CEQA ENVIRONMENTAL CHECKLIST FORM

1.	**Project Title:**	Oliveira Enterprises Compost Facility Land Use Permit County File Number – CDLP21-02042
2.	**Lead Agency Name and Address:**	Contra Costa County Department of Conservation and Development, Community Development Division 30 Muir Road Martinez, CA 94553
3.	**Contact Person and Phone Number:**	Grant Farrington, Project Planner (925) 655-2868
4.	**Project Location:**	8005 Bruns Road in the Byron area of unincorporated Contra Costa County (Assessor's Parcel Nos. 001-041-057, 001-041-058, 001-041-059, 001-041-060)
5.	**Project Sponsor's Name and Address:**	Brian Oliveira 8005 Bruns Road Byron, CA 94514
6.	**General Plan Designation:**	AL, Agricultural Lands
7.	**Zoning:**	A-4, Agricultural Preserve District

8. **Description of Project:** The applicant (project sponsor) requests approval of a Land Use Permit to allow the continuing operation and expansion of a compost facility for windrow composting with a mobile chip and grind operation on the 89-acre Oliveira Enterprises property comprised of four parcels on Bethany Lane, approximately 1,170 feet east of Bruns Road, with a mailing address of 8005 Bruns Road. The compost facility is currently operating on three parcels, including 124 Bethany Lane (Assessor's Parcel 001-041-057), 131 Bethany Lane (Assessor's Parcel 001-041-060), and 136 Bethany Lane (Assessor's Parcel 001-041-058). The compost facility includes existing and proposed windrow composting areas, curing/storage areas, cattle feeding and receiving area, mulch storage areas, offices, off-street parking, and equipment storage areas. Windrow composting currently occurs across two of the parcels south of Bethany Lane, including 124 Bethany Lane and 136 Bethany Lane. Future windrow composting is proposed on the parcel at 148 Bethany Lane (Assessor's Parcel 001-041-059), also south of Bethany Lane. A future office, covered mulch storage, and uncovered mulch storage areas are proposed on the parcel at 131 Bethany Lane that is north of Bethany Lane. The project also includes creation of two water storage ponds, including one pond at 136 Bethany Lane and a second pond at 148 Bethany Lane.

   Given the existing topography of the compost facility site that gently slopes downward from an elevation of 70 feet at the southwest corner to 50 feet along the northern property boundary, stormwater runoff

flows generally towards the north. The applicant has proposed a Storm Water Control Plan (SWCP) that provides multiple bioswales along the northern and eastern perimeter areas of the property, as well as other additional drainage improvements. The SWCP is subject to review and approval by the Contra Costa County Public Works Department. The proposed drainage plan may require the granting of an Exception to the requirements and regulations of Division 914 (Drainage) of the Contra Costa County Ordinance Code for offsite collect and convey of stormwater runoff.

The project is subject to California Code of Regulations Title 14 green material composting and chip and grind facility permit requirements; therefore, its approval is contingent upon an amendment of the Non-Disposal Facilities Element (NDFE) of the Countywide Integrated Waste Management Plan (CoWIMP) to include the compost facility. Approval of the NDFE amendment will enable Contra Costa Health, as the Local Enforcement Agency (LEA) for CalRecycle, to make the conformance finding required for the issuance of the facility's operating permit.

9. **Surrounding Land Uses and Setting:** The compost facility project site is located in a predominantly agricultural area in the Byron area of unincorporated Contra Costa County. Lots in the surrounding area are primarily agricultural in nature with some utility development in the vicinity, including the Byron Bethany Irrigation District (BBID) property at 7995 Bruns Road. The project site is under a Williamson Act Contract, Agricultural Preserve (AP) No. 13-77. The site is presently used for compositing purposes. A creek that is located within a restricted development area runs across the northwest section of the parcel at 124 Bethany Lane. A single-family residence is located on the southeasternmost portion of 136 Bethany Lane.

   The project site borders the Alameda County line to the south. A BBID water canal runs through the portion of the site south of Bethany Lane and borders the parcel north of Bethany Lane to the north and the east. The Brentwood city limit is located approximately 8.4 miles to the northwest and the Byron Airport, a general aviation airport, is located approximately 1.64 miles to the northwest.

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

    - Department of Conservation and Development, Building Inspection Division
    - Contra Costa County Public Works Department
    - Contra Costa County Fire Protection District
    - Contra Costa Health, Environmental Health Division

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

    In accordance with Section 21080.3.1 of the California Public Resources Code, a Notice of Opportunity to Request Consultation was sent on March 7, 2025 to the Confederated Villages of Lisjan and the Wilton Rancheria, the California Native American tribe that has requested notification of proposed projects within unincorporated Contra Costa County. Pursuant to Section 21080.3.1(d), there is a 30-day time

period for the Confederated Villages of Lisjan and the Wilton Rancheria to either request or decline consultation in writing for this project. To date, no response has been received from the Confederated Villages of Lisjan or the Wilton Rancheria.

Previously, the Wilton Rancheria had requested consultation in response to a Notice of Opportunity for a different project that led to a meeting between staff and a representative of the Wilton Rancheria. At that meeting, a tentative agreement was reached between staff and the Wilton Rancheria that the Native American tribe will be notified of any discovery of cultural resources or human remains on a project site. Subsequently, the Native American Heritage Commission (NAHC) requested that pursuant to State law, the NAHC shall be notified of any discovery of human remains rather than the Native American tribe. Standard Contra Costa County Department of Conservation and Development, Community Development Division (CDD) Conditions of Approval – see Conditions of Approval Cultural Resources 1 and Cultural Resources 2 in Environmental Checklist Section 5 (Cultural Resources) – provide for notice to the California Native American tribes of any discovery of cultural resources and notice to the NAHC of any discovery of human remains on the site. Any future construction activity on the project site would be subject to CDD Conditions of Approval Cultural Resources 1 and Cultural Resources 2.

Environmental Factors Potentially Affected

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages:

☐ Aesthetics	☐ Agriculture and Forestry Resources	☐ Air Quality
☐ Biological Resources	☐ Cultural Resources	☐ Energy
☐ Geology/Soils	☐ Greenhouse Gas Emissions	☐ Hazards & Hazardous Materials
☐ Hydrology/Water Quality	☐ Land Use/Planning	☐ Mineral Resources
☐ Noise	☐ Population/Housing	☐ Public Services
☐ Recreation	☐ Transportation	☐ Tribal Cultural Resources
☐ Utilities/Services Systems	☐ Wildfire	☐ Mandatory Findings of Significance

Environmental Determination

On the basis of this initial evaluation:

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

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

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

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

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

Grant Farrington
Planner III
Contra Costa County
Department of Conservation & Development

07/01/2025
Date

Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
1. *AESTHETICS* – *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 building within a state scenic highway?	☐	☐	☒	☐
c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage points.) If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	☐	☐	☒	☐
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	☐	☐	☒	☐

SUMMARY:

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

Figure COS-12 (Scenic Resources) of the Contra Costa County 2045 General Plan Conservation, Open Space, and Working Lands Element identifies the major scenic resources in the County, including scenic ridges and scenic routes, which should be considered when evaluating nearby development proposals. Views of these identified scenic resources are considered scenic vistas. The project site is located approximately 1,170 feet east of Bruns Road, which is a County-designated scenic route. The compost facility does not have any tall structures and is not readily visible from Bruns Road. Future development includes a new office and covered mulch storage; however, both are expected to be one-story structures. Therefore, the project will have a less than significant adverse impact on a scenic vista.

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

The California Department of Transportation (Caltrans) manages the State Scenic Highway program and maintains a list of eligible and officially designated State Scenic Routes on their website. There are no officially designated or eligible state scenic highways in the project in the project vicinity. Thus, the project would have no impact on scenic resources within a state scenic highway.

Figure COS-12 of the County General Plan Conservation, Open Space, and Working Lands Element identifies Bruns Road as a County designated scenic route, which is near the project

site. There are limited views of the project site from the road. There are no major rock outcroppings or historic buildings on the project site. The scope of work involves allowing the operation of an existing compost facility with proposed future development of an office, covered mulch area, uncovered mulch storage areas, future windrow composting and product storage areas, and two water storage ponds. The new office and covered mulch storage are expected to be one-story structures that would not be readily visible from Bruns Road. Thus, the project would have a less than significant adverse impact on the scenic resources in the vicinity.

c) *In non-urbanized areas, would the project substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage points.) If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?* ***(Less than Significant Impact)***

The project site is within the County General Plan's AL Agricultural Lands land use designation in a largely non-urbanized agricultural area, and is located approximately 1,170 feet east of Bruns Road. The project involves allowing the operation of an existing compost facility with future development of an office, covered mulch storage, uncovered mulch storage, a windrow composting area, and two water storage ponds. Views of the project site would remain as views of a compost facility that will not be readily visible due to its the distance from Bruns Road. The overall character of the area would remain agricultural and the project impact on the existing visual character of the site and its surroundings would be less than significant.

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

The project is the continuing operation and expansion of a compost facility for windrow composting with a mobile chip and grind operation. The composting windrows do not require any structure or light source and all agricultural activities are conducted during the daytime. There are limited and isolated truck trips prior to 6:00 am which will result in additional vehicle headlights as a source of light to and from the project site, however this is not anticipated to be substantial and occurs in an agricultural area with relatively few inhabitants. Thus, the project will have less than a significant effect on daytime or nighttime views.

Sources of Information

- Geo-Logic Associates, 2021, submitted August 31, 2023. *Oliveira Enterprises Inc. Compost Facility, Report of Composting Site Information.*
- Contra Costa County 2045 General Plan. *Conservation, Open Space, and Working Lands Element.*
- Contra Costa County 2045 General Plan. *Land Use Element.*
- Scenic Highways | Caltrans, 2025. *Caltrans, California State Scenic Highways.*

Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
2. *AGRICULTURAL AND FOREST RESOURCES – 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?	☐	☐	☒	☐

SUMMARY:

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

As shown on the California Department of Conservation's Contra Costa County Important Farmland 2020 map, the project site is located in an area that is defined as "Other Land" and does not contain farmland designated "Prime", "Unique", or of "Statewide Importance". is not Prime Farmland, Unique Farmland, or Farmland of Statewide Importance. The project is the continuing operation and expansion of a compost facility for windrow composting with a mobile chip and grind operation. Therefore, the project would not result in any impacts related to the conversion of Prime Farmland, Unique Farmland, or Farmland of Statewide Importance to a non-agricultural use.

b) *Would the project conflict with existing zoning for agricultural use, or a Williamson Act contract?* ***(Less than Significant Impact with Mitigation)***

The project site is in the A-4 Agricultural Preserve District and is under existing Williamson Act Contract, AP No. 13-77. In the A-4 District, permitted uses include agricultural and compatible uses designated in writing in the Williamson Act Contract. Williamson Act Contract, AP No. 13-77, includes Exhibit B that states the structures and land uses allowed on the project site and includes no structures and "grazing and cultivated crops" as land uses. Uses requiring

a Land Use Permit in the A-4 District includes commercial facilities for creating value-added farm products, and related commercial agricultural uses including sheds, warehouses and other buildings for the storage of agricultural products and equipment.

The project includes the continuing operation and expansion of a compost facility for windrow composting with a mobile chip and grind operation. The facility generates green material through windrow composting as well as mobile grinding for the purpose of creating a uniform compost mixture. The composting of material supports the raising of crops on site and at other agricultural facilities as well as its use in increasing soil carbon concentrations.

Accordingly, the applicant requests approval of a Land Use Permit to allow the compost facility and structures. However, **the compost facility and structures would be in conflict with Exhibit B of the existing Williamson Act Contract, AP No. 13-77, resulting in a potentially significant adverse environmental impact. Consequently, the applicant is required to implement mitigation measure Agricultural Resources 1**

> **Agricultural Resources 1:** Prior to the issuance of grading or building permits, the applicant shall apply to amend Williamson Act Contract, AP No. 13-77, to include the compost facility structures and uses in AP No. 13-77 Exhibit B.

Implementation of the Agricultural Resources 1 mitigation measure would reduce the impact of the conflict with the Williamson Act contract to a less than significant level.

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 by California Public Resources Code Section 12220(g) timberland as defined by California Public Resources Code Section 4526, or zoned Timberland Production as defined by Government Code Section 51104(g). Thus, the project would not conflict with existing zoning for, or cause rezoning of forest land or timberland.

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

The project site is not considered forest land, as discussed in Environment Checklist Section 2.c above.

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?* ***(Less than Significant Impact)***

The project is the continuing operation and expansion of a compost facility for windrow composting with a mobile chip and grind operation. These uses are allowed in the A-4 District with a valid Land Use Permit. Therefore, with approval of the Land Use Permit, the project will not conflict with existing zoning for agricultural use and will not result in conversion of farmland to non-agricultural use.

Sources of Information

- Contra Costa County Ordinance Code, Title 8, Zoning Ordinance.
- Contra Costa County 2045 General Plan. *Land Use Element*.
- Williamson Act Contract, AP No. 13-77.
- California Department of Conservation. *Contra Costa County Important Farmland Map 2020.*

Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
3. *AIR QUALITY – 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?	☐	☐	☒	☐

SUMMARY*:*

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

The project site is within the San Francisco Bay Air Basin, which is regulated by the Bay Area Air Quality Management District (BAAQMD) pursuant to the *2017 Bay Area Clean Air Plan: Spare the Air, Cool the Climate (*CAP). The CAP serves as the regional Air Quality Plan for the Air Basin for attaining National Ambient Air Quality Standards (NAAQS) established by the United States Environmental Protection Agency (EPA). The EPA has established NAAQS for six of the most common air pollutants—carbon monoxide, lead, ground level ozone, particulate matter, nitrogen dioxide, and sulfur dioxide—known as "criteria pollutants". The Air Basin is designated as nonattainment for State standards for 1-hour and 8-hour ozone, 24-hour respirable particulate matter 10 micrometers or less in diameter (PM_{10}), annual PM_{10}, and annual particulate matter 2.5 micrometers or less in diameter ($PM_{2.5}$).

The primary goals of the CAP are to protect public health and protect the climate. The CAP identifies a wide range of control measures intended to decrease both criteria pollutants and greenhouse gas (GHG) emissions. The BAAQMD does not provide a numerical threshold of significance for project-level consistency analysis with the CAP. A measure for determining whether the proposed project supports the primary goals of the CAP is if the project would not result in an increase in the frequency or severity of existing air quality violations, cause or contribute to new violations, or delay timely attainment of air quality standards or the interim emission reductions specified in the air quality plans. This measure is determined by comparing project emissions to the significance thresholds identified by the BAAQMD for construction- and operation-related pollutants.

The project includes a combination of existing as well as proposed composting and related areas. The compost facility is located in a non-urbanized, agriculturally zoned area, and includes existing and proposed windrow composting areas, curing/storage areas, cattle feeding and receiving area, mulch storage areas, offices, off-street parking, and equipment storage areas.

There is a potential for generation of criteria pollutants from the existing and future composting and grinding operations. The compost facility is subject to California Code of Regulations Title 14 green material composting and chip and grind facility permit requirements; and will need to obtain an operating permit from Contra Costa Health. With the operating permit, the compost facility would be in compliance with the CAP.

