result in ground-borne vibration that may be damaging.

Ground-borne vibration has the potential to damage buildings. Although it is very rare for typical construction activities to cause even cosmetic building damage, it is not uncommon for construction processes such as blasting and pile driving to cause vibration of sufficient amplitudes to damage nearby buildings. Ground-borne vibration is usually measured in terms of vibration velocity, either the root-mean-square (RMS) velocity or peak particle velocity (PPV). The PPV is used to characterize potential for damage and RMS is used for annoyance potential.

Regulatory Framework. The following section provides brief discussions of the federal and local regulatory framework related to noise.

Federal Transit Administration. The criteria for environmental impacts resulting from ground-borne vibration and noise are based on the maximum levels for a single event. The City of Walnut Creek Municipal Code does not include specific criteria for assessing vibration impacts associated with structural damage. Therefore, for the purpose of determining the significance of vibration impacts experienced at sensitive uses surrounding the project site, the guidelines within the Federal Transit Administration's (FTA) *Transit Noise and Vibration Impact Assessment*

[73] California Department of Transportation (Caltrans). 2013. *Caltrans Transportation and Construction Vibration Guidance Manual*. September.

Manual (FTA Manual)[74] have been used to determine vibration impacts associated with potential damage and are presented in Table 4.13.A below.

Table 4.13.A: Construction Vibration Damage Criteria

Building Category	PPV (in/sec)
Reinforced concrete, steel, or timber (no plaster)	0.50
Engineered concrete and masonry (no plaster)	0.30
Non-engineered timber and masonry buildings	0.20
Buildings extremely susceptible to vibration damage	0.12

Source: *Transit Noise and Vibration Impact Assessment Manual*, Table 12-3 (FTA 2018).
FTA = Federal Transit Administration PPV = peak particle velocity
in/sec = inches per second

The FTA Manual guidelines show that a vibration level of up to 0.2 inches per second (in/sec) in PPV is considered safe for non-engineered timber and masonry buildings and would not result in any construction vibration damage. Therefore, to be conservative, the 0.2 in/sec PPV threshold has been used when evaluating vibration impacts at the nearest structures to the site.

To provide numerical thresholds related to ground-borne vibration impacts, criteria included in the FTA Manual for human annoyance are shown in Table 4.13.B. The criteria account for the variation in project types as well as the frequency of events, which differ widely among projects. It is logical that when there would be fewer events per day, it should take higher vibration levels to evoke the same community response. The variation in project times and the frequency of events is accounted for in the criteria by distinguishing between projects with frequent and infrequent events, in which the term "frequent events" is defined as more than 70 events per day.

Table 4.13.B: Ground-Borne Vibration Impact Criteria for General Assessment

Land Use Category	Ground-Borne Vibration Impact Levels (VdB re 1 µin/sec)		
	Frequent Events[1]	Occasional Events[2]	Infrequent Events[3]
Category 1: Buildings where vibration would interfere with interior operations.	65 VdB[4]	65 VdB[4]	65 VdB[4]
Category 2: Residences and buildings where people normally sleep.	72 VdB	75 VdB	80 VdB
Category 3: Institutional land uses with primarily daytime use.	75 VdB	78 VdB	83 VdB

Source: *Transit Noise and Vibration Impact Assessment Manual,* Table 8-1 (FTA 2018).
[1] Frequent events are defined as more than 70 vibration events of the same source per day. Most rapid transit projects fall into this category.
[2] Occasional events are defined as between 30 and 70 vibration events of the same source per day. Most commuter trunk lines have this many operations.

[74] Federal Transit Administration (FTA). 2018. *Transit Noise and Vibration Impact Assessment Manual*. FTA Report No. 0123. September. Website: https://www.transit.dot.gov/sites/fta.dot.gov/files/docs/research-innovation/118131/transit-noise-and-vibration-impact-assessment-manual-fta-report-no-0123_0.pdf (accessed March 2024).

[3] Infrequent events are defined as fewer than 30 vibration events of the same kind per day. This category includes most commuter rail branch lines.

[4] This criterion limit is based on levels that are acceptable for most moderately sensitive equipment, such as optical microscopes. Vibration-sensitive manufacturing or research will require detailed evaluation to define the acceptable vibration levels. Ensuring lower vibration levels in a building often requires special design of the HVAC systems and stiffened floors.

µin/sec = microinches per second
FTA = Federal Transit Administration
HVAC = heating, ventilation, and air-conditioning
VdB = vibration velocity decibels

Walnut Creek General Plan. The goals, policies, and programs listed in the Noise Element that are applicable to the proposed project are summarized as follows:

- The Land Use Compatibility Standards identify acceptable noise exposure levels for new development according to land use. Community noise exposure levels up to 70 dBA L_{dn} are considered normally acceptable for office buildings, businesses, and commercial uses. Interior noise levels are a function of the use of space, and offices affected by noise from the Bay Area Rapid Transit (BART) or helicopters should generally be limited to 50 dBA L_{eq} or less.

- The noise environment in existing residential areas is required to be protected. The City requires mitigation measures for projects where noise levels would exceed 60 dBA L_{dn}.

The Supplemental Environmental Impact Report for the Walnut Creek – Mixed Use Special District Project[75] prepared for the City identified noise limits for surrounding sensitive receptors. Table 4.13.C below presents these noise limits.

Table 4.13.C: Land Use/Noise Compatibility

Land Use Category	Exterior Noise Exposure (L_{dn}), dB		
	Normally Acceptable	Conditionally Acceptable	Unacceptable
Single-Family Residential	<60	60 to <75	75 or greater
Multi-family Residential, Hotels, and Motels	<65	65 to <75	75 or greater
Outdoor Sports and Recreation, Neighborhood Parks and Playgrounds	<65	65 to <80	80 or greater
Schools, Libraries, Museums, Hospitals, Personal Care, Meeting Halls, Churches	<60	60 to <75	75 or greater
Office Buildings, Business, Commercial, and Professional	<70	70 to <80	80 or greater
Auditoriums, Concert Halls, Amphitheaters	<55	55 to <70	70 or greater

Source: *Supplemental Environmental Impact Report Walnut Creek – Mixed Use Special District Project*, Chapter 3.11: Noise (First Carbon Solutions, June 2023).

[75] First Carbon Solutions. 2023. *Supplemental Environmental Impact Report Walnut Creek – Mixed Use Special District Project*, Chapter 3.11: Noise. June 30.

City of Walnut Creek Municipal Code. Pursuant to the City's discretion in determining applicable significance thresholds, construction noise impacts are evaluated based on compliance with the City's Noise Ordinance found in Chapter 6, Article 2, of the Municipal Code. This ordinance limits the permissible hours of noise-producing construction activities to non-holiday weekdays from 7:00 a.m. to 6:00 p.m.; construction activities are not permitted outside of these hours unless an exemption is permitted by the Chief of Code Enforcement or by the City Engineer.

Existing Noise Conditions. Certain land uses are considered more sensitive to noise than others. Examples of these include residential areas, educational facilities, hospitals, childcare facilities, and senior housing. The project site is surrounded by single-family residential uses which are the closest sensitive receptors to the project site.

Existing Ambient Noise Level Measurements. The ambient noise environment in the vicinity of the project site is affected by a variety of noise sources. The major sources of noise are traffic on North San Carlos Drive and Marchbanks Drive and impacts from parking lot and park activities from the surrounding uses. One long-term (24-hour) noise measurement (LT-1) was conducted on February 15, 2024, through February 16, 2024, and one short-term (15-minute) noise measurement (ST-1) was conducted on February 15, 2024, on the project site to establish the existing ambient noise environment on the project site. Data collected during the noise measurements are summarized in Table 4.13.D. The noise measurements indicate that ambient noise at the project site ranges between 43.4 dBA L_{eq} and 59.6 dBA L_{eq}. The noise measurement locations are shown in Figure 4.13-1 and noise measurement sheets are provided in Appendix G.

Table 4.13.D: Long-Term Ambient Noise Level Measurement (February 15–February 16, 2024)

Location	Daytime Noise Levels[1] (dBA L_{eq})	Nighttime Noise Levels[2] (dBA L_{eq})	Daily Noise Level (dBA L_{dn})
LT-1: On a tree east of North San Carlos Drive, approximately 300 feet from the centerline. At the southeast part of Heather Farm Field 2 bordering the nearest residences.	47.0–59.6	43.4–50.7	55.3

Source: Compiled by LSA (2024).
[1] Daytime Noise Levels = noise levels during the hours of 7:00 a.m. to 7:00 p.m.
[2] Nighttime Noise Levels = noise levels during the hours of 10:00 p.m. to 7:00 a.m.

dBA = A-weighted decibels
L_{dn} = day-night average noise level
L_{eq}=equivalent continuous sound level

LSA

LEGEND

Project Site Boundary

LT-1 Long-term Noise Monitoring Location

ST-1 Short-term Noise Monitoring Location

FIGURE 4.13-1

N

0 125 250

FEET

SOURCE: Google Earth 2024

I:\20231287\G\Noise_Locs.ai (5/29/2024)

New Aquatic and Community Center at Heather Farm Park

Noise Monitoring Locations

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Table 4.13.E: Short-Term Ambient Noise Level Measurement (dBA) (February 15, 2024)

Location	L_{eq}	L_{max}	L_{min}	L_2	L_8	L_{25}	L_{50}
ST-1: At the dirt area adjacent to the driveway southeast of Diablo Hills Golf Course, 90 feet from the Marchbanks Drive centerline.	54.0	74.5	49.5	57.7	56.1	54.7	53.2

Source: Compiled by LSA (2024).
L_2 = the noise level exceeded two percent of the time
L_8 = the noise level exceeded eight percent of the time
L_{25} = the noise level exceeded a quarter of the time
L_{50} = median noise level
L_{eq}=equivalent continuous sound level
L_{max}=maximum sound level (highest sound level measured during a single noise event)
L_{min}=lowest sound level measured by the meter over a given period of time

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 Impact)***

The potential for the project to generate a substantial temporary or permanent increase in ambient noise levels is described below.