There is also a potential for generation of fugitive dust from the loading and unloading of trucks at the compost facility and truck traffic to and from the site. **As discussed in Environmental Checklist Section 3.b, if emissions control measures are not implemented, fugitive dust could be significant during grading and other earthwork on the project site for both project operation and new construction, resulting in a potentially significant adverse environmental impact. Further, generation of fugitive dust would not be in compliance with the 2017 Bay Area Clean Air Plan Consequently, the applicant is required to implement mitigation measures Air Quality 1.**

Implementation of the Air Quality 1 mitigation measures would reduce the impact of fugitive dust during project operation and new construction to a less than significant level.

b) *Would the project result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?* ***(Less than Significant Impact with Mitigation)***

The determination of cumulative air quality impacts is based on whether the project would result in regional emissions that exceed the BAAQMD regional thresholds of significance for construction and operations on a project level. The thresholds of significance represent the allowable amount of emissions each project can generate without generating a cumulatively considerable contribution to regional air quality impacts. Therefore, a project that would not exceed the BAAQMD thresholds of significance on the project level also would not be

considered to result in a cumulatively considerable contribution to these regional air quality impacts.

The BAAQMD 2024 CEQA Guidelines include screening criteria for purposes of identifying development projects for potentially significant air quality impacts. If a project does not exceed the screening criteria size it is generally expected to result in less than significant impacts relating to criteria air pollutants and precursors, absent exclusionary conditions. As stated in section 3a, the compost facility will need to obtain an operating permit from Contra Costa Health. With the operating permit, the compost facility would be in compliance with the BAAQMD thresholds of significance.

Fugitive dust (PM10 and PM2.5) would be generated during earthmoving activities but would largely remain localized near the project site. The BAAQMD does not recommend a numerical threshold for fugitive dust particulate matter emissions. Instead, the BAAQMD bases the determination of significance for fugitive dust on considering the control measures to be implemented. If all appropriate emissions control measures are implemented for a project as recommended by the BAAQMD, then fugitive dust emissions are not considered significant. However, **if emissions control measures are not implemented, fugitive dust could be significant during grading and other earthwork on the project site for both project operation and new construction, resulting in a potentially significant adverse environmental impact. Consequently, the applicant is required to implement mitigation measures Air Quality 1.**

Air Quality 1: The following dust control measures, as recommended by the Bay Area Air Quality Management District (BAAQMD), shall be implemented both during construction and project operation, and shall be included on all construction plans:

- All exposed non-paved surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and access roads) shall be watered at least two times per day and/or non-toxic soil stabilizers shall be applied to exposed non-paved surfaces.
- All haul trucks transporting soil, sand, or other loose material off-site shall be covered and/or shall maintain at least 2 feet of freeboard.
- 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 excavation, grading, and/or demolition activities shall be suspended when average wind speeds exceed 20 mph.
- 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 lead agency regarding dust complaints. This person shall respond and take corrective action within 48 hours. The Air District's General Air Pollution Complaints number shall also be visible to ensure compliance with applicable regulations.

Implementation of the Air Quality 1 mitigation measures would reduce the impact of fugitive dust during project operation and new construction to a less than significant level.

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

The BAAQMD defines a sensitive receptor as the following: "Facilities or land uses that include members of the population that are particularly sensitive to the effects of air pollutants, such as children, the elderly, and people with illnesses. Examples include schools, hospitals, and residential areas." As specified by the BAAQMD, health risk and hazard impacts should be analyzed for sensitive receptors within a 1,000-foot radius of the project site. The compost facility project site is in a non-urbanized agricultural area where there are no sensitive receptors. The nearest non-agricultural use is the Byron Bethany Irrigation District facility located approximately 860 feet to the west, however, this facility would not be considered to be a sensitive receptor, as defined by the BAAQMD. Therefore, there would be a less than significant adverse impact on sensitive receptors.

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)***

As stated in the BAAQMD CEQA Guidelines, odors are generally regarded as an annoyance rather than a health hazard. The ability to detect odors varies considerably among the populations and is subjective. The BAAQMD does not have a recommended odor threshold for construction activities. However, the BAAQMD recommends operational screening criteria that are based on the distance between receptors and types of sources known to generate odors. For projects within the screening distances, the BAAQMD has the following threshold for project operations: An odor source with five or more confirmed complaints per year averaged over 3 years is considered to have a significant impact on receptors within the screening distance shown in Table 3-3 [of the BAAQMD's guidance].

Two circumstances have the potential to cause odor impacts:

1. A source of odors is proposed to be located near existing or planned sensitive receptors, or
2. A sensitive receptor land use is proposed near an existing or planned source of odor.

Projects that would site an odor source or a receptor farther than the applicable screening distance, shown in Table 1, would not likely result in a significant odor impact.

Table 1: Odor Screening Distances

Land Use/Type of Operation	Project Screening Distance
Wastewater Treatment Plant	2 miles
Wastewater Pumping Facilities	1 mile
Sanitary Landfill	2 miles
Transfer Station	1 mile
Composting Facility	1 mile
Petroleum Refinery	2 miles
Asphalt Batch Plant	2 miles
Chemical Manufacturing	2 miles
Fiberglass Manufacturing	1 mile
Painting/Coating Operations	1 mile
Rendering Plant	2 miles
Coffee Roaster	1 mile
Food Processing Facility	1 mile
Confined Animal Facility/Feed Lot/Dairy	1 mile
Green Waste and Recycling Operations	1 mile
Source: Bay Area Air Quality Management District., 2017. *Clean Air Plan*.	

The compost facility is in a non-urbanized agricultural area where there are no sensitive receptors within one mile of the project site. Also, the proposed project would not introduce sensitive receptors to the project site or the project area. As such, the proposed project would not become a source of odors near existing or planned sensitive receptors. Therefore, odor-related impacts would be less than significant.

Sources of Information

- Final 2017 Clean Air Plan, 2024. *Spare the Air, Cool the Climate, Final 2017 Clean Air Plan, Bay Area Air Quality Management District.*
- CEQA Thresholds and Guidelines Update, 2024. *CEQA Thresholds and Guidelines Update, 2022 CEQA Guidelines, Bay Area Air Quality Management District*.
- Geo-Logic Associates, 2021, submitted August 31, 2023. *Oliveira Enterprises Inc. Compost Facility, Report of Composting Site Information.*
- Integrated Waste Management Consulting, Inc., 2021, submitted October 4, 2021. *Draft Report of Composting Site Information, Oliveira Enterprises, Inc.*

Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
4. *BIOLOGICAL RESOURCES – 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 Game or U.S. Fish and Wildlife Service?	☐	☒	☐	☐
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	☐	☐	☐	☒
c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	☐	☐	☐	☒
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of wildlife nursery sites?	☐	☒	☐	☐
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☐	☐	☒
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	☐	☐	☐	☒

SUMMARY:

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

The project includes a combination of existing as well as proposed composting and related areas. The project site is approximately 1,170 feet east of Bruns Road and is currently developed with composting windrows, grazing areas, truck loading and unloading areas and a building structure that serves as the office for the operation. The compost facility is currently operating on three parcels, including 124 Bethany Lane, 131 Bethany Lane, and 136 Bethany Lane. A fourth parcel, 148 Bethany Lane, is located east of the BBID water canal that separates it from 136 Bethany Lane. Similar to other adjacent agricultural parcels, this parcel is regularly disked. There is a creek running through the western portion of the parcel at 124 Bethany Lane; however, there is no known riparian habitat within the existing creek bed, and the creek is located within a recorded restricted development area.

Windrow composting currently occurs across two of the parcels south of Bethany Lane, including 124 Bethany Lane and 136 Bethany Lane. The compost facility does not include any part of the creek or restricted development area on the parcel at 124 Bethany Lane. Future windrow composting is proposed on the parcel at 148 Bethany Lane, also south of Bethany Lane. A future office, covered mulch storage, and uncovered mulch storage areas are proposed on the parcel at 131 Bethany Lane that is north of Bethany Lane. The project also includes creation of two water storage ponds, including a 2,960,000 gallon pond at 136 Bethany Lane and a 6,199,000 gallon pond at 148 Bethany Lane.

Due to the amount of ground disturbance at the current compost facility and the disked parcel east of the BBID water canal, and the avoidance of any compost facility activity within the restricted development area of the creek. It is highly unlikely that the project would affect any special-status plant species.

Regarding special-status wildlife species, in 2019, the California Department of Water Resources (DWR) completed an MND (State Clearinghouse No. 2019109084) for the repair and upgrade of the existing cap at the Old Banks Landfill, located approximately 1,380 feet northeast of Kelso Road, 1,295 feet west of Bruns Road, and approximately 2,500 feet (0.47 mile) west of the project site. The site was characterized by DWR as non-native grassland. DWR identified nine special-status wildlife species that may be adversely affected due to the immediate proximity of the Old Banks Landfill in relation to known occurrences of the special-status wildlife species. Special status species include those species:

- Listed as endangered or threatened under the Federal Endangered Species Act (FESA).
- Listed as endangered or threatened under the California Endangered Species Act (CESA).
- Designated as endangered or rare, pursuant to California Fish and Game Code Section 1901.
- Designated as fully protected, pursuant to California Fish and Game code Sections 3511, 4700, or 5050.
- Designated as a species of special concern by the California Department of Fish and Wildlife.

The nine special status wildlife species that may be adversely affected by the landfill cap repair and upgrade project include the California Tiger Salamander, California Red-Legged Frog, Western Pond Turtle, California Glossy Snake, San Joaquin Coachwhip, Burrowing Owl, California Horned Lark, American Badger, and San Joaquin Kit Fox.

California Tiger Salamander: The California Tiger Salamander is listed as Threatened under FESA. The species is also listed as Threatened under CESA per the California Natural Diversity Database (CNDDB) compiled by the California Department of Fish and Wildlife (CDFW). California Tiger Salamanders inhabit annual grasslands, open mixed woodlands and oak savanna, spending most of its life underground in small mammal burrows. Breeding occurs in

vernal pools, seasonal ponds and constructed stock ponds that are generally free of fish and hold water during winter, often drying out by summer. Although there are no aquatic habitats on the project site, a creek is located within the recorded restricted development area on the parcel at 124 Bethany Lane. In addition, future development of the compost facility includes a 2,960,000 gallon pond at 136 Bethany Lane and a 6,199,000 gallon pond at 148 Bethany Lane, which could serve as a potential breeding areas for the California Tiger Salamander.

California Red-Legged Frog: The California Red-Legged frog is listed as a Threatened under FESA. The species is also a Species of Special Concern in the CNDDB that is endemic to central California. The species is found in a variety of aquatic habitats including permanent and ephemeral ponds, perennial and intermittent streams, season wetlands, springs, seeps, marshes, dune ponds, lagoons, coastal dune drainages, and human-made aquatic features and can migrate into the upload including woodlands, grasslands and coastal scrub. The project site includes an existing creek as well as planned future development of two water storage ponds, which could serve as potential habitat for the California Red-Legged Frog.

Western Pond Turtle: The Western Pond Turtle is listed as a Species of Special Concern in the CNDDB and is found from the Pacific Coast inland to the Sierra Nevada foothills. The Western Pond Turtle is highly aquatic and can be found in a variety of habitat types including streams, rivers, sloughs, lakes, ponds, reservoirs, marshes, seasonal ponds, and other wetland habitats. Breeding occurs from spring to the fall and nest sites are usually within 100 meters of water. As previously discussed, the project site includes an existing creek as well as planned future development of two water storage ponds, which could serve as habitat for the Western Pond Turtle.

California Glossy Snake: The California Glossy Snake is identified as a Species of Special Concern in the CNDDB and occurs in Contra Costa County southward and into the central San Joaquin Valley. California Glossy Snakes are found in grasslands, coast sage scrub and chaparral in areas where soil is loose. It is primarily nocturnal, active between late February and November. California Glossy Snakes will use existing mammal burrows and burrows under rocks or will dig its own burrows. While DWR did not report any known occurrences of the California Glossy Snake on the Old Banks Landfill site, it reported that the closest recorded CNDDB occurrence is 6.5 miles south of the landfill. Although the compost facility is currently operating on three parcels, and the fourth parcel east of the BBID water canal is regularly disked, the edges of the current compost facility and the edges of the fourth parcel may serve as habitat for the California Glossy Snake.

San Joaquin Coachwhip: The San Joaquin Coachwhip is identified as a Species of Special Concern in the CNDDB and is endemic to California. The San Joaquin Coachwhip generally occurs in open, dry, treeless areas, including grassland and saltbrush scrub. San Joaquin Coachwhips are active from March through October and will climb into vegetation to scan for prey or for shad and refuge and overwinters in mammal burrows. The closest occurrence recorded in the 2019 DWR survey is approximately 6 miles southeast of the landfill. Similar to the California Glossy Snake, the edges of the current compost facility and the edges of the fourth parcel may serve as habitat for the San Joaquin Coachwhip.

Burrowing Owl: The Burrowing Owl is identified as a Species of Special Concern in the CNDDB and is found throughout California except at higher elevations. The Burrowing Owl primarily inhabits grasslands but is also found in desert and open shrub habitats. Burrowing Owls use burrows in areas with relatively short vegetation with sparse shrubs and can persist in human-altered landscapes. Individuals in agricultural environments nest along roadsides and water conveyance structures. According to DWR the closest recorded CNDDB occurrence is 0.15 mile east of the landfill. DWR also stated that Burrowing Owls have been observed in the immediate vicinity of the landfill in Spring 2019. Thus, the compost facility parcels may be suitable areas for Burrowing Owl burrows.

California Horned Lark: The California Horned Lark is identified as a Watch List Species in the CNDDB. The California Horned Lark has been observed in northern Baja California through California, in the Coast Range north to Humboldt County, and in the Central Valley. The California Horned Lark inhabits open areas dominated by sparse, low herbaceous vegetation or widely scattered low shrubs where it can forage on seeds and insects and nest in hollows on the ground. DWR reported that the closest recorded CNDDB occurrence was 1.3 miles southeast of the landfill. Although the compost facility is currently operating on three parcels, and the fourth parcel east of the BBID water canal is regularly disked, there are opportunities for potential nesting and foraging habitat in the immediate vicinity of the project site.

American Badger: The American Badger is identified as a Species of Special Concern in the CNDDB. American Badgers are found throughout California except the North Coast and can inhabit areas below sea level to over 12,000 feet. American badgers inhabit a variety of open, arid habitats but are most abundant in drier open stages of most shrub, forest, and herbaceous habitats with friable soils for burrowing. Natal dens are constructed in dry, sandy soil with sparse overstory. DWR reported that the closest recorded CNDDB occurrence was 0.8 mile south of the landfill. The edges of the current compost facility and the edges of the fourth parcel may serve as habitat for the American Badger.