Construction Noise Impacts. Implementation of the proposed project would include construction activities that would result in a substantial temporary increase in ambient noise levels in the vicinity of the project site.

The project site is generally surrounded by a mix of commercial, institutional, residential, and public uses. The closest sensitive receptors include the multi-family residential uses located northeast of the project site approximately 340 feet from the center of the project site. Project construction would result in short-term noise impacts to these sensitive receptors. Maximum construction noise would be short-term, generally intermittent depending on the construction phase, and variable depending on receiver distance from the active construction zone. The duration of noise impacts generally would be from one day to several days depending on the phase of construction. The levels and types of noise impacts that would occur during construction are described below.

Short-term noise impacts would occur during grading and site preparation activities. Table 13.F lists maximum noise levels recommended for noise impact assessments for typical construction equipment, based on a distance of 50 feet between the equipment and a noise receptor. Construction-related short-term noise levels would be higher than existing ambient noise levels in the project area but would no longer occur once construction of the proposed project is complete.

Table 4.13.F: Typical Construction Equipment Noise Levels

Equipment Description	Acoustical Usage Factor (%)	Maximum Noise Level (L_{max}) at 50 Feet[1]
Compressor	40	80
Cranes	16	85
Dozers	40	85
Drill Rig	20	84
Flat Bed Trucks	40	84
Forklift	20	85
Front-end Loaders	40	80
Generator	50	82
Man-lift	20	85
Rollers	20	85
Water Truck	40	84
Welder	40	73

Source: Roadway Construction Noise Model (FHWA 2006).
Note: Noise levels reported in this table are rounded to the nearest whole number.
[1] Maximum noise levels were developed based on Spec 721.560 from the Central Artery/Tunnel program to be consistent with the City of Boston's Noise Code for the "Big Dig" project.
FHWA = Federal Highway Administration
L_{max} = maximum instantaneous sound level

Two types of short-term noise impacts could occur during construction of the proposed project. The first type involves construction crew commutes and the transportation of construction equipment and materials to the site for the proposed project, which would incrementally increase noise levels on roads leading to the site. As shown in Table 4.13.F, there would be a relatively high single-event noise exposure potential at a maximum level of 85 dBA L_{max} with trucks passing at 50 feet.

The second type of short-term noise impact is related to noise generated during demolition, excavation, grading, and construction on the project site. Construction is performed in discrete steps, or phases, each with its own mix of equipment and, consequently, its own noise characteristics. These various sequential phases would change the character of the noise generated on site. Therefore, the noise levels vary as construction progresses. Despite the variety in the type and size of construction equipment, similarities in the dominant noise sources and patterns of operation allow construction-related noise ranges to be categorized by work phase.

Table 4.13.F lists maximum noise levels recommended for noise impact assessments for typical construction equipment, based on a distance of 50 feet between the equipment and a noise receptor. Average maximum noise levels range up to 85 dBA L_{max} at 50 feet during the noisiest construction phases. The site preparation and grading phases, including excavation of the site, tend to generate the highest noise levels because earthmoving machinery is the noisiest construction equipment. Earthmoving equipment includes excavating machinery such as backfillers, bulldozers, draglines, and front loaders. Earthmoving and compacting equipment includes compactors, scrapers, and graders. Typical operating cycles for these types of construction equipment may involve 1 or 2 minutes of full-power operation followed by 3 or 4 minutes at lower power settings.

As identified above, the closest receptor includes the residential uses located north of the project site approximately 530 feet from the center of project site. The 530-foot distance would decrease the noise level by approximately 21 dBA compared to the noise level measured at 50 feet from the construction activity. Therefore, the closest off-site receptors may be subject to short-term construction noise levels of 67 dBA L_{eq} when construction is occurring at the center of the project site. As it relates to off-site uses, construction-related noise levels would remain below the daytime 80 dBA L_{eq} 8-hour construction noise level criteria established by the FTA for residential and similar sensitive uses and, therefore, would be considered less than significant. All other receptors are further away and would be exposed to lower short-term construction noise levels. Construction equipment calculations are provided in Appendix H.

Long-Term Noise Impacts. The proposed project would generate long-term noise impacts from traffic noise sources, as discussed below.

Traffic Noise Impacts. As a result of the implementation of the proposed project, off-site traffic volumes on surrounding roadways have the potential to increase. The proposed project trips generated were obtained from the *CEQA Transportation Analysis*.[76] The proposed project would generate a net of 90 daily trips. The existing (2023) average daily trips on North San Carlos Drive and Marchbanks Drive in the vicinity of the project are 15,435 and 18,070, respectively.[77] While the current traffic volumes on the adjacent street segments are likely higher, using the 2023 volumes would be considered conservative. The following equation was used to determine the potential impacts of the project:

Change in CNEL = $10\ log_{10}[V_{e+p}/V_{existing}]$

where: $V_{existing}$ = existing daily volumes
V_{e+p} = existing daily volumes plus project
Change in CNEL = increase in noise level due to the project

The results of the calculations show that an increase of approximately 0.1 dBA L_{dn} is expected along North San Carlos Drive and Marchbanks Drive. A noise level increase of less than 3 dBA would not be perceptible to the human ear in an outdoor environment; therefore, the traffic noise increase in the vicinity of the project site resulting from the proposed project would be less than significant. No mitigation is required.

Stationary Noise Impacts.The proposed project would redevelop the existing park space that could result in an increase in ambient noise levels in the vicinity of the project area associated with building usage for events, outdoor play, parking lot noise, and mechanical equipment from the proposed facilities.

Outdoor Facilities.The proposed uses are expected to be similar to those of the existing community park. The proposed project does not contain uses that are expected to utilize amplified speech or music, and sporting events would not be hosted at the site. Any instances in

[76] Fehr & Peers. 2024. *Walnut Creek Heather Farm Park Projects – CEQA Transportation Analysis*. June 14.
[77] Ibid.

which noise levels generated would result in a disturbance, the City's Municipal Code would be utilized to minimize the operational impacts classified as nuisance issues.

Multi-Use Facilities. It is expected that the proposed recreation center would install heating, ventilation, and air conditioning (HVAC) equipment. It is expected that the equipment installed would comply with the City's noise standard of 60 dBA L_{eq}. The specific design of on-site mechanical equipment associated with the proposed structure has not yet been determined. However, mechanical equipment systems would typically be shielded from direct public exposure and usually housed on rooftops, within equipment rooms, or within exterior enclosures. The use of building mechanical systems is typically intermittent, would likely be limited to the daytime hours of operation, and would be largely masked by ambient traffic noise levels.

In addition to building mechanical equipment, the proposed facility would include various noise-generating interior recreational uses, including multi-purpose rooms. In general, noise generated by interior recreational activities would typically not be detectable within approximately 50 feet of the exterior of the structure. Predicted noise levels at the nearest noise-sensitive land uses would be largely masked by ambient traffic noise levels and reduced by distance attenuation and therefore would not be anticipated to result in a significant increase in ambient noise levels that would exceed the City's noise standard of 60 dBA L_{eq}.

Therefore, for the reasons described above, the proposed project would not generate a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies. This impact would be less than significant.

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

The potential for the project to generate excessive ground-borne vibration or ground-borne noise is described below.

Construction Vibration. Construction of the proposed project could result in the generation of ground-borne vibration. Ground-borne vibration from construction activity has the potential to be high when activities occur near project boundaries but would be mostly low to moderate as activities are more central to the project site. This construction vibration impact analysis discusses the level of human annoyance using vibration levels in RMS (vibration velocity decibels [VdB]) and will assess the potential for building damages using vibration levels in PPV (in/sec) because vibration levels calculated in RMS are best for characterizing human response to building vibration, while vibration levels in PPV are best used to characterize potential for damage.

The FTA Manual indicates that a vibration level up to 0.5 in/sec in PPV is considered safe for buildings consisting of reinforced concrete, steel, or timber (no plaster), and would not result in any construction vibration damage. For a non-engineered timber and masonry building, the construction vibration damage criterion is 0.2 in/sec in PPV. The FTA Manual also indicates that a vibration level up to 72 VdB has the potential to cause human annoyance at residential uses.

Table 4.13.G shows the PPV and VdB values at 25 feet from a construction vibration source. As shown in Table 4.13.G, bulldozers and other heavy-tracked construction equipment (except for pile drivers and vibratory rollers) generate approximately 0.089 in/sec PPV or 87 VdB of ground-borne vibration when measured at 25 feet, based on the FTA Manual.

Table 4.13.G: Vibration Source Amplitudes for Construction Equipment

Equipment	Reference PPV/L_V at 25 feet	
	PPV (in/sec)	L_V (VdB)[a]
Pile Driver (Impact), Typical	0.644	104
Pile Driver (Sonic), Typical	0.170	93
Vibratory Roller	0.210	94
Hoe Ram	0.089	87
Large Bulldozer	0.089	87
Caisson Drilling	0.089	87
Loaded Trucks	0.076	86
Jackhammer	0.035	79
Small Bulldozer	0.003	58

Sources: *Transit Noise and Vibration Impact Assessment Manual* (FTA 2018).
[a] RMS vibration velocity in decibels (VdB) is 1 µin/sec.
µin/sec = micro-inches per second
FTA = Federal Transit Administration
in/sec = inches per second
L_V = velocity in decibels
PPV = peak particle velocity
RMS = root-mean-square
VdB = vibration velocity decibels

The distance to the nearest buildings for vibration damage impact analysis is measured between the nearest off-site buildings and the project boundary (assuming the construction equipment would be used at or near the project boundary) because vibration impacts occur normally within the buildings. The distance to the nearest buildings for vibration annoyance impact analysis is measured between the nearest off-site buildings and the center of the project site. The formula for vibration transmission is provided below.

$$L_vdB\ (D) = L_vdB\ (25\ feet) - 30\ Log\ (D/25)$$

$$PPV_{equip} = PPV_{ref} \times (25/D)^{1.5}$$

Outdoor site preparation for the proposed project is expected to include the use of bulldozers and loaded trucks. The greatest levels of vibration are anticipated to occur during the site preparation and paving phases. All other phases are expected to result in lower vibration levels.