San Joaquin Kit Fox: The San Joaquin Kit Fox is listed as Endangered under FESA and Threatened under CESA. The San Joaquin Kit Fox is endemic to the Central Valley and inhabits areas from southern Kern County north to Contra Costa County. In the northern part of its range in the Contra Costa County area the fox occurs primarily in foothill grassland, valley oak savanna, and alkali grasslands. Dens, which are used for temperature regulation, shelter and protect them from adverse weather and predators. The dens are either dug by the foxes, are constructed by other animals, or consist of human-made structures (culverts, abandoned pipelines, or banks in sumps or roadbeds). Many dens may be used throughout the year, and individuals may change dens often. DWR reported multiple occurrences in the immediate vicinity of the landfill, with the most recent observation occurring in 1998. The edges of the current compost facility and the edges of the fourth parcel may serve as burrowing habitat, and there are opportunities for potential foraging and burrowing habitat in the immediate vicinity of the project site.

As the preceding discussion indicates, **new construction on the project site may have a substantial adverse effect, on the California Tiger Salamander, California Red-Legged Frog, Western Pond Turtle, California Glossy Snake, San Joaquin Coachwhip, Burrowing Owl, California Horned Lark, American Badger, and San Joaquin Kit Fox. Consequently, the applicant is required to implement mitigation measures Biological Resources 1 through Biological Resources 4.**

Biological Resources 1: The following measures shall be implemented during construction activities to minimize potential impacts to special-status wildlife that may occur within the project site.

A. A qualified wildlife biologist shall conduct a construction planning survey no more than two weeks prior to the start of construction for any special-status wildlife that have a potential to occur within the project site.

B. Prior to the start of construction, known sensitive areas adjacent to the project site shall be marked with high visible flagging for avoidance.

C. The qualified wildlife biologist shall conduct a training session for all construction personnel prior to the start of work. At a minimum, the training shall include a description and discussion of the importance of avoiding impacts to special-status wildlife, the general measures that will be implemented to protect these species as they relate to the proposed project and project site, and procedures to follow should they encounter wildlife during work.

D. A biological monitor shall be on-site as needed during construction at the discretion of the qualified wildlife biologist.

E. Any observations of federally or State-listed species shall be reported to the California Department of Fish and Wildlife (CDFW) and the Department of Conservation and Development, Community Development Division (CDD), and as appropriate to the US Fish and Wildlife Service (USFWS) within one working day of the observation.

F. If federally or State-listed species are observed on site, all work shall halt, and the animal will be allowed to leave the project area on their own.

G. Construction activities shall be performed during daylight hours.

H. All trash shall be properly contained, removed from the worksite, and disposed of properly to prevent attracting wildlife.

I. All fueling and maintenance of vehicles or other equipment shall occur on established roads and at least 50 feet away from any on-site water feature.

J. Motorized equipment shall be kept clean and in good working condition and shall not be left idling while not in use for more than 5 minutes.

K. Absorbent materials shall be available on-site. Any accidental leaks or spills shall be immediately cleaned up, and the equipment shall not return to the construction area until it has been repaired sufficiently to prevent further leaks or spills.

Biological Resources 2: To avoid and minimize impacts to the California Tiger Salamander and California Red-Legged Frog, the following measures shall be implemented in addition to the Biological Resources 1 measures.

A. Construction will only be conducted during daylight hours and not during rain events.

B. Any burrows or large cracks in the ground that will be temporarily impacted during construction will be covered with plywood to prevent collapse.

Biological Resources 3: To avoid and minimize impacts to the Burrowing Owl, the following measures shall be implemented in addition to the Biological Resources 1 measures.

A. Prior to any ground disturbance related to project construction, the qualified wildlife biologist shall conduct a pre-construction survey in areas identified in the construction planning survey of Biological Resources 1 as having potential Burrowing Owl habitat. The survey will establish the presence or absence of the Burrowing Owl and/or habitat features and evaluate use by owls in accordance with CDFW survey guidelines.

B. The qualified biologist shall survey the proposed disturbance site and a 250-foot radius from the perimeter of the disturbance site to identify burrows and owls. Adjacent parcels under different land ownership will not be surveyed. Surveys shall take place near sunrise or sunset in accordance with CDFW guidelines. All burrows or Burrowing Owls will be identified and mapped. During the breeding season (February 1– August 31), surveys will document whether Burrowing Owls are nesting in or directly adjacent to disturbance areas. During the nonbreeding season (September 1–January 31), surveys will document whether Burrowing Owls are using habitat in or directly adjacent to any disturbance area. Survey results will be valid only for the season (breeding or nonbreeding) during which the survey is conducted.

C. If Burrowing Owls are found during the breeding season (February 1 – August 31), all nest sites that could be disturbed by project construction during the remainder of the breeding season or while the nest is occupied by adults or young shall be avoided. Avoidance will include the establishment of a non-disturbance buffer zone (described in D below). Construction may occur during the breeding season if a qualified biologist monitors the nest and determines that the birds have not begun

egg-laying and incubation or that the juveniles from the occupied burrows have fledged. During the nonbreeding season (September 1 – January 31), the project proponent shall avoid the owls and the burrows they are using, if possible. Avoidance will include the establishment of a buffer zone (described in D below).

D. During the breeding season, buffer zones of at least 250 feet in which no project activities can occur shall be established around each occupied burrow. Buffer zones of 160 feet shall be established around each burrow being used during the nonbreeding season. The buffers will be delineated by highly visible, temporary construction fencing.

E. If occupied burrows for Burrowing Owls are not avoided, passive relocation will be implemented. Owls should be excluded from burrows in the immediate impact zone and within a 160-foot buffer zone by installing one-way doors in burrow entrances. These doors shall be in place for 48 hours prior to excavation. The proposed construction area should be monitored daily for 1 week to confirm that the owl has abandoned the burrow. Whenever possible, burrows should be excavated using hand tools and refilled to prevent reoccupation (California Department of Fish and Game 1995). Plastic tubing or a similar structure should be inserted in the tunnels during excavation to maintain an escape route for any owls inside the burrow.

Biological Resources 4: To avoid and minimize impacts to the San Joaquin Kit Fox, the following measures shall be implemented in addition to the Biological Resources 1 measures.

A. Prior to any ground disturbance related to project construction, the qualified wildlife biologist shall conduct a pre-construction survey in areas identified in the construction planning survey of Biological Resources 1 as having potential as supporting suitable breeding or denning habitat for the San Joaquin Kit Fox. The surveys will establish the presence or absence of San Joaquin Kit Foxes and/or suitable dens and evaluate use by Kit Foxes in accordance with USFWS survey guidelines (USFWS 1999).

B. The qualified biologist shall survey the proposed disturbance site and a 250-foot radius from the perimeter of the disturbance site to identify San Joaquin Kit Foxes and/or suitable dens. Adjacent parcels under different land ownership will not be surveyed. The status of all dens will be determined and mapped. Written results of the surveys will be submitted to USFWS within 5 working days after survey completion and before the start of new ground disturbance activities.

C. If San Joaquin kit foxes and/or suitable dens are identified in the survey area, the measures described below shall be implemented:

i. If a San Joaquin kit fox is discovered within the project site, the den shall be monitored for 3 days by the qualified biologist using a tracking medium or an infrared beam camera to determine if the den is currently being used.

ii. Unoccupied dens within the disturbance site shall be destroyed immediately to prevent subsequent use.

iii. If a natal or pupping den is found, USFWS and CDFW shall be notified immediately. The den will not be destroyed until the pups and adults have vacated and then only after further consultation with USFWS and CDFW.

iv. If kit fox activity is observed at the den during the initial monitoring period, the den shall be monitored for an additional 5 consecutive days from the time of the first observation to allow any resident animals to move to another den while den use is actively discouraged. For dens other than natal or pupping dens, use of the den can be discouraged by partially plugging the entrance with soil such that any resident animal can easily escape. Once the den is determined to be unoccupied it may be excavated under the direction of the biologist. Alternatively, if the animal is still present after 5 or more consecutive days of plugging and monitoring, the den may have to be excavated when, in the judgement of the biologist, it is temporarily vacant (i.e., during the animal's normal foraging activities).

v. If dens are identified in the survey area outside the disturbance site, exclusion zones around each den entrance or cluster of entrances shall be demarcated. The configuration of exclusion zones should be circular, with a radius measured outward from the den entrance(s). No project activities will occur within the exclusion zones. Exclusion zone radii for potential dens will be at least 50 feet and will be demarcated with four to five flagged stakes. Exclusion zone radii for known dens will be at least 100 feet and will be demarcated with staking and flagging that encircles each den or cluster of dens but does not prevent access to the den by kit fox.

Implementation of the Biological Resources 1 through Biological Resources 4 mitigation measures would reduce the impacts on special-status wildlife species during new construction on the project site to less than significant levels.

b) *Would the project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?* ***(No Impact)***

The project site is not located in a sensitive area shown on the California Fish and Wildlife Public Access Lands Map. Although not in an identified sensitive area, a creek is located in the western portion of the parcel at 124 Bethany Lane. As discussed in Environmental Checklist Section 4.a, there is no known riparian habitat within the existing creek bed, and the creek is located within a recorded restricted development area. Moreover, the compost facility does not

include any part of the creek or restricted development area. Therefore, there is no potential for an identified riparian habitat or other sensitive natural community to be adversely affected by the project.

c) *Would the project have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?* ***(No Impact)***

Section 404 of the Clean Water Act uses the Army Corps of Engineers definition of wetlands, which are defined as, "areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, and similar areas." There are no isolated wetlands on the project site. Therefore, no substantial adverse effects on federally protected wetlands are expected.

d) *Would the project interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of wildlife nursery sites?* ***(Less than Significant Impact with Mitigation)***

Wildlife corridors are generally described as pathways or habitat linkages that connect discrete areas of natural open space otherwise separated or fragmented by topography, changes in vegetation, and other natural or human induced factors such as urbanization. Due to the amount of ground disturbance at the current compost facility and the disked parcel east of the BBID water canal, the project site would not be considered to be a natural open space area. The site is located in an established agricultural area that with surrounding parcels having been utilized for agricultural purposes. The existing creek on site is located within a restricted development area and thus this portion of the lot is to remain undisturbed. Based on existing site conditions and the surrounding land use uses, the project will have a less than a significant impact on the movement of any native resident, or migratory fish, or wildlife species, or with established native resident or migratory corridors.

Regarding wildlife nursery sites, the Migratory Bird Treaty Act of 1918 makes it illegal to kill, harm or otherwise "take" any migratory bird, including their nests, eggs, or young. Pursuant to Title 50 of the Code of Federal Regulations, Section 10.13, migratory birds include geese, ducks, shorebirds, raptors, songbirds, wading birds, seabirds, and passerine birds. Similarly, California Fish and Game Code Sections 3503 and 3503.5 prohibit the taking of protected birds, their nests, or eggs.

Although raptors and passerine birds are unlikely to occur on most of the project site due to the amount of disturbance, they could utilize the edges of the current compost facility and the edges of the fourth parcel as nesting habitat . New construction activities could disturb or harm nesting birds present in these areas. Accordingly, **there would be a potentially significant adverse environmental impact on nesting birds during new construction on the project site. Consequently, the applicant is required to implement the following mitigation measures Biological Resources 5.**

Biological Resources 5: If project grading or construction work is scheduled to take place between February 1 and August 31, a pre-construction nesting bird survey shall be conducted by a qualified biologist within 14 days of construction, covering a radius of 500 feet for non-listed raptors and 100 feet for non-listed passerines at all locations. Copies of the preconstruction survey shall be submitted to the Contra Costa County Department of Conservation and Development, Community Development Division (CDD) and the California Department of Fish and Wildlife (CDFW).

If an active bird nest is found within the survey radii, species-specific measures shall be prepared by a qualified biologist and implemented to prevent abandonment of the active nest. If an active nest is present, a minimum exclusion buffer of 100 feet shall be maintained during construction, depending on the species and location. The perimeter of the nest setback zone shall be fenced or adequately demarcated with stakes and flagging at 20-foot intervals, and construction personnel and activities restricted from the area. A survey report by a qualified biologist verifying that no active nests are present, or that the young have fledged, shall be submitted prior to initiation of grading in the nest-setback zone. The qualified biologist shall serve as a biological monitor during those periods when construction activities occur near active nest areas to ensure that no inadvertent impacts on these nests occur. All buffers shall be shown on all sets of construction drawings.

Implementation of these mitigation measures would reduce the impact on the nesting birds to a less than significant level.

e) *Would the project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?* ***(No Impact)***

The Contra Costa County Tree Protection and Preservation Ordinance provides for the protection of certain trees by regulating tree removal while allowing for reasonable development of private property. The Ordinance applies to all agriculturally zoned parcels, such as the project site. The Ordinance requires tree alteration or removal to be considered as part of the project application.

The proposed project includes a future office and covered mulch storage on the parcel at 131 Bethany Lane, and the creation of two water storage ponds, including one pond at 136 Bethany Lane and a second pond at 148 Bethany Lane. At the time of application for a grading or building permit, trees on the project site would be evaluated to determine if any trees affected by construction activity would be protected under the Tree Protection and Preservation Ordinance. If any code-protected trees would be removed or have construction-related activity within their drip lines, the requirement for a Tree Permit will be evaluated by CDD staff pursuant to the Ordinance. Any tree permit approved for the proposed project would include conditions of approval for the restitution of any tree approved to be removed, protection of those trees where work may occur within the drip lines of the trees, and tree protection measures. As a result of CDD staff applying the Tree Protection and Preservation Ordinance to the proposed project, there would be no conflict with the Ordinance.

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)***

There is one adopted habitat conservation plan in Contra Costa County, the East Contra Costa County Habitat Conservation Plan / Natural Community Conservation Plan (HCP/NCCP). The plan was approved in May 2007 by the East Contra Costa County Habitat Conservancy, comprised of the cities of Brentwood, Clayton, Oakley, and Pittsburg, and Contra Costa County. The HCP/NCCP establishes a coordinated process for permitting and mitigating the incidental take of endangered species in East Contra Costa County. The plan lists Covered activities that fall into three distinct categories: (1) all activities and projects associated with urban growth within the urban development area (UDA); (2) activities and projects that occur inside the HCP/NCCP preserves; and (3) specific projects and activities outside the UDA. East Contra Costa County Habitat Conservancy staff submitted an email on October 11, 2021, stating that the project is not subject to the HCP/NCCP.

Sources of Information

- Geo-Logic Associates, 2021, submitted August 31, 2023. *Oliveira Enterprises Inc. Compost Facility, Report of Composting Site Information.*
- Contra Costa County 2045 General Plan. *Conservation, Open Space, and Working Lands Element*.
- CDFW Public Access Lands and Facilities, 2025. *California Department of Fish and Wildlife, CDFW Public Access Lands and Facilities.*
- California Department of Water Resources, 2019. *Old Banks Landfill Cap Project Initial Study/Proposed Mitigated Negative Declaration*. CEQA SCH 2019109084
- California Department of Fish and Wildlife, 2025. *Special Animals List, April 2025*
- Contra Costa County Code, Title 8, Division 816 – Trees.
- East Contra Costa County Habitat Conservancy, 2025. *East Contra Costa County Habitat Conservancy, Habitat Conservation Plan.*
- East Contra Costa County Habitat Conservancy, 2021. Email.

Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
5. *CULTURAL RESOURCES – 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?	☐	☒	☐	☐

SUMMARY:

a) *Would the project cause a substantial adverse change in the significance of a historical resource pursuant to California Environmental Quality Act Guidelines Section 15064.5?* ***(No Impact)***

Historical resources are defined in the California Environmental Quality Act Guidelines Section 15064.5 as a resource that fits any of the following definitions:

- It is listed in the California Register of Historic Places and has been determined to be eligible for listing by the State Historic Resources Commission;
- It is included in a local register of historic resources, and identified as significant in a historical resource survey that has been or will be included in the State Historic Resources Inventory; or
- It has been determined to be historically or culturally significant by a lead agency.

The compost facility is currently operating on three parcels of the project site, including 124 Bethany Lane, 131 Bethany Lane, and 136 Bethany Lane. A fourth parcel, 148 Bethany Lane, is located east of the BBID water canal that separates it from 136 Bethany Lane and is regularly disked. There is a creek running through the western portion of the parcel at 124 Bethany Lane within a recorded restricted development area. There is an office on 131 Bethany Lane and a single-family residence on 136 Bethany Lane. The project site and the structures are not in the State Historic Resources Inventory or the Contra Costa County Historic Resources Inventory.

The nearest historical resource is the John Marsh House in Brentwood, approximately 8.7 miles to the northwest of the project site, and therefore, continuing operation of the compost facility on the site will not have an impact on the John Marsh House.

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

The Northwest Information Center of the California Historical Resources Information System (CHRIS), submitted a letter dated November 1, 2021, stating that CHRIS has no record of any

previous cultural resource studies by a professional archeologist or architectural historian for the project site, that the proposed project area has the possibility of containing unrecorded archeological sites, and a study by a qualified professional archaeologist is recommended prior to commencement of project activities In addition, CHRIS recommends that the lead agency contact the local Native American tribe(s) regarding traditional, cultural, and religious heritage values. A letter requesting consultation was sent to the Confederated Villages of Lisjan and the Wilton Rancheria on March 7, 2025. To date, no response has been received from the Confederated Villages of Lisjan or the Wilton Rancheria.

The compost facility on the project site includes existing and proposed windrow composting areas, curing/storage areas, cattle feeding and receiving area, mulch storage areas, offices, off-street parking, and equipment storage areas. Windrow composting currently occurs across 124 Bethany Lane and 136 Bethany Lane. Future windrow composting is proposed on the parcel at 148 Bethany Lane. A future office, covered mulch storage, and uncovered mulch storage areas are proposed on the parcel at 131 Bethany Lane. The project also includes creation of two water storage ponds, including one pond at 136 Bethany Lane and a second pond at 148 Bethany Lane.

As indicated in the CHRIS letter, **buried archaeological resources could be present on the project site. Therefore, future construction and/or grading activities on the site could result in accidental discovery, resulting in a potentially significant adverse environmental impact on archaeological resources. Consequently, the applicant is required to implement the following mitigation measures Cultural Resources 1.**

Cultural Resources 1: The following Mitigation Measures shall be implemented during project construction.

A. A program of onsite education to instruct all construction personnel in the identification of archaeological deposits shall be conducted by a certified archaeologist prior to the start of any grading or construction activities.

B. If archaeological materials are uncovered during grading, trenching, or other onsite excavation, all work within 30 yards of these materials shall be stopped until a professional archaeologist who is certified by the Society for California Archaeology (SCA) and/or the Society of Professional Archaeology (SOPA), and the Native American tribe(s) that has requested consultation and/or demonstrated interest in the project site, have had an opportunity to evaluate the significance of the find and suggest appropriate mitigation(s) if deemed necessary.

Implementation of these mitigation measures would reduce the impact on archeological resources during project construction to a less than significant level.

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

No human remains or cemeteries are known to exist within or near the project site: however, there is a possibility that human remains could be present and accidental discovery could occur. Therefore, **future construction and/or grading activities on the site could result in n a potentially significant adverse environmental impact due to disturbance of human remains. Consequently, the applicant is required to implement the following mitigation measures Cultural Resources 2.**

> **Cultural Resources 2:** Should human remains be uncovered during grading, trenching, or other onsite excavation(s), earthwork within 30 yards of these materials shall be stopped until the County coroner has had an opportunity to evaluate the significance of the human remains and determine the proper treatment and disposition of the remains. Pursuant to California Health and Safety Code Section 7050.5, if the coroner determines the remains may those of a Native American, the coroner is responsible for contacting the Native American Heritage Commission (NAHC) by telephone within 24 hours. Pursuant to California Public Resources Code Section 5097.98, the NAHC will then determine a Most Likely Descendant (MLD) tribe and contact them. The MLD tribe has 48 hours from the time they are given access to the site to make recommendations to the landowner for treatment and disposition of the ancestor's remains. The landowner shall follow the requirements of Public Resources Code Section 5097.98 for the remains.

Implementation of this mitigation measure would reduce the impact on human remains during project construction to a less than significant level.

Sources of Information

- Geo-Logic Associates, 2021, submitted August 31, 2023. *Oliveira Enterprises Inc. Compost Facility, Report of Composting Site Information.*
- Contra Costa County 2045 General Plan. *Conservation, Open Space, and Working Lands Element*.
- Contra Costa County, 2020. *Historical Resources Inventory*
- California Department of Conservation, 2025. *California Historical Resources*.
- California Historical Resource Information System, 2021. *Re: CDLP21-02042 / APNs 001-041-057 & 001-041-058 at 124 & 136 Bethany Lane / Brian Oliveira, November 1, 2021*.

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

SUMMARY:

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

The compost facility is currently operating on three parcels of the project site. The site includes an office and a single-family residence. The compost facility includes existing and proposed windrow composting areas, curing/storage areas, cattle feeding and receiving area, mulch storage areas, offices, off-street parking, and equipment storage areas. In addition to future windrow composting, a future office, covered mulch storage, uncovered mulch storage areas, and two water storage ponds would be constructed.

During project construction and operation, there would be energy consumption through the combustion of fossil fuels in vehicles and equipment, worker commute vehicles, and the use of electricity for building construction, lighting, and other construction and operation uses. Fossil fuels to power vehicles and other energy-consuming equipment would be used during grading, paving, and building construction. The types of equipment could include gasoline- and diesel-powered construction and transportation equipment. If not limited to the extent possible, **energy use could be significant during grading and other earthwork on the project site for both project operation and new construction, resulting in a potentially significant adverse environmental impact. Consequently, the applicant is required to implement the following mitigation measures Energy 1 and Energy 2.**

Energy 1: The following mitigation measures to reduce construction-related emissions, as recommended by the Bay Area Air Quality Management District (BAAQMD), shall be implemented during both project operation and new construction and shall be included on all construction plans.

A. Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations [CCR]). Clear signage shall be provided for construction workers at all access points.

B. All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified visible emissions evaluator.

Energy 2: The following construction restrictions and requirements shall be implemented both during both project operation and new construction, and shall be included on all construction plans:

A. Unless specifically approved otherwise via prior authorization from the Zoning Administrator, all construction activities shall be limited to the hours of 8:00 A.M. to 5:00 P.M., Monday through Friday, and are prohibited on State and Federal holidays on the calendar dates that these holidays are observed by the State or Federal government as listed below:

New Year's Day (State and Federal)

Birthday of Martin Luther King, Jr. (State and Federal)

Washington's Birthday (Federal)

Lincoln's Birthday (State)

President's Day (State)

Cesar Chavez Day (State)

Memorial Day (State and Federal)

Juneteenth National Independence Holiday (Federal)

Independence Day (State and Federal)

Labor Day (State and Federal)

Columbus Day (Federal)

Veterans Day (State and Federal)

Thanksgiving Day (State and Federal)

Day after Thanksgiving (State)

Christmas Day (State and Federal)

For specific details on the actual date the State and Federal holidays occur, please visit the following websites:

Federal Holidays: Federal Holidays (opm.gov)
California Holidays: State Holidays (ca.gov)

B. Large trucks and heavy equipment are subject to the same restrictions that are imposed on construction activities, except that the hours are limited to 9:00 AM to 4:00 PM.

Implementation of these mitigation measures would reduce the impact of energy use during project operation and new construction to a less than significant level.

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

The State of California has routinely adopted legislation to address climate change and clean energy production that has resulted in efforts to increase the efficiency of vehicles, buildings, and appliances and to provide energy from renewable sources. Locally, the Contra Costa County Board of Supervisors adopted the Contra Costa County Climate Action and Adaptation Plan 2024 Update on November 5, 2024. The 2024 Update is based on earlier sustainability and energy efficiency efforts in the County and includes a number of GHG emission reduction strategies that support energy efficiency. Strategy NI-4, Sequester carbon on natural and working lands in Contra Costa County, applies to the compost facility as the compost products are used for carbon sequestration by the Alameda County Waste Management Authority (StopWaste). Strategy NI-4 includes the following action: "Promote regenerative agricultural and landscaping techniques that incorporate cover crops, mulching, compost application, field borders, alley cropping, conservation crop rotation, prescribed grazing, and reduced tillage to promote healthy soil and soil conservation." This action is consistent with Policy P2.12 of the Contra Costa County 2045 General Plan Conservation, Open Space, and Working Lands Element: "Support efforts to protect, maintain, and improve soil health as a carbon sequestration tool." Thus, the continuing operation of a compost facility on the project site would be consistent with the strategies of the adopted Climate Action and Adaptation Plan 2024 Update and would not impede any State or local initiatives for increasing renewable energy or efficiency.

Sources of Information

- Geo-Logic Associates, 2021, submitted August 31, 2023. *Oliveira Enterprises Inc. Compost Facility, Report of Composting Site Information.*
- CEQA Thresholds and Guidelines Update, 2024. *CEQA Thresholds and Guidelines Update, 2022 CEQA Guidelines, Bay Area Air Quality Management District*.
- Contra Costa County 2045 General Plan. *Conservation, Open Space, and Working Lands Element.*
- Contra Costa County, 2024. *Climate Action and Adaptation Plan 2024 Update.*

Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
7. *GEOLOGY AND SOILS – 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 wastewater disposal systems where sewers are not available for the disposal of wastewater?	☐	☒	☐	☐
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	☒	☐	☐

SUMMARY:

a) *Would the project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury or death involving:*

i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? ***(Less than Significant Impact)***

The California Geological Survey (CGS) has delineated Alquist-Priolo Earthquake Fault Zones along the known active faults in California. The nearest fault considered active by CGS is the Greenville Fault, which is mapped approximately 7.8 miles southwest of the project site. According to the California Earthquake Hazards Zone Application, implemented by the California Department of Conservation, the project site is not within

the Greenville A-P zone. Because the site is not within an official Earthquake Fault Zone, the risk of fault rupture can be considered to be less than significant.

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

Figure HS-17 of the County General Plan Health and Safety Element identifies the project site to be within an area rated as a severe earthquake shaking hazard threat. The compost facility includes existing and proposed windrow composting areas, curing/storage areas, cattle feeding and receiving area, mulch storage areas, offices, off-street parking, and equipment storage areas. In addition to future windrow composting, a future office, covered mulch storage, uncovered mulch storage areas, and two water storage ponds would be constructed. The proposed new structures would be subject to risk of structural damage from ground shaking. However, new construction on the site is regulated by the building code and the County Grading Ordinance. The building code requires use of seismic parameters which allow the structural engineer to design buildings to be based on soil profile types and proximity of faults deemed capable of generating strong/violent earthquake shaking. Quality construction, conservative design and compliance with building and grading regulations can be expected to keep risks within generally accepted limits. Thus, the environmental impact from seismic ground shaking would be considered to be less than significant.

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

According to the California Earthquake Hazards Zone Application, implemented by the California Department of Conservation, the northern ⅔ of 124 Bethany Lane, all of 131 Bethany Lane, the northern ¼ of 136 Bethany Lane, and the northeastern edge of 148 Bethany Lane are within a Liquefaction Zone. These portions of the project site are also shown in a Liquefaction Seismic Hazard Zone on Figure HS-18 of the County's General Plan Health and Safety Element. Since the project includes a future office and covered mulch storage on 131 Bethany Lane, **construction of new structures would create potentially significant impacts due to liquefaction. Consequently, the project sponsor is required to implement the following mitigation measures Geology 1 through Geology 4.**

Geology 1: At the time of submittal of a grading or building permit application for construction within the onsite Liquefaction Zone, as shown in the California Earthquake Hazards Zone Application, the applicant shall submit a comprehensive geotechnical report that (i) references proposed grading, drainage and any foundation plans for the project, and (ii) is based on adequate subsurface exploration, laboratory testing of samples and engineering evaluation of the data gathered. The scope of the geotechnical investigation shall address the full range of potential "Geology & Soils" hazards addressed by State CEQA Guidelines. Regarding soils conditions, the scope of the investigation shall evaluate the following potential hazards: (i) expansive soils, (ii) corrosive soils, and (iii) undocumented fill. Recommendations shall be provided to mitigate any hazards that are confirmed to be present on the project site. Additionally,

the report shall include evaluation of (iv) siting and design of the proposed bioswales and water storage ponds, and to address the hazard posed by seismic-related ground failure, (v) provide prevailing California Building Code seismic parameters. The required report shall provide specific criteria and standards for site grading, drainage and foundation design based on adequate subsurface data.

Geology 2: The geotechnical report required in Geology 1 shall be subject to review by the County Peer Review Geologist, and review and approval by the Contra Costa County Department of Conservation and Development, Community Development Division (CDD). Improvement, grading, and building plans shall carry out the recommendations of the approved report.

Geology 3: The geotechnical report required in Geology 1 routinely includes recommended geotechnical observation and testing services during construction. These services are essential to the success of the project. They allow the geotechnical engineer to (i) ensure geotechnical recommendations for the project are properly interpreted and implemented by contractors, (ii) allow the geotechnical engineer to view exposed conditions during construction to ensure that field conditions match those that were the basis of the design recommendations in the approved report, and (iii) provide the opportunity for field modifications of geotechnical recommendations with Contra Costa County Department of Conservation and Development, Building Inspection Division (BID) approval, based on exposed conditions. The monitoring shall commence during clearing, and extend through grading, placement of engineered fill, installation of recommended drainage facilities, and foundation related work. A hard hold shall be placed by the CDD on the "final" grading inspection for each residence, pending submittal of a report from the project geotechnical engineer that documents their observation and testing services during grading and drainage related improvements. Similarly, a hard hold shall be placed on the final building inspection for each residence by the CDD, pending submittal of a letter-report from the geotechnical engineer documenting the monitoring services associated with implementation of foundation-related geotechnical recommendations. The geotechnical monitoring shall include any pier hole drilling/ foundation preparation work/ installation of drainage improvements.

Geology 4: All grading, excavation and filling shall be conducted during the dry season (April 15 through October 15) only, and all areas of exposed soils shall be revegetated to minimize erosion and subsequent sedimentation. After October 15, only erosion control work shall be allowed by the grading permit. Any modification to the above schedule shall be subject to review and approval by the BID Grading Section.

Implementation of these mitigation measures would reduce the impact of liquefaction to a less than significant level.