The closest surrounding buildings to the project site are residences, located approximately 320 feet north of the project site. The residences would experience vibration levels of up to 0.002 in/sec PPV. This vibration level at the nearest building from construction equipment would not exceed the FTA threshold of 0.2 in/sec PPV for building damage. Additionally, at a distance of 530 from the center of construction activities, vibration levels would be up to 47 VdB and would remain below the 72 VdB annoyance threshold.

Although construction vibration levels at the nearest buildings would have the potential to result in vibration levels higher than ambient conditions, these vibration levels would no longer occur once construction of the project is completed. Therefore, ground-borne vibration impacts from construction activities associated with the proposed project would be less than significant.

Operational Vibration. The roadways surrounding the project area, including North San Carlos Drive, Marchbanks Drive, and the existing driveways, are paved, smooth, and unlikely to cause significant ground-borne vibration. In addition, the rubber tires and suspension systems of buses and other on-road vehicles would make it unusual for on-road vehicles to cause ground-borne noise or vibration problems. It is, therefore, assumed that no such vehicular vibration impacts would occur and, therefore, no vibration impact analysis of on-road vehicles is necessary.

For the reasons listed above, the proposed project would not result in generation of excessive ground-borne vibration or ground-borne noise levels. This impact would be less than significant.

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 2 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 project site is not located within the vicinity of a private airstrip. The project site is 4.65 miles south of Buchanan Field Airport, 17.1 miles northeast of the Oakland International Airport, and approximately 27.6 miles northeast of San Francisco International Airport (SFO). Although aircraft-related noise is occasionally audible on the project site, the site does not lie within the 65 dBA CNEL noise contours[78,79,80] of any of these airports. Therefore, the proposed project would not expose people working in or visiting the project area to excessive noise levels, and no impact would occur.

78 Contra Costa County Airport. 2000. *Land Use Compatibility Plan.* December.
79 City/County Association of Governments of Alameda County. 2010. *Oakland International Airport Land Use Compatibility Plan.* December.
80 City/County Association of Governments of San Mateo County. 2012. *Comprehensive Airport Land Use Compatibility Plan For the Environs of San Francisco International Airport.* November.

4.14 POPULATION AND HOUSING

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a. Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	☐	☐	☐	☒
b. Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒

*a. Would the project induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)? **(No Impact)***

The proposed project would be undertaken to provide the residents of Walnut Creek with a new and updated community and aquatic center. No new housing, commercial, or industrial space would be developed as part of the proposed project. The proposed project would not result in the conversion of adjacent land uses or provide access to previously inaccessible areas. It would not provide additional major infrastructure or increase the capacity of the existing water system. Therefore, the proposed project would not directly or indirectly induce substantial population growth.

The proposed project does not include residential units and would not directly induce population growth on the project site. The new community center would include similar staffing levels to the existing community center, and therefore would not indirectly induce substantial population growth on the site or in the surrounding area through the increase in employment on the site. Therefore, the proposed project would have no impact related to population growth.

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

The project site is currently developed with park uses and public facilities, which do not include any residential units. Implementation of the proposed project would not result in the displacement of existing housing. Therefore, the proposed project would have no impact related to the displacement of homes.

4.15 PUBLIC SERVICES

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a. 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:				
i. Fire protection?	☐	☐	☒	☐
ii. Police protection?	☐	☐	☒	☐
iii. Schools?	☐	☐	☐	☒
iv. Parks?	☐	☐	☒	☐
v. Other public facilities?	☐	☐	☒	☐

a. 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:

i. Fire protection? ***(Less Than Significant Impact)***

The Contra Costa County Fire Protection District (CCCFPD) provides fire protection and emergency medical services to the project site. The CCCFPD Fire Administration office is located at 2010 Geary Road in Pleasant Hill, and three of the CCCFPD's 30 fire stations are located within the City of Walnut Creek city limits and another station is located within the Walnut Creek Planning Area.[81] Additionally, local fire stations from Lafayette, Pleasant Hill, and Concord respond to the Walnut Creek area. In 2022, CCCFPD responded to approximately more than 96,000 fire, rescue and emergency medical incidents.[82] The Operations Division staffs 19 engine companies, 5 truck companies, and a Shift Training Captain/Safety Officer daily, with minimum daily staffing of 77 personnel.[83] The primary service to the project site would be provided by Fire Station 7, which is located at 1050 Walnut Avenue.

The proposed project would demolish the existing Heather Farm Community Center and Clarke Memorial Swim Center (following construction of the new Aquatic/Community Center) and construct a new, slightly larger Aquatic/Community that would provide programming to better serve

81 City of Walnut Creek. 2006. *Walnut Creek General Plan 2025*. April 4.

82 Contra Costa County Fire Protection District. 2022. Annual Report 2022. Website: https://www.cccfpd.org/2022-annual-report/ (accessed February 6, 2024).

83 Contra Costa County Fire Protection District (CCCFPD). 2024. Contra Costa County Fire Protection District Operations Division. Website: https://www.cccfpd.org/operations-division/ (accessed February 6, 2024).

the community, and thus could result in an increase in use and related daytime population of the project site, thereby incrementally increasing the demand for emergency fire service and emergency medical services compared to existing conditions. However, the proposed project would be required to comply with all applicable codes for fire safety and emergency access. In addition, the CCCFPD would also review the project site plans to ensure that adequate emergency access is provided prior to issuance of building permits.

The CCCFPD would continue providing services to the project site and would not require additional firefighters to serve the proposed project. The construction of a new or expanded fire station or other facilities would not be required to serve to the project because the proposed project would include the reconstruction of a community center within an existing park site and would not result in a permanent population increase within the City, as noted in Section 4.14, Population and Housing, above. The proposed project would not result in a significant impact on the physical environment due to the increase in demand for fire protection and life safety services, and the potential increase in demand for services is not expected to adversely affect existing response times to the site or within the City. Therefore, construction and operation of the proposed project would have a less than significant impact on fire protection and safety services and facilities.

ii. Police protection? ***(Less Than Significant Impact)***

The Walnut Creek Police Department (WCPD) provides police protection services to the project site. The WCPD headquarters are located at 1666 North Main Street at City Hall, approximately 2 miles southwest of the project site.[84] In addition, WCPD has satellite offices at Heather Farm Park, Larkey Park, Walnut Creek School District, and the Police Firearms facility. These offices are not staffed; rather, they are locations for officers to write reports and complete follow-up investigations. In 2022, the WCPD responded to over 40,000 calls for service with an average response time for a Priority 1 (Emergency) event of 3:07 minutes.[85] With a current population of 68,969,[86] the WCPD employs 121 total law enforcement employees and 81 sworn-in officers.[87]

The proposed project could result in a marginal increase in daytime population on the project site and incrementally increase demand for emergency police services to the project site compared to existing conditions. However, WCPD would continue to provide services to the project site and would not require additional officers or the construction of new or expanded police facilities to serve the project site as the proposed project would include the expansion of an existing use on a previously developed site and would not result in a permanent population increase within the City.

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84 City of Walnut Creek. 2005. *Walnut Creek General Plan 2025 EIR*. August 5.

85 City of Walnut Creek Police Department. n.d. Walnut Creek Police Department Police Response Data Website: https://www.walnutcreekpdca.gov/departments/public-safety/police/crime-statistics (accessed February 6, 2024)

86 United States Census Bureau. 2022. U.S. Census QuickFacts, City of Walnut Creek Population Estimates. July 1. Website: https://www.census.gov/quickfacts/fact/table/walnutcreekcitycalifornia/PST045223 (accessed February 6, 2024).

87 Federal Bureau of Investigation (FBI). 2019. California Full-Time Law Enforcement Employees by City. Website: https://ucr.fbi.gov/crime-in-the-u.s/2019/crime-in-the-u.s.-2019/tables/table-78/table-78-state-cuts/california.xls (accessed February 6, 2023).

The increased demand for police protection services resulting from the proposed project would not be substantial and would not require the construction of new or alteration of existing police protection facilities to maintain an adequate level of police protection service. No physical impacts associated with the provision of police protection services would occur. Therefore, the proposed project would not result in a substantial adverse impact associated with the provision of additional police facilities or services and impacts to police services would represent a less than significant impact.

iii. Schools? ***(No Impact)***

Five public school districts and several private and post-secondary schools serve Walnut Creek residents. The project site is located within the Mount Diablo Unified School District (MDUSD). The MDUSD currently has 31 elementary schools (serving Kindergarten through Fifth Grade), nine middle schools (serving Sixth through Eighth Grades), and five high schools (serving Ninth through Twelfth Grades). The proposed project does not include the construction of any new residential uses. As described in Section 4.14, Population and Housing, the proposed project would not substantially induce housing or population growth, either directly or indirectly, within the City of Walnut Creek. Therefore, the proposed project would not result in an increase in the number of school-age children in the area. As such, the proposed project would not increase demand for schools, and no impact would occur.

iv. Parks? ***(Less Than Significant Impact)***

The project site is located within the existing Heather Farm Park, which includes the Heather Farm Community Center, Clarke Memorial Swim Center, an all-abilities playground, baseball fields, basketball courts, an equestrian center, a garden center, and an off-leash dog park, in addition to other amenities. As a part of the proposed project, the existing Heather Farm Community Center would be demolished and replaced with a new, slightly larger Aquatic/Community Center. Other improvements to site circulation and parking and modifications to the existing Concrete Pond and the adjacent Nature Lake would also be implemented. Following construction of the new Aquatic/Community Center, the existing Clarke Memorial Swim Center would be demolished. During construction, portions of the Park would be inaccessible, therefore, slightly increasing demand for other nearby parks. However, this impact would be temporary in nature and would subside after construction of the proposed project is complete. Therefore, the proposed project would have a less than significant impact related to the provision of park facilities.

v. Other public facilities? ***(Less Than Significant Impact)***

The project site includes the existing Heather Farm Community Center. During construction of the proposed project, the existing Community Center would be inaccessible to residents of the City. However, this impact would be temporary in nature and would subside after construction of the proposed project is complete. Once complete, the proposed project would result in a larger community center with more capacity to serve users. As noted above, the proposed project does not include the construction of any new residential uses and would not substantially induce housing or population growth, either directly or indirectly, within the City of Walnut Creek. Therefore, the

proposed project would not result in increased demand for other public facilities (e.g., libraries or community centers). This impact would be less than significant.

4.16 RECREATION

	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?	☐	☒	☐	☐

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 would temporarily increase the use of other parks and recreation facilities during the project construction because existing facilities that provide the community center and pool within Heather Farm Park would be demolished and because of general construction disturbance within the Park. These parks and recreation facilities could include the Civic Park Community Center, Shadelands Art Center, Tice Valley Community Gymnasium, Larkey Swim Center, and the Lesher Center for the Arts. The increased use at surrounding parks and recreational facilities would be temporary in nature and would subside after construction of the proposed project is complete. Additionally, the proposed community center and aquatic center may decrease use at other parks and recreation facilities once the project is complete, as the proposed project would provide additional recreational opportunities for the community. Therefore, the proposed project would have a less than significant impact on existing parks or other recreational facilities.

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 with Mitigation Incorporated)***

The proposed project would demolish the existing Heather Farm Community Center and construct a new, slightly larger Aquatic/Community Center and associated improvements within the existing Heather Farm Park. Following construction of the new Aquatic/Community Center, the existing Clarke Memorial Swim Center would also be demolished. Potential adverse effects on the environment related to the development of the proposed project have been evaluated in this IS/MND. Implementation of the mitigation measures described in the environmental topic areas in this IS/MND would ensure that proposed improvements would not have an adverse physical effect on the environment. Following completion, the proposed project would provide additional recreational opportunities for the community, resulting in a beneficial impact on existing recreational facility. With implementation of the mitigation measures described herein, environmental impacts associated with the construction of proposed recreational facilities would be less than significant with mitigation incorporated.

4.17 TRANSPORTATION

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
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 §15064.3, subdivision (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?	☐	☐	☒	☐

The following section is based on information provided in the CEQA Transportation Analysis[88] prepared for the proposed project by Fehr & Peers, included in Appendix I. The CEQA Transportation Analysis documents the findings of the vehicle-miles traveled (VMT) assessment and site plan evaluation for the proposed project.

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 include the demolition of the existing Heather Farm Community Center and construction of a new, slightly larger Aquatic/Community Center in approximately the same location. Following construction of the new Aquatic/Community Center, the existing Clarke Memorial Swim Center would also be demolished. The project site is accessed via a driveway along North San Carlos Drive that currently provides access to the drop-off area for the existing Heather Farm Community Center. This driveway would be retained and three new driveways, one to the north and two to the south of the existing driveway, would be constructed to provide additional vehicular access. The existing drop-off area would also be reconfigured to accommodate the new entry courtyard.

Trip Generation. Data were provided by City of Walnut Creek staff (detailed calculations are provided in the CEQA Transportation Analysis [Appendix I]) with information regarding the existing allowable trip generation, the proposed project trip generation, and the annual average trips per day for each use that would result in an expected net change. For the purposes of the VMT assessment, the annual average trip generation was evaluated; the annual average is inclusive of weekdays, weekends, peak and off-peak seasons. It assumes the maximum allowable capacities of existing and proposed rental facilities.

[88] Fehr & Peers. 2023. *Walnut Creek Heather Farm Park Projects – CEQA Transportation Analysis*. June 14, 2024.

The proposed trip generation for the special event rentals and classes were compared to the estimated trip generation of the existing allowable use. The aquatics center and office land uses are expected to be generally equivalent to the existing allowable use based on anticipated programmed use of the pool facility and number of employees for the office use; therefore, the aquatics and office uses are not anticipated to generate net new annual average daily trips. Table 4.17.A summarizes the vehicle trip generation comparison for daily average trips.

Table 4.17.A: Annual Average Trip Generation Summary

Land Use	Existing Daily Trips	Proposed Daily Trips	Net New Trips
Pool	Uses will be similar between existing allowable and proposed conditions		0
Special Event Rentals	250	302	52
Classes	192	230	38
Office	Uses will be similar between existing allowable and proposed conditions		0
		Total Net New Daily Trips	**90**

Source: *Walnut Creek Heather Farm Park Projects – CEQA Transportation Analysis* (Fehr & Peers. June 14, 2024).

The proposed project is expected to generate an annual average of 532 daily vehicle trips from the special event rentals and classes combined, whereas the existing allowable uses generate approximately 442 annual average daily vehicle trips. The office space and aquatics center uses are expected to operate similarly to the existing allowable use of office space and aquatics, with the same number of employees using the office and similar swim programming; therefore, no net change in annual average daily trips is anticipated for these uses. As shown in Table 4.17.A, the proposed project is expected to generate 90 net new annual average daily vehicle trips.

Vehicular Access and Circulation. On December 28, 2018, the California Office of Administrative Law and the California Governor's Office of Planning Research (OPR) cleared and adopted the revised *State CEQA Guidelines* Section 15064.3. Among the changes to the guidelines was the removal of vehicle delay and level of service (LOS) as the sole basis of determining environmental impacts under CEQA. With the implementation of the adopted guidelines, transportation impacts are to be evaluated based on a project's effect on VMT. On July 1, 2020, the provisions of *State CEQA Guidelines* Section 15064.3 became effective statewide. The discussion of the project's consistency with *State CEQA Guidelines* Section 15064.3 is discussed under Section 4.17.b, below.

Demolition and construction activities associated with the proposed project would result in an increase in traffic on local roadways during the construction period due to heavy equipment transport to and from the site, the arrival and departure of construction workers, and the import/export of construction material. In addition, up to 45 vehicle parking spaces may be required during the peak construction period for construction employees.

Prior to issuance of grading and building permits, the project applicant would be required to submit a 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. Measures to be included in the Traffic Control Plan would include, but are not limited

to the following: (a) truck drivers would be notified of and required to use the most direct route between the site and the freeway as determined by the City Engineer; (b) 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 City Engineer; (c) specifically designated travel routes for large vehicles would be monitored and controlled by flaggers for large construction vehicle ingress and egress; and (d) any debris and/or mud on nearby streets caused by trucks would be monitored daily and may require instituting a street cleaning program.

Traffic associated with construction would be short-term and temporary and would be subject to a Traffic Control Plan and oversight by the City Engineer. Therefore, demolition and construction activities associated with the proposed project would not conflict with a policy related to the roadway system. This impact would be less than significant.

Pedestrian Facilities. Pedestrian facilities in the study area consist of sidewalks, crosswalks, and pedestrian signals at signalized intersections. The project is expected to increase the number of pedestrians using the sidewalks and crosswalks. Existing sidewalks are provided along both the Heather Drive and North San Carlos Drive frontages with landscaped setbacks from the curb in some locations. In addition, pedestrian paths are provided through the park site. The overall network of sidewalks and crosswalks in the vicinity of the project site has adequate connectivity and provides pedestrians with safe routes to nearby destinations. The project would not remove any pedestrian facilities, nor would it conflict with any adopted plans or policies for new pedestrian facilities.

The proposed project is not anticipated to eliminate off-site pedestrian facilities, create hazardous conditions for pedestrians by changing off-site geometric features or introducing incompatible vehicle types to the roadway system, or conflict with any existing or planned pedestrian facilities. Therefore, impacts to pedestrian facilities would be less than significant.

Bicycle Facilities. There are some bike facilities in the immediate vicinity of the project site, including existing paved trails through the park, bike lanes on North San Carlos Drive, and designated bicycle routes on Ygnacio Valley Road. The proposed project design would not eliminate bicycle facilities that connect to the area circulation system and would not conflict with existing or planned bicycle facilities, nor would it create a hazardous condition for bicyclists by changing off-site geometric features or introducing incompatible vehicle types to the roadway system. Therefore, impacts to bicycle facilities would be less than significant.

Transit Service. County Connection Transit is the one public transit operator providing service within or adjacent to the project study area. The County Connection currently operates a total of 31 fixed route bus routes on weekdays throughout Central Contra Costa County. Three routes run along Ygnacio Valley Road: Route 1 (weekdays), Route 92X (weekdays), and Route 93X Walnut Creek B (weekdays). Both Route 1 and Route 93X provide access to the Walnut Creek Bay Area Rapid Transit (BART) station. Route 1 has a frequency of 60 minutes and runs from 6:00 a.m. to 8:00 p.m. on weekdays. Route 92X runs a limited route with one trip between 5:30 a.m. and 7:30 a.m. and three trips between 3:30 p.m. and 7:45 p.m. on weekdays. Route 93X runs six trips between 4:30 a.m. and 8:00 a.m. and seven trips between 3:00 p.m. and 8:00 p.m. on weekdays. Currently, the bus stop nearest the proposed project is located on Ygnacio Valley Road near the Chase Bank, a little over

0.25 mile walking distance from the project site, near Delaware Drive. Both stops are a little over a 0.50-mile walking distance from the project site.