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

Figure HS-18 of the County General Plan Health and Safety Element shows the project site to be outside of a Landslide Seismic Hazard Zone. Similarly, Figure HS-18B of the County General Plan Health and Safety Element shows the project site to be outside of a Landslide Susceptibility area. Therefore, landsliding is not a potential hazard for this site.

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

According to the U.S. Department of Agriculture Natural Resources Conservation Service (USDA NRCS), the project site is characterized by Brentwood clay loam and San Ysidro loam. As described in the Soil Survey of Contra Costa County, runoff from Brentwood clay loam is slow and there is no hazard of erosion where the soil is tilled and exposed, and runoff from San Ysidro loam is slow and there is a slight hazard of erosion where the soil is tilled and exposed. Given the continuing operation of the site as a compost facility, there will not be any substantial erosion or loss of topsoil. Incorporation of the applicable geotechnical measures including drainage related improvements as described in Environmental Checklist Section 7.a.iii would further reduce the environmental impact related to substantial soil erosion or 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 with Mitigation)***

As evaluated in Environmental Checklist Section 7.a.iii, **construction of new structures would create potentially significant impacts due to liquefaction at the project site. Consequently, the applicant is required to implement mitigation measures Geology 1 through Geology 4.**

Implementation of these mitigation measures would reduce the impact from liquefaction to a less than significant level.

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 with Mitigation)***

As previously described, the project site is characterized by Brentwood clay loam and San Ysidro loam. With regard to its engineering properties, the Brentwood clay loam is highly expansive and highly corrosive, while San Ysidro loam has low expansive potential but is highly corrosive. Expansive soils are soils that expand when water is added and shrink when they dry out. This continuous change in soils volume causes homes and other structures to move unevenly and crack. Regarding the corrosion hazard, testing is needed to determine if metal and/or concrete that is in contact with the ground is subject to damage associated with the long-term exposure to corrosive soils. The risks of damage associated with these adverse engineering properties of the soils can be avoided or minimized by proper site preparation work, in

combination with foundation and drainage design that is sensitive to the prevailing soils conditions. Thus, **expansive and corrosive soils on the project site could result in potentially significant impacts on the construction of new structures. Consequently, the project sponsor is required to implement mitigation measures Geology 1 through Geology 4.**

Implementation of these mitigation measures would reduce the impacts of expansive and corrosive soils to less than significant levels.

e) *Would the project have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?* ***(Less than Significant Impact with Mitigation)***

As previously described, the project site is characterized by Brentwood clay loam and San Ysidro loam. Both Brentwood clay loam and San Ysidro loam have a permeability of 0.6 – 2.0 inches per hour, which is considered to be slow permeability and poses severe limitations for septic tanks. The project site currently has well water and a septic system that is permitted by the Contra Costa Health, Environmental Health Division. In order to issue a septic tank permit, the Environmental Health Division would review and inspect design plans for septic tanks ensure that the proposed septic system will not contaminate nearby surface and groundwater. However, the permitting process of the Environmental Health Division would not address the potential effect of the septic system on the groundwater basin. The project site is within the East Contra Costa Groundwater Basin. As shown on Figure COS-9 of the County General Plan Conservation, Open Space, and Working Lands Element, the project site s in an area of 70% to 90% threat to groundwater quality. Thus, **implementation of a new septic system on the project site could result in a potentially significant adverse environmental impact on the groundwater basin. Thus, the applicant is required to implement the following mitigation measure Geology 5.**

> **Geology 5:** If a new septic system is proposed on the project site, the geotechnical report required in Geology 1 shall include evaluation of the effect of the effluent on the elevation of the water table. This task consists of several components:(i) review of the septic system plans, (ii) review of the effect of the anticipated volume of effluent on the elevation of the water table, (iii) performing a sufficiently broad-scoped investigation to adequately characterize subsurface conditions, and (iv) design-level recommendations for the septic system, as warranted.

Implementation of this mitigation measure would reduce the groundwater basin impact to a less than significant level.

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

Although there are no known unique paleontological resources or geologic features on the project site, **there is a possibility that buried fossils and other paleontological resources or hidden geologic features could be present on the project site and accidental discovery could**

occur during grading and other earthwork on the site, resulting in a potentially significant impact on unique paleontological resources and geologic features. Thus, the project sponsor is required to implement the mitigation measures of Cultural Resources 1.

Implementation of these mitigation measures would reduce the adverse environmental impact on the unique paleontological resources or geologic features to a less than significant level.

Sources of Information

- Geo-Logic Associates, 2021, submitted August 31, 2023. *Oliveira Enterprises Inc. Compost Facility, Report of Composting Site Information.*
- Earthquake Zones of Required Investigation, 2025. *California Geological Survey, Earthquake Zones of Required Investigation.*
- Contra Costa County 2045 General Plan. *Conservation, Open Space, and Working Lands Element*.
- Contra Costa County 2045 General Plan. *Health and Safety Element*.
- United States Department of Agriculture, Soil Conservation Service, 1977. *Soil Survey of Contra Costa County, California.*
- Web Soil Survey, 2025. *USDA Web Soil Survey*.

Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
8. *GREENHOUSE GAS EMISSIONS – 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?	☐	☐	☒	☐

SUMMARY:

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

Greenhouse gases are gases that trap heat in the atmosphere and contribute to global climate change. Greenhouse gases include gases such as carbon dioxide, methane, nitrous oxide, and various fluorocarbons commonly found in aerosol sprays. Typically, a single residential or commercial construction project in the County would not generate enough greenhouse gas (GHG) emissions to substantially change the global average temperature; however, the accumulation of GHG emissions from all projects both within the County and outside the County has contributed and will contribute to global climate change.

In an effort to reduce California's contribution to climate change, the State Legislature enacted AB 32, the California Global Warming Solutions Act of 2006. AB 32 requires that California cap its GHG emissions at 1990 levels by 2020. Locally, the Contra Costa County Board of Supervisors adopted the Climate Action Plan in December 2015. Subsequently. The Board of Supervisors adopted the Contra Costa County Climate Action and Adaptation Plan 2024 Update on November 5, 2024. The 2024 Update is based on earlier sustainability and energy efficiency efforts in the County and includes a number of GHG emission reduction strategies that support energy efficiency. Strategy NI-4, Sequester carbon on natural and working lands in Contra Costa County, applies to the compost facility. Strategy NI-4 includes the following action: "Promote regenerative agricultural and landscaping techniques that incorporate cover crops, mulching, compost application, field borders, alley cropping, conservation crop rotation, prescribed grazing, and reduced tillage to promote healthy soil and soil conservation."

On October 11. 2023, Integrated Waste Management Consulting submitted an email forwarding an email from the Alameda County Waste Management Authority. In its email, StopWaste states that instituting carbon farming at the Altamont Property by applying 3,500+ cubic yards of compost on 100+ acres, has increased soil carbon concentrations by 1.2 tons/acre-year. StopWaste further states that the Oliveira compost facility provided 1,700 cubic yards of compost material. Thus, the continuing operation of a compost facility on the project site would be consistent with the strategies of the adopted Climate Action and Adaptation Plan 2024 Update and would have a less than significant impact with respect to the generation of GHG.

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)***

Contra Costa County has an adopted Climate Action Plan and an adopted Climate Action and Adaptation Plan 2024 Update that include a number of GHG emission reduction strategies designed to implement AB32. As discussed in Environmental Checklist Section 8.a, the continuing operation of a compost facility on the project site would be consistent with the strategies of the adopted 2024 Update.

Sources of Information

- Final 2017 Clean Air Plan, 2024. *Spare the Air, Cool the Climate, Final 2017 Clean Air Plan, Bay Area Air Quality Management District.*
- Contra Costa County, 2024. *Climate Action and Adaptation Plan 2024 Update.*
- Integrated Waste Management Consulting, 2023. Email.

Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
9. *HAZARDS AND HAZARDOUS MATERIALS – 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 create a significant hazard to the public or the environment?	☐	☐	☐	☒
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?	☐	☐	☒	☐
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☐	☒	☐
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?	☐	☐	☒	☐

SUMMARY:

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

Planned future expansion of the compost facility would have associated use of fuels, lubricants, paints, and other construction materials during the construction period. On November 15, 2021, Contra Costa Health, Hazardous Materials Programs submitted an email stating that project construction may be subject to regulations requiring a Hazardous Materials Building Plan (HMBP). Contra Costa County Ordinance Code Chapter 450-2 provides regulations administered by Contra Costa Health, regarding hazardous material response plans, inventories, and risk management. Contra Costa County Ordinance Code Section 450-2.008(b) requires the establishment of a HMBP, if necessary, that specifies the use, quantities, storage, transportation, disposal and upset conditions for hazardous materials in accordance with state and county regulations. Thus, an HMBP may be required to ensure no significant public exposure from the operation of a compost facility on the project site. If the project is approved, a Condition of Approval will require evidence that it has complied with County Code Chapter 450-2 prior to

issuance of grading or building permits. Compliance with County regulations would ensure this impact would be less than significant.

As discussed in Environmental Checklist Section 9.b, aside from cow manure, project operation does not involve the handling, use, or storage of substances that are considered hazardous.

b) *Would the project create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the likely release of hazardous materials into the environment?* ***(Less Than Significant Impact)***

Project operation would involve the routine transport of incoming feedstocks for processing. The material in the incoming feedstocks would not be considered hazardous materials and include almost exclusively green waste and agricultural waste. Additionally, the windrow composting produces wastewater that is diverted to an onsite wastewater treatment/storage pond. Aside from cow manure generated at the cattle feeding and receiving area, project operation does not involve the handling, use, or storage of substances that are considered hazardous. The 2.3-acre cattle feeding and receiving area is located on the parcel at 124 Bethany Lane and is less than 3% of the 89 acre Oliveira Enterprises property. Thus, the generation of cow manure would not be considered to be substantial.

Based on the management practices currently in place and given that the project site is within an agricultural zoning district, long-term impacts associated with handling, storing, and dispensing of green waste and cow manure from project operation will 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 located within one quarter mile of the project site. The nearest school, Sebastian Questa Elementary School, is approximately 2.41 miles to the southeast. As discussed in Environmental Checklist Section 9.b, the project does not involve the handling, use, or storage of substances that are considered to be hazardous. Thus, the project will have no impact with respect to hazardous emissions within one-quarter mile of an existing school.

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

A review of regulatory databases maintained by County, State, and federal agencies found no documentation of hazardous materials violations or discharge on the subject property or within one mile of the project site. The site is not listed on the State of California Hazardous Waste and Substance Sites (Cortese) List. California Government Code section 65962.5 requires the California Environmental Protection Agency to develop at least annually an updated Cortese List. The Cortese List is a planning document with hazardous material contaminated site

information, used by the State, local agencies and developers to comply with the California Environmental Quality Act. Considering that neither the project site nor the surrounding area is identified on the Cortese list, the project would expectedly have no impacts relating to hazardous materials sites.

e) *For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?* ***(Less Than Significant Impact)***

The project site is located approximately 1.55 miles southeast of Byron Airport and is an area covered by the Contra Costa County Airport Land Use Compatibility Plan. The Contra Costa County Airport Land Use Compatibility Plan serves to promote compatibility between the airports of Contra Costa County and the land uses that surround them. In a letter dated December 17, 2021 letter, Airport Land Use Commission staff recommended that the project be evaluated under the Federal Aviation Administration (FAA) Obstruction Evaluation/Airport Airspace Analysis (OE/AAA) to determine that no hazards to air navigation are created as a result of the proposed windrow composting. In a letter dated December 28, 2022, the OE/AAA states that the project has the potential to attract hazardous wildlife on or near the public-use airport and should adhere to the policies of Advisory Circular 150/5200-33. Section 2.2.5 addresses composting operations on or near airport properties and states that off-airport composting operations should be located no closer than 1,200 feet from any aircraft operations area. The existing compost facility is approximately 7,320 feet from the nearest portion of Byron Airport and thus the project will have less than a significant impact on potential hazards for the nearby public use airport.

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 project site on Bethany Lane is accessed from Bruns Road which connects with Byron Highway. As shown on Figure TR-4 of the County General Plan Transportation Element, Byron Highway is a County-designated arterial roadway that would be used in the event of an emergency requiring evacuation of the local neighborhood. Since the project does not involve any roadway modifications, and work within a public right-of-way would be subject to review by the Contra Costa County Public Works Department to ensure that such work will not disrupt vehicular travel on public roadways, the project is expected to have a less than significant impact on the implementation of an adopted 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 parcel at 124 Bethany Lane is in the High Fire Hazard Severity Zone (FHSZ) in a State Responsibility Area (SRA), and the parcels at 131 and 136 Bethany Lane are in the Moderate and High FHSZs in an SRA, while the parcel at 148 Bethany Lane is in a Moderate FHSZ within a Local Responsibility Area (LRA) with the northern edge in a Non-Wildland Non-Urban zone

within an LRA. The area is served by the Contra Costa County Fire Protection District (CCCFPD). CCCFPD staff has previously reviewed the project and provided no comments regarding the project as it relates to wildfire risk. Future expansion of the compost facility will be required to comply with CCCFPD requirements that would ensure a less than significant risk of loss, injury, or death involving wildland fire.

Sources of Information

- Geo-Logic Associates, 2021, submitted August 31, 2023. *Oliveira Enterprises Inc. Compost Facility, Report of Composting Site Information.*
- Contra Costa Health, Hazardous Materials Programs, 2021. Email.
- Contra Costa County 2045 General Plan. *Transportation Element.*
- EnviroStor (ca.gov), 2025. *California Department of Toxic Substances Control, 2025. Hazardous Waste and Substances List (Cortese).*
- Contra Costa County 2045 General Plan. *Health and Safety Element*.
- Contra Costa County Airport Land Use Commission. 2021. *RE: Application Review – Oliveira Composting Facility, December 17, 2021.*
- Federal Aviation Administration, Southwest Regional Office, Obstruction Evaluation Group. 2022. *Determination of No Hazard to Air Navigation, December 28, 2022.*
- Federal Aviation Administration, 2020. *Advisory Circular 150/5200-33C, February 21, 2020.*
- Fire Hazard Severity Zones | OSFM, 2025. *California Department of Forestry & Fire Protection, Fire Hazard Severity Zones.*

Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
10. *HYDROLOGY AND WATER QUALITY – Would the project:*				
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	☐	☐	☒	☐
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	☐	☐	☒	☐
c) Substantially alter the existing drainage pattern of area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:				
i) Result in substantial erosion or siltation on- or off-site?	☐	☐	☒	☐
ii) Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	☐	☐	☒	☐
iii) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	☐	☐	☒	☐
iv) Impede or redirect flood flows?	☐	☐	☒	☐
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	☐	☐	☒	☐
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	☐	☐	☒	☐

***SUMMARY**:*

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

The project includes future windrow composting on the parcel at 148 Bethany Lane; a future office, covered mulch storage, and uncovered mulch storage areas on the parcel at 131 Bethany Lane; and creation of two water storage ponds, including one pond at 136 Bethany Lane and a second pond at 148 Bethany Lane. This construction would occur over approximately 48 acres and would be regulated pursuant to the pursuant to the National Pollution Discharge Elimination System (NPDES) program. The State Water Resources Control Board (SWRCB) has adopted a statewide General Permit that applies to most storm water discharges associated with construction activity. Pursuant to the General Permit, if the proposed construction activity would disturb more than one acre of land, an applicant would be required to develop and implement a Storm Water Pollution Prevention Plan (SWPPP) that includes Best Management Practices

(BMPs) designed to reduce potential impacts to surface water quality during the construction of the project.