While the proposed project could generate new demand for the public transit services and facilities that serve the area, transit system and transit vehicle capacities are not expected to be exceeded; and the proposed project is not in conflict with existing or planned public transit facilities. Therefore, impacts to public transit would be less than significant.

For the reasons outlined above, impacts to roadways and bicycle, pedestrian, and transit facilities would be less than significant.

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

State CEQA Guidelines Section 15064.3, subdivision (b) seeks to evaluate a project's potential impact related to its vehicle miles traveled (VMT). In October 2020, the City of Walnut Creek adopted VMT-based analysis methods, which include VMT metrics, thresholds, and screening criteria for evaluating a project's VMT impact. Based on the City thresholds and screening criteria, a project can be screened out for a formal VMT analysis if certain criteria are met that would signify that a project would be presumed to result in a less than significant impact with respect to VMT. A project's impact on VMT is considered less than significant and should not require further VMT analysis if the project meets at least one of the following criteria:[89]

- Projects that:
    - Generate or attract fewer than 110 daily vehicle trips, or
    - Projects of 10,000 square feet or less of non-residential space or 20 residential units or less, or otherwise generating less than 836 VMT per day.
- Residential, retail, office projects, or mixed-use projects proposed within 0.50 mile of an existing major transit stop[90] or an existing stop along a high-quality transit corridor.[91]
- Residential projects (home-based VMT) at 15 percent or below baseline County-wide home-based average VMT per capita, or employment projects (employee VMT) at 15 percent or below the baseline Bay Area average commute VMT per employee in areas with low VMT that incorporate similar VMT reducing features (i.e., density, mix of uses, transit accessibility).

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89 The screening criteria is based on the City of Walnut Creek's thresholds adopted October 6, 2020.

90 Public Resources Code, Section 21064.3 ("'Major transit stop' means a site containing an existing rail transit station, a ferry terminal served by either a bus or rail transit service, or the intersection of two or more major bus routes with a frequency of service interval of 15 minutes or less during the morning and afternoon peak commute periods.").

91 Public Resources Code, Section 21155 ("For purposes of this section, a high-quality transit corridor means a corridor with fixed route bus service with service intervals no longer than 15 minutes during peak commute hours.").

- Public facilities (e.g., emergency vehicles, passive parks [low-intensity recreation, open space], libraries, community centers, public utilities) and government buildings.

The trip generation estimates were used to determine whether the proposed project would generate fewer than 110 daily vehicle trips to meet the VMT screening criteria. Existing and proposed trip generation estimates were compared to determine whether the proposed project would add net new vehicle trips. As presented in Table 4.17.A, the proposed project is not expected to generate more than 110 daily trips and therefore meets the VMT screening criteria related to trip generation.

The trip generation estimates were further evaluated and compared against the 836 VMT per day criteria to determine the average trip length for the special event rentals. As described in the CEQA Transportation Analysis (Appendix I), Walnut Creek residents represent about two-thirds of registrants and almost all of Walnut Creek (except for the southern reaches of the Rossmoor neighborhood that are served by the Rossmoor Event Center and recreational clubhouses/pool) is within a 4-mile radius of Heather Farm Park. Therefore, the maximum reasonable trip length for Walnut Creek residents to access the project site is approximately 4 miles. With 38 of the net new class-related trips at this 4-mile trip length, implementation of the proposed project would result in 152 VMT per day for class-related trips and 680 VMT per day for the remaining trips related to special events.

This results in the average trip length for the remaining 52 net-new special event trips of approximately 13 miles in order to meet the 836 VMT per day threshold. The 13-mile radius from Heather Farm Park covers the vast majority of central Contra Costa County and into eastern Oakland, Berkeley, and Piedmont, and includes Oakland International Airport. Because there are numerous other special event spaces within this area, this 13-mile trip length assumption is reasonable. Therefore, the proposed project would also likely fall under the 836 VMT per day screening threshold.

In addition, the proposed project qualifies as a public facility, and so would meet the City's VMT screening criteria based on this type of community-serving facility.

The proposed project would satisfy three of the City-established screening criteria and, therefore, is presumed to result in a less than significant impact related to VMT.

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)***

The project site is accessed via a driveway along North San Carlos Drive that currently provides access to the drop-off area for the existing Heather Farm Community Center. This driveway would be retained and four new driveways, two to the north and two to the south of the existing driveway, would be constructed to provide additional vehicular access. The northernmost driveway would be constructed within an existing parking lot and the driveway just north of the existing driveway would be the entrance to a fire apparatus road. The driveway just south of the existing driveway would be a service vehicle entrance to the pool deck and the southernmost driveway would provide

entrance to a combined fire apparatus and service vehicle road to provide access to the park storage building and a trash enclosure. The existing drop off area would also be reconfigured to accommodate the new entry courtyard. New access driveways would be constructed consistent with City design standards with signing and striping consistent with the *California Manual on Uniform Traffic Control Devices* (MUTCD).[92]

The posted speed limit along North San Carlos Drive is 25 miles per hour. According to Table 201.1 of the California Department of Transportation (Caltrans) *Highway Design Manual* (HDM), the stopping sight distance at 25 miles per hour is 150 feet. The observed sight distance along North San Carlos Drive appears to be over 250 feet, indicating that the sight distance is adequate. Consistent with City requirements, the final site improvement plan would be reviewed for potential sight distance impediments including any new signs, above ground utility boxes, or landscaping proposed in the sight triangle.

Therefore, the project would not create a hazard due to a geometric design feature or dangerous intersection. Travel modes to the proposed project, including pedestrian, bicycle, and automobile are compatible with the surrounding neighborhood and infrastructure. Therefore, the proposed project would result in a less than significant impact related to hazards associated with a design feature or incompatible uses.

d. Would the project result in inadequate emergency access? ***(Less Than Significant Impact)***

Factors such as the number of access points, roadway width, and proximity to fire stations determine whether a site provides sufficient emergency access. In addition to the existing driveway that would be retained, four new driveways, two to the north and two to the south of the existing driveway, would be constructed to provide additional vehicular access. Consistent with City requirements, the Contra Costa County Fire Protection District (CCCFPD) would review the proposed site plan and would provide input on final design in relation to emergency access prior to issuance of a building permit.

The fire stations most likely to serve the site are the Contra Costa Fire Department Station Nos. 1, 7, and 10, all of which are within 1.5 miles of the project site. While the proposed project may increase traffic congestion in the vicinity of the project site, emergency vehicles would still retain the right to preempt traffic signals and use lights and sirens to indicate to drivers that they need to yield. Thus, the project's impacts to emergency vehicle access would be less than significant.

[92] California State Transportation Agency and Department of Transportation. 2023. *California Manual on Uniform Traffic Control Devices*, 2014 Revision 7. March.

4.18 TRIBAL CULTURAL RESOURCES

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a. 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:				
i. 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)? Or	☐	☒	☐	☐
ii. 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? In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	☐	☒	☐	☐

a. 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:

i. 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)? Or ***(Less Than Significant with Mitigation Incorporated)***

Enacted in 2014 and codified in part in Public Resources Code (PRC) Section 21080.3.1, Assembly Bill (AB) 52 (Gatto) amended CEQA to require tribal cultural resources to be considered as potentially significant cultural resources under the CEQA environmental review process. The procedures under AB 52 offer tribes an opportunity to take an active role in the CEQA process in order to protect tribal cultural resources. Pursuant to AB 52, if a Native American identifies tribal cultural resources within a project site, the Native American shall contact the local lead agency.

On February 12, 2024, the City of Walnut Creek sent AB 52 outreach letters to the tribes listed in the contact list provided by the Native American Heritage Commission (NAHC) on July 27, 2023. The letters, which were sent via certified mail to the tribal contacts, described the project, provided maps of the project site, and invited the tribes to request consultation should they have any concerns.

On February 16, 2024, a representative from the Confederated Villages of Lisjan Nation contacted City of Walnut Creek staff requesting the results of the Sacred Lands File (SLF) search from the NAHC and any additional archaeological reports. On February 21, 2024, the City responded with the SLF search results.

On February 21, 2024, a tribal representative from the Wilton Rancheria responded via email requesting consultation under AB 52. The tribal representative and City staff met virtually on March 21, 2024, to discuss the potential for cultural resources on the site and resource protection mitigation measures that were suggested by the tribe to be implemented prior to and during ground disturbance related to the proposed project. The City agreed to the tribal representative's recommendations.

As discussed in Section 4.5, Cultural Resources, the built environment resources documented within and adjacent to the project area have been evaluated for significance as a historical resource and were found to be not eligible, either individually or as a group, for inclusion on the California Register of Historical Resources (CRHR). Therefore, no known significant archaeological or tribal cultural resources are located within the project site that are listed or eligible for listing in the CRHR or in a local register of historical resources as defined in PRC Section 5020.1(k).

As described above, the City received an email response to the request for consultation from the tribal representative from the Wilton Rancheria on February 21, 2024. As part of the consultation, tribal representatives did not provide substantial evidence of any tribal cultural resources occurring on the project site. However, the results of a records search and the information provided by the tribal representative indicates a significant Native American presence in the vicinity of the project site. Additionally, based on the age and type of landforms in the project area, as well as the proximity of Nature Lake and the former tributary stream, the project site has potential for containing buried pre-contact archaeological resources. Therefore, there is a possibility that the proposed project could impact as-yet-unrecorded subsurface resources on the project site that could be eligible for listing in the CRHR or in a local register of historical resources as defined in PRC Section 5020.1(k).

Implementation of Mitigation Measures TCR-1 and TCR-2 would satisfy the agreement between the City and tribal representatives under AB 52 and reduce potential impacts from the proposed project to a less than significant level.

Mitigation Measure TCR-1 **Cultural Resources and Tribal Cultural Resources Sensitivity WEAP Training.** Prior to commencement of any ground-disturbing activity, all personnel involved in project-related ground-disturbing activities (e.g., on-site construction managers, backhoe operators) shall be required to participate in a cultural resources and tribal cultural resources sensitivity and awareness training program (Worker Environmental Awareness Program [WEAP]). The WEAP shall be developed by an archaeologist that meets the Secretary of the Interior's Professional Qualifications Standards in archaeology, in consultation with input from the tribes.

The WEAP training shall be conducted before any project-related ground-disturbing activities (including building foundation removal) begin at the project site. The WEAP will include relevant information regarding sensitive cultural resources and tribal cultural resources, including applicable regulations, protocols for avoidance, and consequences of violating State laws and regulations. The WEAP will also describe appropriate avoidance and impact minimization measures for cultural resources and tribal cultural resources that could be located at the project site and will outline what to do and whom to contact if any potential cultural resources or tribal cultural resources are encountered. The WEAP will emphasize the requirement for confidentiality and culturally appropriate treatment of any discovery of significance to Native Americans and will discuss appropriate behaviors and responsive actions, consistent with Native American tribal values.

The WEAP training shall be presented by an archaeologist and a representative from the Tribe. The City of Walnut Creek shall maintain a record of all construction personnel that have received the WEAP training. WEAP training recipient records shall be maintained by the applicant throughout the duration of construction.

Mitigation Measure TCR-2

Tribal Cultural Resources Monitoring. Prior to commencing ground-disturbing activities, the City of Walnut Creek shall contact the tribes and request that they submit the name of the designated tribal monitor. The designated tribal monitor shall be permitted to be on site during all ground-disturbing activities. In the event that tribal cultural resources or Native American archaeological deposits are identified during monitoring, the Construction Contractor shall implement the following measures:

- If potential Tribal Cultural Resources (TCRs), archaeological artifacts, other cultural resources, or articulated or disarticulated human remains are discovered during construction activities, all work shall cease within 100 feet of the find (based on the apparent distribution of the resources). Examples of potential cultural materials include but are not limited to midden soils, artifacts, chipped or worked stone, baked clay, shell, or bone.

- A Native American Representative shall assess the significance of the find and make recommendations for further evaluation and treatment if necessary. Culturally appropriate treatment that preserves or restores the cultural qualities and integrity of a TCR may be, but is not limited to, processing materials for

reburial, minimizing handling of cultural objects, leaving objects in place within the landscape, construction monitoring of any further activities by a tribal representative, and/or returning the objects to a location within the project area where they will not be subject to future impacts. Curation of TCRs is not considered to be appropriate or respectful and materials shall not be permanently curated unless specifically requested by the Tribe.

- If any human remains are discovered during construction activities, the County Coroner and the Native American Heritage Commission (NAHC) shall be contacted immediately. Upon determination by the County Coroner that the remains are Native American in origin, the NAHC will assign the Most Likely Descendant(s) (MLD) who will work with the project applicant to define proper treatment and disposition.

- After review of the find and consultation with the MLD, the authority to proceed may be accompanied by the addition of development requirements that provide for protection and preservation of the site and/or additional measures necessary to address the sensitive and unique nature of the site. All treatment recommendations made by the Tribe and other cultural resources specialists will be documented in the confidential portion of the project record. Work in the area(s) of the cultural resource find may only proceed after authorization from the lead agency in coordination with the Tribe.

In the event that previously unidentified archaeological resources are discovered by the tribal monitor, implementation of Mitigation Measure TCR-2, Mitigation Measure CUL-1, as detailed in Section 4.5, Cultural Resources, and compliance with Section 7050.5 of the California Health and Safety Code and PRC Section 5097.98 would reduce the potential construction-period discovery of previously unidentified subsurface deposits and human remains that may be of tribal origin to a less than significant level. With implementation of Mitigation Measures CUL-1, TRC-1, and TCR-2, impacts to tribal cultural resources would be less than significant with mitigation incorporated.

ii. 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? In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe. ***(Less Than Significant with Mitigation Incorporated)***

Please refer to Section 4.18.i. The results of a records search indicated a significant Native American presence in the vicinity of the project site. Additionally, based on the age and type of landforms in the project area, as well as the proximity of Nature Lake and former tributary stream, the project site has potential for containing buried pre-contact archaeological resources. Therefore, there is a possibility that the proposed project could impact as-yet-unrecorded subsurface resources on the

project site that could be significant pursuant to criteria set forth in subdivision (c) of PRC Section 5024.1. In the event that previously unidentified archaeological resources are discovered by the tribal monitor, implementation of Mitigation Measure TCR-2, Mitigation Measure CUL-1, as detailed in Section 4.5, Cultural Resources, and compliance with Section 7050.5 of the California Health and Safety Code and PRC Section 5097.98 would reduce the potential construction-period discovery of previously unidentified subsurface deposits and human remains that may be of tribal origin to a less than significant level. With implementation of Mitigation Measures CUL-1, TRC-1, and TCR-2, impacts to tribal cultural resources would be less than significant with mitigation incorporated.

4.19 UTILITIES AND SERVICE SYSTEMS

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a. Require or result in the relocation or construction of new or expanded water, wastewater treatment or stormwater drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	☐	☐	☒	☐
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?	☐	☐	☒	☐

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

A variety of local and regional purveyors in this area provide and maintain utility and service system facilities associated with electricity, water, stormwater, wastewater, solid waste, and communications. These existing services and potential impacts to these services are discussed below.

Wastewater. Central Contra Costa Sanitation District (Central San) provides wastewater collection and treatment for properties within the City of Walnut Creek and the surrounding area. Central San is an independent special district that collects and treats wastewater from much of central Contra Costa County. Central San's wastewater collection system within the City of Walnut Creek consists of gravity sewer lines and pump stations. The wastewater treatment plant is located 6 miles north in the City of Martinez.

The proposed project includes the reuse of the existing 6-inch wastewater lateral line that currently services the existing Heather Farm Community Center as well as the installation of a new 6-inch-diameter wastewater line to serve the proposed pools and pool outbuildings. The new line would connect to the existing 24-inch-diameter main line within North San Carlos Drive. The new sanitary sewer line would be constructed in conformance with City standards, and its construction would not cause significant environmental effects.

Water. Water is supplied to the City of Walnut Creek by two separate water districts. The East Bay Municipal Utilities District (EBMUD) serves about two-thirds of the City, primarily the western, central, and southern portions. The Contra Costa Water District (CCWD) serves approximately one third of the city, primarily the northern and eastern portions, including the project site.

The CCWD updated its Urban Water Management Plan (UWMP) in 2020, and it was adopted in 2021. According to the UWMP, the average daily water demand within the entire CCWD service area is projected to be 147,400 acre-feet per year (AFY) in 2025, 165,000 AFY in 2035, and 175,900 AFY in 2045.[93] In addition, the UWMP indicated that the CCWD does not anticipate any supply deficits in normal years or single-dry years throughout the planning horizon. However, there may be supply shortfalls in future years of up to 15 percent of demand in the later years of multiple dry year conditions.[94]

As discussed in Section 4.19.b, below, the proposed project would not substantially increase demand for water and would therefore not exceed the capacity of existing water treatment facilities. The proposed project would not require the construction of new water treatment facilities or the expansion of existing facilities other than those already planned. The proposed project would include the installation of new water lines connecting to the existing 8-inch-diameter water service line that currently traverses the site from north to south. The proposed project would connect directly to existing mains, which have sufficient capacity to accommodate the proposed project. Therefore, the impact of the proposed project on water infrastructure would be less than significant.

Stormwater. The proposed project would be designed in compliance with the Contra Costa County C.3 Stormwater MRP guidelines for stormwater treatment. All surface stormwater produced by the project site's hardscape and roof areas would be directed to proposed stormwater treatment areas, (e.g., bioswales and flow-through planters). The proposed project would include approximately 6,700 square feet of stormwater treatment area. Stormwater treated by and overflowing from these treatment areas would discharge into the existing stormwater system.

As discussed in Section 4.10, Hydrology and Water Quality, implementation of appropriate source control and site design measures and stormwater treatment measures in compliance with the MRP and City Municipal Code would ensure that post-project runoff does not exceed estimated pre-project rates and durations. Therefore, the proposed project would not require the construction of any new or expanded stormwater infrastructure beyond that which was already analyzed as part of the proposed project, and this impact would be less than significant.

Electricity. The project site is currently served by electrical, and telecommunications infrastructure. The proposed project would connect directly to existing infrastructure and therefore would not require any new or expanded facilities.

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93 Contra Costa Water District (CCWD). 2021. 2020 *Urban Water Management Plan*, Table 1-3: Current and Projected Water Demand (AFY). June.