The SWRCB adopted Order No. 2009-0009-DWQ in September 2009 that enacted a new Construction General Permit that requires developers to implement specific BMPs, achieve quantitative pollutant-specific discharge standards, and conduct more rigorous monitoring. A Condition of Approval will be added if the project is approved, requiring the applicant to submit evidence that coverage under the State Water Resources Control Board Construction General Permit has been obtained prior to issuance of a building permit. To obtain coverage, the applicant would be required to prepare a SWPPP, and file a Notice of Intent with a vicinity map and the appropriate permit fee with the SWRCB. Thus, construction period impacts on water quality would be less than significant.

The proposed project must also comply with applicable Contra Costa County C.3 requirements. Contra Costa County, the Contra Costa County Flood Control and Water Conservation District, and 16 incorporated cities in the county have formed the Contra Costa Clean Water Program. In October 2009, the Regional Water Quality Control Board for the San Francisco Bay Region (RWQCB) adopted the National Pollutant Discharge Elimination System (NPDES) Municipal Regional Permit for the Program, which regulates discharges from municipal storm drains. Provision C.3 of the Municipal Regional Permit places requirements on site design to minimize creation of impervious surfaces and control storm water runoff. The County has the authority to enforce compliance with its Municipal Regional Permit authority in its adopted C.3 requirements. The C.3 requirements stipulate that projects that create or replace 2,500 sq. ft. or more of impervious surface must incorporate specific measures to reduce runoff, such as dispersion of runoff to vegetated areas, use of pervious pavement, installation of cisterns, and installation of bio-retention facilities or planter boxes.

The project would implement stormwater controls as required by the Contra Costa Clean Water Program. The applicant has submitted a preliminary Stormwater Control Plan (SWCP), as required by the County Stormwater Management and Discharge Control Ordinance. The SWCP would be designed to preserve natural drainage features on the project site. Storm water runoff would be collected from impervious surfaces that would be created on the project site, including the future office, covered mulch storage, and hardscape, and directed to multiple bioswales along the northern and eastern perimeter areas of the property. The windrow composting and uncovered storage areas would be self-treating and allow the areas to continue to percolate rainfall into the ground, with excess runoff draining as sheet flow towards the bioswales. The SWCP is subject to review and approval by the Contra Costa County Public Works Department. With implementation of the SWCP, project operations would have a less than significant impact on water quality and water discharge.

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)***

The agricultural activities on 89-acre Oliveira Enterprises property rely on existing well water, and the addition two water storage ponds that would be created as part of the project. The primary agricultural activities include windrow composting, curing and product storage, and mulch storage. The use of an onsite well is regulated by the Contra Costa Health, Environmental Health Division, and must comply with the applicable standards, including, setback, sustained yield, water quality, and construction. Accordingly, the potential impact of the project on groundwater supplies would be less than significant.

The future water storage ponds and bioswales, along with pervious windrow composting areas, uncovered storage areas, and parking areas, would facilitate groundwater recharge and help offset new impervious surface area on the project site. Thus, the proposed project would have a less than significant impact on groundwater recharge.

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

i) *Result in substantial erosion or siltation on- or off-site?* ***(Less than Significant Impact)***

As discussed in Environmental Checklist Section 7.b, runoff from Brentwood clay loam is slow and there is no hazard of erosion where the soil is tilled and exposed, and runoff from San Ysidro loam is slow and there is a slight hazard of erosion where the soil is tilled and exposed. Given the continuing operation of the site as a compost facility, there will not be any substantial erosion. Incorporation of the applicable geotechnical measures including drainage related improvements as described in Environmental Checklist Section 7.a.iii would further reduce the environmental impact related to substantial soil erosion.

ii) *Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?* ***(Less than Significant Impact)***

The project includes future windrow composting on the parcel at 148 Bethany Lane, and a future office, covered mulch storage, and uncovered mulch storage areas on the parcel at 131 Bethany Lane. As discussed above in Environmental Checklist Section 10.a, the applicant has submitted a preliminary SWCP, whereby storm water runoff would be collected from impervious surfaces that would be created on the project site and directed to multiple bioswales along the northern and eastern perimeter areas of the property. The Public Works Department will review the SWCP for compliance with the collect and convey drainage requirements of Division 914 of the County Ordinance Code. Through compliance of the project with the requirements of Division 914, the project would have a less than significant impact on surface runoff.

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?* ***(Less than Significant Impact)***

Currently, stormwater runoff from the project site is directed towards the north as sheet flow. The SWCP provides multiple bioswales along the northern and eastern perimeter areas of the property, as well as other additional drainage improvements. The SWCP stormwater facilities would be installed concurrent with construction of the future office, covered mulch storage, uncovered mulch storage areas, and water storage ponds, and the expansion of windrow composting. The SWCP facilities have been sized to accommodate the projected storm water runoff created with the construction of proposed project. The bioswales would reduce the level of pollutants in the stormwater runoff flowing northward, and therefore, would present a less than significant risk for providing substantial additional sources of polluted runoff.

iv) Impede or redirect flood flows? ***(Less than Significant Impact)***

The project site is located on FEMA (Federal Emergency Management Agency) Flood Map 06013C0530G. EAs shown on this flood map, the project site is not within a 100-year flood hazard area and is classified as being in Zone X, which is considered to be an area of minimal flood hazard. Future construction and expansion of windrow composting on the site would occur within Zone X, and therefore, the future development would have a less than significant impact on flood flows.

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

As discussed in Environmental Checklist Section 10.c.iv above, the project site is not within a 100-year flood hazard area. However, the Bethany Forebay in northeastern Alameda County is located 1.85 miles southwest of the project site. As shown on the Department of Water Resources Dam Breach Inundation Map, the floodwaters in the event of a failure of the dam at Bethany Forebay would extend onto the three parcels of the currently operating compost facility. As discussed in Environmental Checklist Section 9.b, aside from cow manure generated at the cattle feeding and receiving area, project operation does not involve the handling, use, or storage of substances that are considered hazardous. The 2.3-acre cattle feeding and receiving area is less than 3% of the 89 acre Oliveira Enterprises property. Thus, the generation of cow manure would not be considered to be substantial. As a result, the risk of release of pollutants due to inundation of the compost facility would be less than significant.

The project site is not in an area that would be susceptible to inundation by a tsunami. The California Geological Survey (2009) has projected and mapped the tsunami hazard posed by a tidal wave that passes through the Golden Gate and into San Francisco Bay, San Pablo Bay and Carquinez Strait. As mapped, the tsunami hazard in Contra Costa County is limited to the lowland areas immediately adjacent to these waterways. The Byron area is not included in the inundation area on any tsunami hazard map.

A seiche is a water wave in a standing body of water such as a large lake or reservoir that is caused by an earthquake, a major landslide, or strong winds. Similar to the floodwaters in the event of a failure of the dam at the Bethany Forebay, the extent of the floodwaters in the event

of a seiche in the Bethany Forebay could extend onto the three parcels of the currently operating compost facility. As discussed in Environmental Checklist Section 9.b, aside from cow manure, project operation does not involve the handling, use, or storage of substances that are considered hazardous. As a result, the risk of release of pollutants due to inundation of the compost facility 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)***

As discussed in Environmental Checklist Section 10.a above, the applicant would be required to develop and implement a SWPP that includes BMPs to reduce potential impacts to surface water quality during construction on the project site. If the project is approved, a Condition of Approval will require the applicant to submit evidence that coverage under the State Water Resources Control Board Construction General Permit has been obtained prior to issuance of a building permit. In addition, the project is required to comply with the requirements of Division 914 of the County Ordinance Code. With development and implementation of the SWPP and compliance of the project with the requirements of Division 914, the project would not conflict with a water quality control plan or groundwater management plan.

Sources of Information

- Geo-Logic Associates, 2021, submitted August 31, 2023. *Oliveira Enterprises Inc. Compost Facility, Report of Composting Site Information.*
- Integrated Waste Management Consulting, Inc., 2021, submitted October 4, 2021. *Draft Report of Composting Site Information, Oliveira Enterprises, Inc.*
- Contra Costa County Ordinance Code, Title 9, Division 914. *Drainage.*
- Contra Costa County Ordinance Code, Title 10, Division 1014. *Stormwater Management and Discharge Control.*
- United States Department of Agriculture, Soil Conservation Service, 1977. *Soil Survey of Contra Costa County, California.*
- Web Soil Survey, 2025. *USDA Web Soil Survey*.
- FEMA Flood Map Service Center | Search By Address, 2025. *FEMA (Federal Emergency Management Agency), Flood Map 06013C0530G, effective 03/21/2017.*
- California Emergency Management Agency, 2009. *Tsunami Inundation Maps for Emergency Planning: Richmond Quadrangle/San Quentin Quadrangle, Mare Island Quadrangle, Benicia Quadrangle.*
- Contra Costa County 2045 General Plan. *Health and Safety Element.*
- Dam Breach Inundation Map Web Publisher, 2025. *California Department of Water Resources, Bethany Forebay Dam Breach Inundation Map.*

Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
11. *LAND USE AND PLANNING – Would the project:*				
a) Physically divide an established community?	☐	☐	☐	☒
b) Cause a significant environmental impact due to conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	☐	☒	☐	☐

SUMMARY:

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

The project site is in active agricultural use as a compost facility and includes one single-family residence. The compost facility and structures are allowed in the A-4 Agricultural Preserve District with a Land Use Permit. Other lots in the vicinity are also developed with agricultural uses, agricultural buildings and utility buildings and uses. Due to the agricultural setting of the project vicinity, use of the Oliveira Enterprises property as a compost facility would not divide an established community.

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

General Plan

The proposed project for the continuing operation of a compost facility with a mobile chip and grind operation would be consistent with the AL Agricultural Lands General Plan land use designation. The AL designation is intended to preserve and protect lands capable of and generally used for agricultural production and related activities, including facilities for processing agricultural products to create value-added farm products such as compost and mulch.

The Contra Costa County 2045 General Plan Public Facilities and Services Element incorporates the CoIWMP, including the County's NDFE, by reference. State permitting regulations require that this type of facility be identified in local NDFE of the CoIWMP in order for the LEA to make a finding that the project is in conformance with said planning documents prior to issuing the facility's operating permit. This facility is not identified in the County's NDFE. Therefore, if the project is approved, a Condition of Approval will require the NDFE amendment to include the facility. The project will be consistent with the Public Facilities and Services Element with the NDFE amendment.

Zoning

As discussed in Environmental Checklist Section 2.b, the project site is in the A-4 Agricultural Preserve District and is under existing Williamson Act Contract, AP No. 13-77. In the A-4 District, permitted uses include agricultural and compatible uses designated in writing in the Williamson Act Contract. In addition, uses requiring a Land Use Permit in the A-4 District includes commercial facilities for creating value-added farm products, and related commercial agricultural uses including sheds, warehouses and other buildings for the storage of agricultural products and equipment. The project includes the continuing operation and expansion of a compost facility for windrow composting with a mobile chip and grind operation. **The compost facility and structures would be in conflict with Exhibit B of the existing Williamson Act Contract AP, No. 13-77, resulting in a potentially significant adverse environmental impact. Consequently, the applicant is required to implement mitigation measure Agricultural Resources 1**

Implementation of the Agricultural Resources 1 mitigation measure would reduce the impact of the conflict with the Williamson Act contract to a less than significant level.

Sources of Information

- Geo-Logic Associates, 2021, submitted August 31, 2023. *Oliveira Enterprises Inc. Compost Facility, Report of Composting Site Information.*
- Contra Costa County 2045 General Plan. *Land Use Element.*
- Contra Costa County 2045 General Plan. *Public Facilities and Services Element.*
- Contra Costa County Ordinance Code, Title 8, *Zoning Ordinance*.
- Williamson Act Contract, AP No. 13-77.

Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
12. *MINERAL RESOURCES – 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?	☐	☐	☐	☒

SUMMARY:

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

Known mineral resource areas in the County are shown on Figure COS-13 (Mineral Resource Areas) of the County General Plan's Conservation, Open Space, and Working Lands Element. The nearest known mineral resource area is the Domengine Sandstone deposit located on the G3 Enterprises sand mine on Camino Diablo approximately 4.1 miles northwest of the project site. Due to the distance between the mineral area and the project site, the project would not result in the loss of availability of any known mineral resource.

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)***

As discussed in Environmental Checklist Section 12.a, the project site is not within an area of known mineral importance according to the County General Plan's Conservation, Open Space, and Working Lands Element, and therefore, the project would not impact any mineral resource recovery site.

Sources of Information

- Geo-Logic Associates, 2021, submitted August 31, 2023. *Oliveira Enterprises Inc. Compost Facility, Report of Composting Site Information.*
- Contra Costa County 2045 General Plan. *Conservation, Open Space, and Working Lands Element*.

Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
13. *NOISE – Would the project:*				
a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	☐	☒	☐	☐
b) Generation of excessive groundborne vibration or groundborne noise levels?	☐	☒	☐	☐
c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☒	☐

SUMMARY:

a) *Would the project result in generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?* ***(Less than Significant Impact with Mitigation)***

Community Noise Exposure Levels are shown in Table HS-3 of the County General Plan's Health and Safety Element. Lots in the area around the project site are primarily agricultural in nature with the exception of the BBID property at 7995 Bruns Road, which includes an office building. The project site itself is in operation as a compost facility but includes an office on 131 Bethany Lane and a single-family residence on 136 Bethany Lane. Table HS-3 shows that levels of 60 dB or less are normally acceptable and noise levels up to 70 dB are conditionally acceptable for residential uses, and levels of 65 dB or less are normally acceptable and noise levels up to 75 dB are conditionally acceptable for office uses.

Noise from the operation of the compost facility would be primarily from the mobile chip and grind operation. This equipment is estimated to produce noise levels of approximately 81 dB at a distance of 50 feet. During construction of the future office, covered mulch storage, and water storage ponds, there may be periods of time where there would be loud noise from construction equipment, vehicles, and tools. The maximum projected noise level of construction equipment operating on the project site could be up to 88 dBA at a distance of 50 feet. **Although the grading and construction activities, and operation of the chip and grind equipment would be temporary, the activities could have a potentially significant noise impact on the onsite residence and the BBID office**. **Consequently, the applicant is required to implement the following mitigation measures.**

As discussed in Environmental Checklist Section 6.a, the applicant is required to implement mitigation measures Energy 1 and Energy 2 for both project operation and new construction at the project site.

Implementation of these mitigation measures would reduce project operation and construction period noise impacts to a less than significant level.

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

Groundborne vibration or noise is most commonly associated with heavy construction and/or grading activities, such as the use of vibratory rollers. A vibratory roller would generate a peak particle velocity (PPV) of 0.21 inches per second. (PPV is a measure of the strength of a vibration impact.) Thus, **if a vibratory roller is used for project construction, ground-borne vibration levels could exceed the Federal Transit Administration's vibration-induced architectural damage threshold of 0.2 PPV, resulting in a potentially significant ground-borne vibration impact. Consequently, the applicant is required to implement the following mitigation measure Noise 1:**

> **Noise 1:** Vibration rollers shall not be used for construction at any time. All construction drawings shall include this restriction.