94 Contra Costa Water District (CCWD). 2021. 2020 *Urban Water Management Plan.* June.

Because the proposed project would connect to existing utility services within or adjacent to the project site, the relocation or reconstruction of new or expanded water, wastewater system, stormwater drainage, electric power, or telecommunications facilities would not be required, and this impact would be less than significant

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)***

According to the comparison of available supply with projected demands from the 2020 UWMP for the CCWD, the CCWD does not anticipate any supply deficits in normal years through the year 2045.[95] In future years, multiple-year drought conditions could cause supply shortfalls; however, any potential supply shortfall experiences during a drought would be met through a short-term conservation program or short-term water purchases. Because the proposed project is consistent with the current land use and zoning designations for the site, development of the project would be considered consistent with the growth assumptions utilized to estimate the CCWD's projected water demands. Thus, the project's associated increase in water demand would have been accounted for in the CCWD UWMP.

According to the UWMP, the average daily water demand within the entire CCWD service area is projected to be 147,400 AFY in 2025, 165,000 AFY in 2035, and 175,900 AFY in 2045.[96] According to the California Emissions Estimator Model (CalEEMod) results, provided in Appendix A, operation of the proposed project is anticipated to demand approximately 2,294,832 gallons of water per year (gpy). Of that annual demand, approximately 1,596,865 gpy would be associated with indoor water use and approximately 697,967gpy would be associated with outdoor water use. This represents a negligible portion (less than 0.01 percent) of the average daily water demand within the entire CCWD service area for years 2025, 2035, and 2045.

In addition, the project design would be required to adhere to California Building Code (CBC) standards for water conservation (e.g., low-flow plumbing fixtures) as well as the City's water-conservation guidelines for landscaping as set forth in Section 10-2.3.11 of the Walnut Creek Municipal Code. With compliance with the CBC and consistency with the Walnut Creek Municipal Code, the proposed project would have a less than significant impact on water supply in normal, dry, and multiple dry years.

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 sewage collection system in the Central San comprises approximately 1,500 miles of wastewater sewer mains and 18 pumping stations throughout the service area that pipes wastewater to the Central San Treatment Plant located at 5019 Imhoff Place in Martinez, California, approximately 5.5

[95] Contra Costa Water District (CCWD). 2021. 2020 *Urban Water Management Plan.* June.
[96] Contra Costa Water District (CCWD). 2021. 2020 *Urban Water Management Plan*, Table 1-3: Current and Projected Water Demand (AFY). June.

miles north of the project site. The treatment plant treats an average of 34 million gallons per day (MGD) of wastewater and has a permitted physical capacity of 54 MGD.[97] As such, approximately 63 percent of the allowable capacity is treated on a daily basis.

The proposed project would generate additional wastewater flows into the regional wastewater treatment plant operated by Central San. However, the proposed project is consistent with the land use and zoning designations for the site. As such, the project is consistent with what is anticipated for buildout under the City's General Plan and would have been included in the capacity project's calculations for the wastewater treatment plant. The proposed project would result in typical wastewater discharges that would not require new methods or equipment for treatment that are not currently permitted for the Central San Treatment Plant, which would serve the proposed project. Based on the CalEEMod results, the proposed project is estimated to produce approximately 1,437,178 gallons of wastewater per year (3,937 gallons per day [gpd]).[98] This represents a negligible portion (less than 0.01 percent) of the Central San Treatment Plant's permitted physical capacity of 54 MGD. In addition, considering that approximately 63 percent of the allowable capacity of the treatment plant is treated on a daily basis, the treatment plant would have sufficient capacity to serve the proposed project. The increase of wastewater as a result of the proposed project would not be considered an adverse impact to the plant's current capacity because of the relatively small increase in demand and the remaining available capacity of the wastewater treatment plant. As such, wastewater generated from the proposed project would not cause the Central San Treatment Plant to violate any wastewater treatment requirements, and this impact would be less than significant.

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 generated at the project site would be collected by the Central Contra Costa Solid Waste Authority (CCSWA) and transferred to the Keller Canyon Landfill. located at 901 Bailey Road in Pittsburg, Contra Costa County, which is approximately 8.2 miles northeast of the project site. The landfill has a maximum permitted capacity of 75,018,280 cubic yards and a remaining capacity of 63,408,410 cubic yards as of November 2004. The landfill accepts a maximum of 3,500 tons per day and has an expected closure date of December 2050.[99]

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97 Central Contra Costa County Sanitary District (Central San). n.d. Website: https://www.centralsan.org/about (accessed January 23, 2023).

98 In the absence of an official wastewater generation rate, wastewater can be reasonably assumed to be 90 percent of water use.
1,596,865 of gallons peaking factor (pf) indoor water use per year * 0.9 = 1,437,178.5
1,048,098.6 gpy = 3,937.5 gpd

99 California Department of Resources Recycling and Recovery (CalRecycle). n.d. Solid Waste Information System (SWIS), Keller Canyon Landfill (07-AA-0032). Website: https://www2.calrecycle.ca.gov/SolidWaste/SiteActivity/Details/4407?siteID=228 (accessed January 23, 2023).

On average, public/institutional uses generate 0.007 pounds per square foot of garbage per day.[100] Therefore, because the proposed project would result in the addition of 11,000 square feet of building space, the proposed project would result in the generation of 77 pounds of solid waste per day, or 0.039 tons. As noted above, the Keller Canyon Landfill has adequate capacity to serve the proposed project. As such, the project would be served by a landfill with sufficient capacity to accommodate the project's waste disposal needs, and impacts associated with the disposition of solid waste would be less than significant.

e. Would the project comply with federal, state, and local management and reduction statutes and regulations related to solid waste?

The proposed project would comply with all federal, State, and local solid waste statutes and/or regulations related to solid waste. Also refer to Section 4.19.d. Therefore, the proposed project would have a less than significant impact related to solid waste regulations.

[100] California Department of Resources Recycling and Recovery (CalRecycle). 2019. Estimated Solid Waste Generation Rates. Website: www2.calrecycle.ca.gov/wastecharacterization/general/rates (accessed February 6, 2024).

4.20 WILDFIRE

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:				
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?	☐	☐	☒	☐

a. Would the project substantially impair an adopted emergency response plan or emergency evacuation plan? ***(Less Than Significant Impact)***

As previously discussed in Section 4.9, Hazards and Hazardous Materials, Section 4.9.f, the proposed project would design, construct, and maintain structures, roadways, and facilities in accordance with applicable standards associated with vehicular access, resulting in the provision of adequate vehicular access that would provide for adequate emergency access and evacuation. The proposed project would not alter or block adjacent roadways, and implementation of the proposed project would not be expected to impair the function of nearby emergency evacuation routes. Primary access to the project site is via a driveway along North San Carlos Drive that currently provides access to the drop-off area for the existing Heather Farm Community Center. This driveway would be retained and three new driveways, one to the north and two to the south of the existing driveway, would be constructed to provide additional vehicular access. In the event of an emergency on the site, visitors could exit the site via Ygnacio Valley Road via North San Carlos Drive and subsequently access Interstate 680 (I-680).

In addition, operation of the proposed project would not cause permanent alterations to vehicle circulation routes and patterns nor impede public access or travel upon public rights-of-way. Prior to approval of final maps and improvement plans for any development project within the City of Walnut Creek, plan review and approval by the Contra Costa County Fire Protection District (CCCFPD) is required. Internal roadways and ingress/egress for the project site would be required to meet State and local standards regarding turning radius, road width, and emergency vehicle access. Therefore, potential impacts to an adopted emergency response plan or emergency evacuation plan would be less than significant.

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

The proposed project would not include any design features that would increase the potential for a wildfire. The proposed project would not exacerbate wildfire risks and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire.

As described in Section 4.9.g, the project site is located in a Local Responsibility Area (LRA), but not located within a Very High Fire Hazard Severity Zone (VHFHSZ).[101] The topography of the project site consists of nearly all level ground at approximately 131 feet above sea level. The prevailing wind is primarily from the northwest with nocturnal winds and land breezes during colder months of the year. Winds may push wildfire smoke into the area of the proposed project; however, these conditions would be temporary and, if conditions warranted, the local air quality control district would warn residents of potential impacts due to wildfire smoke.

Although the project site is not designated as a VHFHSZ, the City's General Plan indicates that the project site is located within a Very High Wildland/Urban Interface Fire Threat Area.[102] Although the project site is located in an urban area, it is located within the existing Heather Farm Park and is surrounded by vegetated park areas that could become flammable during the dry months (summer and fall).

Construction of the proposed project would involve the use of some flammable materials (e.g., gasoline, diesel fuel, hydraulic oils, paints, and solvents) or other wastes. During construction, there would be increased human activity and ignition sources, including equipment that could create sparks, be a source of heat, or leak flammable materials on the project site. However, all construction equipment is required to have fire suppression equipment (e.g., a fire extinguisher) on board or at the work site, secondary containment would be required for fuel-powered equipment, and a spill kit would be required to be kept on site during construction for use in case of any leaks or spills of flammable materials. These existing requirements would reduce the potential exacerbation of wildfire risks related to construction activities.

Operation of the proposed project would be consistent with the existing use and allowable zoning for the project site. The proposed project is required to be designed in compliance with all applicable State and local standards and recommendations for new development (e.g., the CCCFPD's requirements for providing a water supply system for fire protection and adequate emergency and fire access). The project would be required to comply with the California Fire Code applicable at the time of building permit application. The current California Fire Code calls for the installation, maintenance, and ongoing inspection of fire protection systems under the direction of the local Fire Chief. In addition, the California Fire Code authorizes the Fire Chief to specify water supply and road design standards. Prior to approval of final maps and improvement plans for any development project within the City of Walnut Creek, plan review and approval by the CCCFPD is required.

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101 California Department of Forestry and Fire Protection (CAL FIRE). n.d. Fire Hazard Severity Zone Viewer. Website: https://egis.fire.ca.gov/FHSZ/ (accessed February 5, 2024).

102 City of Walnut Creek. 2006. Walnut Creek General Plan 2025. April 4.

The proposed project would also be subject to requirements in Section 13000 et seq. of the California Health and Safety Code, the California Building Code (CBC), and California Fire Code, which include regulations concerning the following: building standards for fire protection; fire protection and notification systems (e.g., extinguishers and smoke alarms); safety for firefighters and emergency responders during emergency operations; minimum standards for hazardous vegetation and fuel management, defensible space, and building construction; and minimum standards for emergency access and water supply for fire response.

Compliance with these existing regulatory requirements would ensure that the proposed project would not exacerbate wildfire risks and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire. Impacts would be less than significant.

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

The proposed project involves the demolition of the existing Heather Farm Community Center and construction of a new, slightly larger Aquatic/Community Center and associated improvements, including new access driveways off North San Carlos Drive and utility connections. Following construction of the new Aquatic/Community Center, the existing Clarke Memorial Swim Center would also be demolished. Utility connections/lines would be constructed in conformance with City standards as detailed in Section 4.19, Utilities and Service Systems. The project is located in an urbanized area that is served by existing water and roadway infrastructure and does not require the installation or maintenance of wildland protection features (e.g., fire roads, fuel breaks, or emergency water sources). In the absence of any need for such features, no impact (temporary or ongoing) would result from development of the proposed uses.

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

Construction of the proposed project would be required to obtain coverage under the National Pollutant Discharge Elimination System (NPDES) General Construction stormwater permit. As discussed in Section 4.10, Hydrology and Water Quality, the proposed project would implement a Storm Water Pollution Prevention Plan (SWPPP) that specifies Best Management Practices (BMPs) and erosion control measures to be used during construction to manage runoff flows. Additionally, the proposed project would be required to implement Low Impact Development (LID) techniques as required by the Municipal Regional Stormwater NPDES Permit (MRP) and as detailed in Section 4.10, would not significantly alter drainage patterns compared to existing conditions. Furthermore, the project site is not located within a flood zone or within an area identified as having potential for landslides. Therefore, the proposed project would not have the potential to expose people or structures to downslope or downstream flooding or landslides. This impact would be less than significant.

4.21 MANDATORY FINDINGS OF SIGNIFICANCE

	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?	☐	☐	☐	☒

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? ***(Less Than Significant with Mitigation Incorporated)***

Implementation of the mitigation measures recommended in this IS/MND would ensure that the construction and operation of the proposed project would not substantially degrade the quality of the environment; reduce the habitat, population, or range of a plant or animal species; or eliminate important examples of California history or prehistory.

As discussed in Section 4.4, Biological Resources, no special-status species or their sign (e.g., raptor stick nests, or bat guano) were observed on the project site during field surveys. However, because of the sensitivity of some of the special-status wildlife species known to occur in the area, and/or the potential presence of some of the species on or immediately adjacent to the project site, potential impacts to several special-status species including southwestern pond turtle, Monarch butterfly, San Francisco dusk-footed woodrat and white-tailed kite were evaluated. Implementation of Mitigation Measures BIO-1 through BIO-5, would reduce potential impacts to these special-status species to a less than significant level. As discussed in Section 4.4, the proposed project would result in the fill of approximately 0.4 acre of the Concrete Pond, which is considered by the United States Army Corps of Engineers (USACE) to be waters of the United States and by the Regional Water Quality Control Board (RWQCB) to be waters of the State. Implementation of Mitigation Measure BIO-7, which requires compensatory mitigation at a ratio of 1:1 through expansion of the existing Nature Lake at its southern end would reduce impacts to wetlands to less than significant. Expansion

of the Nature Lake would result in impacts to riparian habitat around the edge of the Nature Lake. Implementation of Mitigation Measure BIO-6, which requires salvage and replanting of cattail and tule, removal of non-native vegetation and replacement of riparian vegetation at a 1:1 ratio would reduce potential impacts to riparian habitat to less than significant. Implementation of Mitigation Measure BIO-8, which requires compliance with the City's Tree Protection Ordinance, as well as additional project-specific measures (e.g., 1:1 tree replacement ratio, temporary irrigation and monitoring, and construction policies and guidelines for tree preservation and protection), would reduce potential impacts to trees to less than significant.

As discussed in Section 4.5, Cultural Resources, the built environment resources documented within and adjacent to the project area have been evaluated for significance as a historical resource and were found to be not eligible, either individually or as a group, for inclusion on the California Register of Historical Resources. Therefore, these resources do not qualify as a historical resource for the purposes of CEQA as defined in Public Resources Code (PRC) Section 21084.1, as defined in PRC Section 5020.1(k), or deemed significant pursuant to criteria set forth in PRC Section 5024.1(g). However, the results of the records search indicate a significant Native American presence in the vicinity of the project site. Additionally, based on the age and type of landforms in the project area, as well as the proximity of the Nature Lake and former tributary stream, the project site has potential for containing buried pre-contact archaeological resources. Therefore, despite the disturbance by development activities associated with development of Heather Farm Park, there is a possibility that the proposed project could impact as-yet-unrecorded subsurface deposits on the project site. However, implementation of Mitigation Measure CUL-1, which requires monitoring during ground disturbance and details processes to follow should an archaeological deposit be encountered during project subsurface construction activities, would reduce impacts to known, unknown, or potential cultural resources that may be located within the project site to less than significant levels. Furthermore, as discussed in Section 4.18, Tribal Cultural Resources, during tribal consultation, the tribal representative requested that worker awareness training be conducted for all construction personnel on site during ground disturbance and that all ground-disturbing activities be monitored by a cultural resource specialist from the tribe. As such, Mitigation Measures TCR-1 and TCR-2 are prescribed to reduce impacts to previously unknown tribal cultural resources that may be located within the project site to less than significant levels. Additionally, the project applicant is required to comply with California Code of Regulations (CCR) Section 15064.5(e), California Health and Safety Code Section 7050.5, and PRC Section 5097.98 as a matter of policy in the event human remains are encountered at any time. Adherence to Mitigation Measures CUL-1, TCR-1, and TCR-2, as well as regulations governing human remains, would reduce potential impacts to cultural resources to less than significant.

In addition, although no paleontological resources or unique geological features are known to exist within or near the project site, the proposed project would require ground disturbance below ground surface. Therefore, the possibility of accidental discovery of paleontological resources during project construction cannot be discounted. Implementation of Mitigation Measure GEO-1, which details processes to follow should paleontological resources be encountered during project subsurface construction activities, would reduce potential impacts to paleontological resources to a less than significant level.

As such, implementation of the proposed project would not 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. Impacts would be less than significant with mitigation incorporated.

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 with Mitigation Incorporated)***

The *State CEQA Guidelines* require a discussion of significant environmental impacts that would result from project-related actions in combination with "closely related past, present, and probably future projects: located in the immediate vicinity" (*State CEQA Guidelines* Section 15130[b][1][A]). Cumulative environmental impacts are those impacts that by themselves are not significant, but when considered with impacts occurring from other projects in the vicinity would result in a cumulative impact. Related projects considered to have the potential of creating cumulative impacts in association with the proposed project consist of projects that are reasonably foreseeable and that would be constructed or operated during the life of the proposed project. The proposed project is located in the vicinity of the Heather Farm Park Sports Fields Renovation Project that would take place across North San Carlos Drive from the proposed project. A CEQA Categorical Exemption has been prepared for this specific project and identified no project-level or cumulative impacts associated with implementation of the Sports Fields Renovation Project.

As described in this IS/MND, the potentially significant impacts that can be reduced to a less than significant level with implementation of recommended mitigation measures include the topics of air quality, biological resources, cultural resources, geology and soils, noise, and tribal cultural resources. These impacts would primarily be related to construction-period activities, would be temporary in nature, and would not substantially contribute to any potential cumulative impacts associated with these topics. For the topic of air quality, potentially significant impacts to air quality standards associated with project construction would be reduced to less than significant levels with implementation of Mitigation Measure AIR-1. For the topic of biological resources, implementation of Mitigation Measures BIO-1 through BIO-5 would ensure that impacts to special-status species are reduced to a less than significant level, implementation of Mitigation Measure BIO-6 would ensure that impacts related to riparian habitat are reduced to a less than significant level and implementation of Mitigation Measure BIO-7 would ensure that impacts related to tree removal would be reduced to a less than significant level. For the topic of cultural resources, potentially significant impacts to archaeological and cultural resources would be reduced to less than significant levels with implementation of Mitigation Measure CUL-1. For the topic of geology and soils, implementation of Mitigation Measure GEO-1 would ensure that impacts related to paleontological resources are reduced to less than significant levels. For the topic of tribal cultural resources, Mitigation Measures TCR-1 and TCR-2 are prescribed to reduce impacts to previously unknown tribal cultural resources that may be located within the project site to less than significant levels.

For the topics of aesthetics, agricultural and forestry resources, energy, hydrology and water quality, land use and planning, mineral resources, noise, population and housing, public services, recreation, utilities and service systems, and wildfire, the project would have no impacts or less than significant impacts and, therefore, would not substantially contribute to any potential cumulative impacts for these topics. All environmental impacts that could occur as a result of the proposed project would be reduced to a less than significant level through the implementation of the mitigation measures recommended in this document.

Implementation of these measures would ensure that the impacts of the project would be below established thresholds of significance and that these impacts would not combine with the impacts of other cumulative projects to result in a cumulatively considerable impact on the environment as a result of project development. Therefore, this impact would be less than significant with mitigation incorporated.

c. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly? ***(No Impact)***

The proposed project would not result in any environmental effects that would cause substantial direct or indirect adverse effects to human beings, beyond those topics previously discussed in Sections 4.1 through 4.21 of this IS/MND.

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