Implementation of this mitigation measure would reduce the impact of ground-borne vibration to a less than significant level

c) *For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?* ***(Less than Significant Impact)***

As discussed in Environmental Checklist Section 9.e, the project site is approximately 1.55 miles southeast of Byron Airport and is in an area covered by the Contra Costa County Airport Land Use Compatibility Plan and is subject to the Byron Airport Compatibility Policies. Table 4A of the Compatibility Plan, Noise Compatibility Criteria, identifies uses that are normally compatible, conditional, and incompatible with aircraft noise. Outdoor agricultural uses are identified as normally compatible and may be carried out with minimal interference from aircraft noises. In addition, the project site is located in Safety Zones 4 and 6 on the Airport Safety Zones Policy Map. Outdoor agricultural activities are normally acceptable in Safety Zones 4 and 6 per Table 4B of the Compatibility Plan, Safety Compatibility Criteria. Thus, the project will have less than a significant impact on exposing people residing or working in the project area to excessive noise levels within two miles Byron airport.

Sources of Information

- Contra Costa County 2045 General Plan. *Health and Safety Element*.
- Waste Connections of Canada, 2019. *Ridge Landfill Environmental Assessment Report.*

- Howard County Council, 2007. *Typical Equipment Noise Levels.*
- Bolt, Beranek, and Newman, 1971. *Noise from Construction Equipment and Operations, Building Equipment, and Home Appliances. U.S.E.P.A. Office of Noise Abatement and Control*, Contract 68-04-0047.
- City of Los Angeles, 2023. *Sunset & Everett Project, Vibration Technical Report.*
- Contra Costa County Airport Land Use Commission. 2021. *RE: Application Review – Oliveira Composting Facility, December 17, 2021.*
- Contra Costa County. 2022. *Byron Airport Compatibility Policies, July 2022.*

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

SUMMARY:

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

The 89-acre project site is an operating compost facility with one onsite single-family residence. The continuing operation of the compost facility will not add any new residence to the site. The compost facility that currently operates on 62.52 acres of the 89-acre Oliveira Enterprises property (124 Bethany Lane, 131 Bethany Lane, 136 Bethany Lane). Expansion of the facility onto the 26.48 acre parcel at 148 Bethany Lane will increase the size of the compost facility by 42%. As discussed in Environmental Checklist Section 17.a, , the compost facility currently has 30 incoming one-way vehicle trips per day to the project site including employees, deliveries, regulatory visits, etc. Therefore, for a conservative estimate, assuming there are currently 30 employees at the facility, the expanded facility could have 13 additional employees. Nearby places to live in Contra Costa County would be in the 94513 (Brentwood), 94514 (Byron), and 95391 (Tracy) zip code areas. Based on the US Census 2020 estimate of 3.73 persons per household for the Tracy zip code area rather than 3.07 persons per household for the Brentwood zip code area or 2.15 persons per household for the Byron zip code area, the employee-based population addition would be 49 persons. These persons could live in the Brentwood, Byron, or Tracy zip code areas. Using Census 2020 data, an estimated 67,394 persons live in the Brentwood zip code area, 1,248 persons live in the Byron zip code area, and 24,709 persons live in the Tracy zip code area. Assuming all additional employees and their families move into these zip code areas, the population of the Brentwood zip code area could increase by 0.07%, the

population of the Byron zip code area could increase by 3.93%, and the population of the Tracy zip code area could increase by 0.20%. Therefore, the potential maximum increase in population in either the Brentwood or Tracy zip code areas would be less than significant. With respect to the Byron zip code area, it is unlikely that all of the additional employees or their families would live in the Byron zip code area due the limited number of residences within this zip code. Thus, the potential increase in population in the Byron zip code area would be less than 3.93% and would be considered to be less than significant.

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

The project site includes one single-family residence that will remain with the continuing operation of the compost facility. Also, there is no evidence of homeless persons residing on the site. Thus, the proposed project would not displace any person or existing housing and would have no housing displacement impact.

Sources of Information

- Geo-Logic Associates, 2021, submitted August 31, 2023. *Oliveira Enterprises Inc. Compost Facility, Report of Composting Site Information.*
- Census Bureau Data, 2025, *United States Census Bureau, Zip Code Profiles.*

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

SUMMARY*:*

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

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

Fire protection and emergency medical response services for the project vicinity are provided by the Contra Costa County Fire Protection District. Fire protection to the project site would be

provided by Station 99 located at 1685 Bixler Road (9.2 miles driving distance to the north). Expansion of the compost facility is required to comply with the applicable provisions of the 2022 California Fire Code, the 2022 California Building Code, and applicable Contra Costa County Ordinances that pertain to emergency access, fire suppression systems, and fire detection/warning systems. Prior to the issuance of building permits, the construction drawings would be reviewed and approved by the CCCFPD. As a result, potential impacts of the proposed project on fire protection would be less than significant.

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

Police protection and patrol services in the Byron area and the project vicinity are provided by the Contra Costa County Sheriff's office. In addition to regular patrol service, the Sheriff's Office Delta Station is located at 9100 Brentwood Boulevard (11.3 miles driving distance to the northwest). The compost facility is currently existing in a sparsely populated agricultural area. Therefore, expansion of the facility would not be expected to significantly affect the provision of police services to the Bruns Road neighborhood. Thus, the project will have a less than significant impact on police services and will not result in the need for expanded police protection facilities or services in the County.

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

The Byron Union School District and Liberty Union High School District provide public education services from kindergarten to 12th grade to students in the project vicinity. Students in this area would attend Discovery Bay Elementary School located at 1700 Willow Lake Road (10.2 miles driving distance to the north), Excelsior Middle School located at 14301 Byron Highway (6.7 miles driving distance to the northwest), and Liberty High School located at 850 2nd Street (12.7 miles driving distance to the northwest). The enrollment at Discovery Bay Elementary School is 407 students; the enrollment at Excelsior Middle School is 428 students; and the enrollment at Liberty High School is 2,786 students.

Indirectly, as described in Environmental Checklist Section 14.a, the project could result in a maximum increase of 49 person in the Brentwood and/or Byron and/or Tracy zip code area. Based on Census 2020 data, 24.40% of the population of the Brentwood zip code area, 38.14% of the population of the Byron zip code area, and 29.67% of the population of the Tracy zip code area would be between the ages of 5 and 19 years old. Therefore of the 49 new persons associated with the project, at most 19 persons would be between the ages of 5 and 19 years old. Assuming all 19 persons would be attending Discovery Bay Elementary School, Excelsior Middle School, or Liberty High School, the project-related increase in enrollment would be at most 4.67%. However, it is unlikely that all of the additional employees or their families would live in the Byron zip code area due the limited number of residences within this zip code. Therefore, the corresponding project-related increase in enrollment at any school would be less than 4.67%. Accordingly, school impacts would be expected to be less than significant.

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

The continuing operation and expansion of the compost facility project does not include any park facility. The nearest park facilities in Contra Costa County are in the City of Brentwood and in the Town of Discovery Bay. Also, there are park facilities in the City of Tracy in Alameda County that are in proximity to the project site. These parks provide recreational facilities such as playgrounds, picnic and barbecue areas, and youth and adult recreational programs. As described in Environmental Checklist Section 14.a, the project could result in a maximum increase of 49 person in the Brentwood and/or Byron and/or Tracy zip code area. Given the number of parks in the Brentwood-Discovery Bay and Tracy areas, the impacts of 49 additional persons induced by the proposed project on parks would be less than significant.

e) *Other Public Facilities?* ***(Less than Significant Impact)***

Libraries: The Contra Costa Library operates 27 facilities in Contra Costa County, including the Brentwood Library located at 104 Oak Street (12.4 miles driving distance to the northwest). The Contra Costa Library system is primarily funded by local property taxes, with additional revenue from intergovernmental sources. A portion of the property taxes on the project site would go to the Contra Costa Library system. Accordingly, the impact of the use of the public libraries by persons residing on the project site, and by project employees and their families who live in Contra Costa County would be less than significant.

Health Facilities: Contra Costa Health (CCH) operates a regional medical center (hospital) and 14 health centers, behavioral health clinics, and public health clinics in the County. County health facilities generally serve low income and uninsured patients. The Brentwood Health Center at 171 Sand Creek Road (13.7 miles driving distance to the northwest), provides routine and preventative health care services, and prenatal and women's health services. CCH is primarily funded by federal and state funding programs, with additional revenue from local taxes, including a portion of the taxes on the project site. Thus, the impact of the use of public health facilities by persons residing on the project site, and by project employees and their families who live in Contra Costa County would be less than significant.

Sources of Information

- Station Address – Contra Costa Fire Protection District, 2025. *Contra Costa County Fire Protection District, Station Addresses.*
- Delta Station | Contra Costa Sheriff, CA, 2025. *Contra Costa County, Office of the Sheriff, Delta Station.*
- Find Your School District and Nearby Schools | District Boundary Map | GreatSchools, 2025. *Great Schools.org, Find Your School District and Nearby Schools.*
- Census Bureau Data, 2025, *United States Census Bureau, Zip Code Profiles.*
- Park Information | Brentwood, CA, 2025. *City of Brentwood, Park Information*.
- Park Amenities - The Town of Discovery Bay, 2025. *Town of Discovery Bay, Park Amenities*.

- Parks, Recreation, & Community Services Department | City of Tracy, CA, 2025. *City of Tracy, Parks, Recreation, & Community Services Department.*
- Locations | Contra Costa County Library, 2025. *Contra Costa County Library, Locations*.
- Health Centers & Clinics | Contra Costa Health, 2025. *Contra Costa Health, Health Centers &Clinics*.

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

SUMMARY:

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

As discussed in Environmental Checklist Section 15.d, the continuing operation and expansion of the compost facility project does not include any park facility. As a result, persons residing on the project site, and project employees and their families, would use parks in the City of Brentwood and/or in the Town of Discovery Bay and/or in the City of Tracy. These parks provide recreational facilities such as playgrounds, picnic and barbecue areas, and youth and adult recreational programs. In addition to these recreational facilities, the Bethany Reservoir State Recreation Area in northeastern Alameda County, administered by California State Parks, provides 608 acres of reservoir and open space that provide opportunities for activities such as hiking, boating, fishing, picnicking, and sailing. As described in Environmental Checklist Section 14.a, the project could result in a maximum increase of 49 person in the Brentwood and/or Byron and/or Tracy zip code area. Given the number of parks in the Brentwood-Discovery Bay and Tracy areas, and the Bethany Reservoir State Recreation Area, the impacts of 49 additional persons induced by the proposed project on neighborhood and regional parks would be less than significant.

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

The continuing operation and expansion of the facility does not include any park facility. Given the number of parks in the City of Brentwood, in the Town of Discovery Bay, and in the City of Tracy, as well as the Bethany Reservoir State Recreation Area, persons residing on the project site, and project employees and their families who live in the Brentwood-Byron-Discovery Bay and Tracy areas would likely use these facilities. The project would not result in the need to construct or expand recreational facilities. Therefore the project would have no impact.

Sources of Information

- Bethany Reservoir State Recreation Area, 2025. *California State Parks, Bethany Reservoir State Recreation Area.*

Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
17. *TRANSPORTATION – 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 Section 15064.3(b)?	☐	☐	☒	☐
c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	☐	☐	☐	☒
d) Result in inadequate emergency access?	☐	☐	☒	☐

***SUMMARY**:*

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

The Contra Costa County Board of Supervisors adopted the Contra Costa County Transportation Analysis Guidelines in June 2020. The Transportation Analysis Guidelines require a transportation impact analysis of any project that is estimated to generate 100 or more new peak-hour trips. Operation of the compost facility on the project site includes up to 78 incoming truck trips accessing the site, 30 outgoing vehicle truck trips removing finished compost, and 30 incoming one-way vehicle trips per day to the project site including employees, deliveries, regulatory visits, etc. Therefore, project operation results in a maximum of 138 one-way vehicles trips to the site per day. Based on available trip generation data for comparable recycling land uses from the San Diego Association of Governments (SANDAG), up to 11% of the daily trips would occur during the AM peak period and up to 10% of the daily trips would occur during the PM peak period. Using this peak period data for a conservative estimate, 29 trips could occur during a peak-hour. In addition to operation of the compost facility, there is one single-family residence on the project site. Based on the Institute of Transportation Engineers peak period trip generation rate of 0.74 AM peak hour trip and 0.99 PM peak hour trip per dwelling unit for

single-family residences, the existing single-family residence on the project site generates a total of 2 (1 AM and 1 PM) peak hour trips. Thus, there would be 31 total peak-hour trips for the project site. Accordingly, a project-specific traffic impact analysis is not required. Since the project would yield less than 100 AM or PM peak hour trips, the proposed project would not conflict with circulation in the Bruns Road area.

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

The Transportation Analysis Guidelines include the following screening criteria for new development projects. If the proposed new development project meets the screening criteria, the project would be expected to have a less than significant impact and would not require VMT (Vehicle Miles Traveled) analysis.

i. Projects that:
    a. Generate or attract fewer than 110 daily vehicle trips; or,
    b. 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.

ii. Residential, retail, office projects, or mixed-use projects proposed within ½ mile of an existing major transit stop or an existing stop along a high-quality transit corridor.

iii. Residential projects (home-based VMT) at 15% or below the baseline County-wide home-based average VMT per capita, or employment projects (employee VMT) at 15% 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).

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

The proposed project is the continuing operation and expansion of a compost facility that currently generates 138 daily trips. Expansion of the compost facility that currently operates on 62.52 acres of the 89-acre Oliveira Enterprises property (124 Bethany Lane, 131 Bethany Lane, 136 Bethany Lane) onto the 26.48 acre parcel at 148 Bethany Lane will increase the size of the compost facility by 42%. Therefore, a conservative estimate of 59 new daily vehicle trips would be generated by expanding the compost facility onto all 89 acres of the project site. Therefore, a VMT analysis is not required. Accordingly, the proposed project with expansion of the compost facility would have a less than significant transportation impact and would be consistent with CEQA Guidelines Section 15064.3(b).

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

The 89-acre Oliveira Enterprises property comprised of four parcels at the eastern end of Bethany Lane, approximately 1,170 feet east of Bruns Road. The area is predominantly agricultural area and lots in the surrounding area are primarily agricultural in nature with some utility development in the vicinity. The project site is located on a straight, flat portion of Bethany Lane without any existing roadway hazards. The continuing operation and expansion of the compost facility would not affect the configuration of either Bethany Lane or Bruns Road and would not create a hazard due to a geometric design feature. Furthermore, the project will not increase any transportation hazard due to creating an incompatible use.

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

As discussed in Environmental Checklist Section 17.c, the project site is located at the eastern end of Bethany Lane. The driveways of the existing compost facility are designed to accommodate the turning movements of large vehicles into and out of the site without impeding opposing vehicles. This design would also accommodate large emergency response vehicles such as fire engines. Also, as described in Section 17.c above, the project located on a straight, flat portion of Bethany Lane without any existing roadway hazards. Thus, emergency access to the project vicinity would not be impeded. At the time of review of construction drawings for building permits, the CCCFPD would review the construction drawings for compliance with all applicable fire safety measures to ensure that the potential to result in inadequate emergency access or services is less than significant.

Sources of Information

- Contra Costa County 2045 General Plan. *Growth Management Element*.
- Contra Costa County 2045 General Plan. *Transportation Element*.
- Contra Costa County, 2020. *Contra Costa County Transportation Analysis Guidelines*.
- San Diego Association of Governments (SANDAG), 2002. *Brief Guide of Vehicular Traffic Generation Rates for the San Diego Region.*
- Institute of Transportation Engineers, 2017. *Trip Generation Manual, 10th Edition.*
- Integrated Waste Management Consulting, Inc., 2021, submitted October 4, 2021. *Draft Report of Composting Site Information, Oliveira Enterprises, Inc.*
- Geo-Logic Associates, 2021, submitted August 31, 2023. *Oliveira Enterprises Inc. Compost Facility, Report of Composting Site Information.*

Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
18. *TRIBAL CULTURAL RESOURCES – Would the project* *cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:*				
a) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k)?	☐	☐	☐	☒
b) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1?	☐	☒	☐	☐

SUMMARY:

a) *Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k)??* ***(No Impact)***

As discussed in Environmental Checklist Section 5, the project site is in use as a compost facility on three of the parcels and the fourth parcel is an agricultural parcel that is regularly disked. There is an office on 131 Bethany Lane and a single-family residence on 136 Bethany Lane. The project site and the structures are not in the State Historic Resources Inventory or the Contra Costa County Historic Resources Inventory.

b) *A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1?* ***(Less than Significant Impact with Mitigation)***

As discussed in Environmental Checklist Sections 5.b, 5.c, and 7.f above, **buried cultural resources could be present on the project site. Therefore, future construction and/or grading activities on the site could result in accidental discovery of archaeological resources, human remains, buried fossils and other paleontological resources, or hidden geologic features during grading and other earthwork on the site, resulting in a potentially significant impact. Thus, the project sponsor is required to implement the mitigation measures of Cultural Resources 1 and Cultural Resources 2.**

Implementation of these mitigation measures would reduce the adverse environmental impact on archaeological resources, human remains, buried fossils and other paleontological resources, or hidden geologic features to a less than significant level.

Sources of Information

- Geo-Logic Associates, 2021, submitted August 31, 2023. *Oliveira Enterprises Inc. Compost Facility, Report of Composting Site Information.*

- Contra Costa County 2045 General Plan. *Conservation, Open Space, and Working Lands Element*.
- Contra Costa County, 2020. *Historical Resources Inventory*
- California Department of Conservation, 2025. *California Historical Resources*.
- California Historical Resource Information System, 2021. *Re: CDLP21-02042 / APNs 001-041-057 & 001-041-058 at 124 & 136 Bethany Lane / Brian Oliveira, November 1, 2021*.

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

SUMMARY:

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

The project is the continuing operation and expansion of a compost facility. The project site currently has well water and a septic system that is permitted by the Contra Costa Health, Environmental Health Division. Electric power and natural gas service is provided by PG&E. PG&E would continue to provide service to the site.

As described in Environmental Checklist Section 10.a, the applicant has submitted a preliminary SWCP, as required by the County Stormwater Management and Discharge Control Ordinance.

Under the SWCP, storm water runoff would be collected from impervious surfaces that would be created on the project site, including the future office, covered mulch storage, and hardscape, and directed to multiple bioswales along the northern and eastern perimeter areas of the property. The windrow composting and uncovered storage areas would be self-treating and allow the areas to continue to percolate rainfall into the ground, with excess runoff draining as sheet flow towards the bioswales. The SWCP is subject to review and approval by the Contra Costa County Public Works Department. With implementation of the SWCP, project operations would have a less than significant impact on water quality and water discharge.

Regarding the septic system, as discussed in Environmental Checklist Section 7.e, the project site is within the East Contra Costa Groundwater Basin in an area of 70% to 90% threat to groundwater quality. Thus, **implementation of a new septic system on the project site could result in a potentially significant adverse environmental impact on the groundwater basin. Thus, the applicant is required to implement the Geology 5 mitigation measure.**

Implementation of this mitigation measure would reduce the groundwater basin impact to a less than significant level.

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

The project site is in an agricultural area that is not served by any municipal water system, and therefore, the project would have no effect on water facilities. Similar to other land uses in the vicinity, the proposed project would use an on-site groundwater well. The well is subject to review and approval by the Environmental Health Division. Accordingly, the impact of providing water to the proposed project would be less than significant.

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?* ***(No impact)***

The project site is in an agricultural area that is not served by any wastewater system, and therefore, the project would have no effect wastewater treatment facilities. Thus, there would be no impact to any wastewater treatment provider.

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)***

The project is the continuing operation and expansion of a compost facility for windrow composting with a mobile chip and grind operation. The facility processes organic waste that might have otherwise been taken directly to a landfill for disposal. Facilities that recover materials that would otherwise be disposed of as waste usually receive a fraction of "contamination" which is mixed into incoming loads. Contamination for a compost facility may

include occasional plastic, paper and inert debris (rock, concrete and soil) which are collectively referred to as residual waste. The small amount of residual waste that may exist after loads are sorted for processing should be partially recyclable and the remainder in addition to typical trash generated by employees will not significantly impact permitted landfill capacity. Approximately once per week Oliveira Enterprises will haul the residual waste to one of the several regional landfills.

Construction of the future office and covered mulch storage would generate construction solid waste. Construction on the project site would be subject to the California Green Building Standards Code (CalGreen), which requires that at least 65% by weight of job site debris generated by most types of building project types be recycled, reused, or otherwise diverted from landfill disposal. This requirement applies to demolition projects and most new construction, as well as the majority of building additions or alterations. CalGreen is administered in the County through the Construction and Demolition Debris Recovery Program, and verifiable post-project documentation is required to be submitted to demonstrate that at least 65% of the nonhazardous construction and demolition (C&D) debris generated on the job site are salvaged for reuse, recycled or otherwise diverted. The Debris Recovery Program would reduce the construction debris headed to a landfill by diverting materials that can be recycled to appropriate recycling facilities. Nondiverted C&D debris is required to be transported to an approved Construction and Demolition Processing Facility. Accordingly, the environmental impact of construction waste would be less than significant.

Regarding the onsite single-family residence, Contra Costa County contracts with franchise haulers for solid waste, recycling, and organics collection service for about one half of the unincorporated County. The Department of Conservation and Development, Solid Waste and Recycling Section administers four franchise agreements with Allied Waste Systems, Crockett Sanitary Service, Garaventa Enterprises, and Richmond Sanitary Service. Republic Services collects residential waste under the Allied Waste, Crockett Sanitary, and Richmond Sanitary agreements. Mt. Diablo Resource Recovery collects residential waste under the Garaventa Enterprises agreement. In the other half of unincorporated County, collection service is managed by three different sanitary districts, the Kensington Community Services District, the Central Contra Costa Solid Waste Authority (RecycleSmart, a joint powers authority), and the City of San Ramon, where unincorporated areas of San Ramon are served under the city's collection franchise. California Public Resource Code (PRC) Division 30, and Title 14, Natural Resources, of the California Code of Regulations requires the County to show it has a minimum of 15-years of disposal capacity. The capacity of Keller Canyon Landfill is approximately 40 years if the maximum daily capacity was brought to the landfill. As is the case with construction debris, a portion of the residential waste is expected to be recycled and would thereby reduce the residential waste headed to a landfill by a franchise hauler. Thus, residential waste from the single-family residence incrementally adds to the operational waste handled by a franchise hauler; however, the impact of the project-related residential waste is considered to be less than significant.

e) *Would the project comply with federal, state, and local management and reduction statutes and regulations related to solid waste?* ***(No Impact)***

The proposed project would be required to comply with applicable federal, state, and local laws related to solid waste. Continuing operation and expansion of the compost facility would not conflict with existing regulations applicable to solid waste. Similarly, construction of the future office and covered mulch storage would not result in the generation of unique types of solid waste that would conflict with existing regulations applicable to solid waste. Thus, the project would have no impact.

Sources of Information

- Contra Costa County 2045 General Plan. *Public Facilities and Services Element*.
- Integrated Waste Management Consulting, Inc., 2021, submitted October 4, 2021. *Draft Report of Composting Site Information, Oliveira Enterprises, Inc.*
- Geo-Logic Associates, 2021, submitted August 31, 2023. *Oliveira Enterprises Inc. Compost Facility, Report of Composting Site Information.*
- CalGreen-Construction-Demolition-Debris, 2025. *Contra Costa County, Conservation and Development Department, CalGreen / Construction & Demolition (C&D) Debris Recovery Program.*
- Approved-CD-Processing-Facilities, 2025. *Contra Costa County, Approved Construction & Demolition (C&D) Processing Facilities.*
- Franchise-Agreements, 2025. *Contra Costa County, Franchise Agreements.*
- Waste Hauler Map, 2025. *Contra Costa County, Waste Hauler Area Map.*

Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
20. *WILDFIRE –* *If located in or near the 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?	☐	☒	☐	☐

SUMMARY:

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

b) *Substantially impair an adopted emergency response plan or emergency evacuation plan?* ***(Less than Significant Impact)***

As discussed in Environmental Checklist Section 9.g, the current compost facility on three parcels (124 Bethany Lane, 131 Bethany Lane, 136 Bethany Lane) is located partially in a High FHSZ in an SRA and in a Moderate FHSZ in an SRA, while the fourth parcel east of the current facility (148 Bethany Lane) is in a Moderate FHSZ within a LRA with the northern edge in a Non-Wildland Non-Urban zone within an LRA. The area is served by the CCCFPD. Future expansion of the compost facility will be required to comply with CCCFPD requirements that would reduce the risk of loss, injury, or death from wildland fires.

As discussed in Environmental Checklist Section 15.a, fire protection and emergency medical response services for the project vicinity are provided by the CCCFPD. Fire protection to the project site would be provided by Station 99 located at 1685 Bixler Road (9.2 miles driving distance to the north). The expansion of the compost facility is required to comply with the applicable provisions of the 2022 California Fire Code, the 2022 California Building Code, and applicable Contra Costa County Ordinances that pertain to emergency access, fire suppression systems, and fire detection/warning systems. Compliance with these requirements would ensure that project impacts on emergency response and evacuation would be less than significant.

c) *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)***

Much of the project site is in a High FHSZ in a SRA or Moderate FHSZ in a SRA, with most of the portion east of the BBID water canal in a Moderate FHSZ in an LRA. Prevailing winds in the Byron area are generally from the west-southwest, with wind speeds of generally 10-20 mph with wind gusts that can be up to 25-35 mph. Given these conditions, there would be a risk of wildfire spreading onto the project site primarily from the west-southwest. However, there are a number of offsetting factors that reduce wildfire risks, including California Department of Water Resources facilities (California State Aqueduct, Bethany Forebay, Banks Pumping Station) located southwest of the site; the BBID water canal that runs through the portion of the site south of Bethany Lane and borders the parcel north of Bethany Lane to the north and the east; the primarily agricultural lots in the surrounding area; and the relatively flat topography of the site and surrounding area. Moreover, as discussed in Environmental Checklist Section 20.a, expansion of the compost facility is required to comply with the applicable provisions of the 2022 California Fire Code, the 2022 California Building Code, and applicable Contra Costa County Ordinances that pertain to emergency access, fire suppression systems, and fire detection/warning systems. Accordingly, access to and from the compost facility would be reviewed and approved by the CCCFPD and would not be substantially encumbered due to a wildfire and persons on the project site would be able to readily evacuate if necessary. Therefore, wildfire risk to the project employees and occupants of the single-family residence on the project site would be less than significant.

d) *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?* ***(Less than Significant Impact)***

As discussed in Environmental Checklist Section 20.b above, the expansion of the compost facility would be reviewed and approved by the CCCFPD. Compliance with all Fire Protection District requirements would ensure that temporary or ongoing impacts to the environment due to wildfires would be less than significant.

e) *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 with Mitigation)***

In Environmental Checklist Sections 7.a.iii and 7.c, **construction of new structures on the project site would create potentially significant impacts due to liquefaction. The risks of liquefaction could be exacerbated by post-fire-related conditions. Accordingly, the project sponsor is required to implement mitigation measures Geology 1, Geology 2, Geology 3, and Geology 4.**

Implementation of these mitigation measures would reduce wildfire risks due to liquefaction to less than significant levels.

Sources of Information

- Geo-Logic Associates, 2021, submitted August 31, 2023. *Oliveira Enterprises Inc. Compost Facility, Report of Composting Site Information.* Contra Costa County 2045 General Plan. *Conservation, Open Space, and Working Lands Element*.
- Contra Costa County 2045 General Plan. *Health and Safety Element*.
- Fire Hazard Severity Zones | OSFM, 2025. *California Department of Forestry & Fire Protection, Fire Hazard Severity Zones.*
- Station Address – Contra Costa Fire Protection District, 2025. *Contra Costa County Fire Protection District, Station Addresses.*

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

SUMMARY:

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

As assessed in Environmental Checklist Sections 2 (Agricultural and Forest Resources), 3 (Air Quality), 4 (Biological Resources), 5 (Cultural Resources), 6 (Energy), 7 (Geology and Soils) and 18 (Tribal Cultural Resources), **ongoing operation and expansion of the compost facility**

would have potentially significant impacts on agricultural resources, air quality, special-status wildlife species and nesting birds, buried archaeological and paleontological resources and human remains, energy resources, and the groundwater basin. **Mitigation measures, including Agricultural Resources 1, Air Quality 1, Biological Resources 1 through 5, Cultural Resources 1, Cultural Resources 2, Energy 1, Energy 2, and Geology 5, are proposed in this Environmental Checklist that address these potentially significant impacts.** If the proposed project is approved, the mitigation measures will be conditions of approval of the proposed project and the Project Sponsor will be responsible for implementation of the measures. With implementation of the mitigation measures, project impacts will be less than significant.

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

The continuing operation and expansion of the compost facility would not create substantial cumulative impacts. The compost facility is currently operating on three parcels of the four-parcel Oliveira Enterprises property. A future office and covered mulch storage would be constructed within the current facility, along with creation of an uncovered mulch storage area and a water storage pond, Future windrow composting would be developed on the fourth parcel along with creation of a second water storage pond. The expansion of the facility on land under a Williamson Act Contract in a predominantly agricultural area would not be expected to create substantial cumulative impacts. Thus, the proposed project would be consistent with the existing agricultural land use and would have less than significant cumulative impacts.

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

This Environmental Checklist has disclosed impacts that would be less than significant with the implementation of mitigation measures. These mitigation measures are required in the conditions of approval for the proposed project, and the applicant would be responsible for implementation of the mitigation measures. As a result, there would not be any environmental effects that would cause substantial adverse effects on human beings, either directly or indirectly.

ATTACHMENTS

1. **Vicinity Map**
2. **Project Plans**