2021-00006

FILED

January 11, 2021
DEBORAH COOPER
CLERK-RECORDER

By _____ Deputy clerk

RECEIVED
JAN 14 2021
By _____

Notice of Determination

Appendix D

To:
☒ Office of Planning and Research
U.S. Mail: P.O. Box 3044, Sacramento, CA 95812-3044
Street Address: 1400 Tenth St., Rm 113, Sacramento, CA 95814

☒ County Clerk
County of: Contra Costa
Address: 555 Escobar Street
Martinez CA 94553

From:
Public Agency: Byron Bethany Irrigation District
Address: 7995 Bruns Road
Byron CA 94514
Contact: Rick Gilmore, General Manager
Phone: 209-835-0375 r.gilmore@bbid.org

Lead Agency (if different from above):
Address:
Contact:
Phone:

SUBJECT: Filing of Notice of Determination in compliance with Section 21108 or 21152 of the Public Resources Code.

State Clearinghouse Number (if submitted to State Clearinghouse): 2020109021

Project Title: Lawrence Annexation to the Byron Bethany Irrigation District

Project Applicant: Byron Bethany Irrigation District

Project Location (include county): Byron Area, Contra Costa County

Project Description:
Annexation of 89.48 acres to the Byron Bethany Irrigation District in order to obtain a guaranteed source of irrigation water.

This is to advise that the Byron Bethany Irrigation District (☒ Lead Agency or ☐ Responsible Agency) has approved the above described project on November 25, 2020 (date) and has made the following determinations regarding the above described project.

1. The project [☐ will ☒ will not] have a significant effect on the environment.
2. ☐ An Environmental Impact Report was prepared for this project pursuant to the provisions of CEQA.
   ☒ A Negative Declaration was prepared for this project pursuant to the provisions of CEQA.
3. Mitigation measures [☐ were ☒ were not] made a condition of the approval of the project.
4. A mitigation reporting or monitoring plan [☐ was ☒ was not] adopted for this project.
5. A statement of Overriding Considerations [☐ was ☒ was not] adopted for this project.
6. Findings [☐ were ☒ were not] made pursuant to the provisions of CEQA.

This is to certify that the final EIR with comments and responses and record of project approval, or the negative Declaration, is available to the General Public at:
BBID District Office, 7995 Bruns Road, Byron, California

Signature (Public Agency): _____ Title: General Manager

Date: November 28, 2020 Date Received for filing at OPR: _____

Authority cited: Sections 21083, Public Resources Code.
Reference Section 21000-21174, Public Resources Code.

Revised 2011

Negative Declaration

for the

Lawrence Property Annexation

Lead Agency:
Byron Bethany Irrigation District
7995 Bruns Road
Byron CA 94514

Prepared by:
Baracco and Associates

State Clearinghouse No. 2020109021

Final Document

November 2020

Table of Contents

List of Figures

1. Introduction and Project Description

This Project Information, Description, and Environmental Checklist contained herein constitute the contents of an Initial Study in accordance with Section 15063 of the California Environmental Quality Act (CEQA) Guidelines:

Project Title:	Lawrence Annexation to the Byron Bethany Irrigation District
Lead Agency:	Byron Bethany Irrigation District 7995 Bruns Road Byron CA 94514
Contact Information:	Rick Gilmore, General Manager 209-835-0375 r.gilmore@bbid.org
Responsible Agency:	Contra Costa Local Agency Formation Commission 40 Muir Road First Floor Martinez CA 94553 925-313-7133
Project Sponsor's Name and Address:	James Lawrence, Victoria Lawrence, and Victoria Lawrence Trust 3868 Happy Valley Road Lafayette CA 94549 925-299-0080 jamesblawrence@comcast.net

Project Location

The Lawrence Annexation parcel is located due west of the community of Byron in southeastern Contra Costa County; and is 1,000 feet west of Byron Highway, 450-feet northeast of Vasco Road, and 250-feet north of Camino Diablo Road. The property address is 2043 Camino Diablo, Byron, California. (Refer to Figure 1: Vicinity Map)

The annexation parcel consists of 89.48 acres and is identified as Assessor Parcel Numbers (APNs) 003-070-015, 003-070-017, 003-070-019, and 003-070-021. The subject property is located in Section 5 of Township 1 South, Range 3 East, Mount Diablo Base and Meridian.

General Plan Designation

The subject property carries two General Plan Land Use Designations: AL (Agricultural Lands) on the west; and AC (Agricultural Core) on the east. The parcels are located primarily in the AL designation. The purpose of both the AL designation and the AC designation is to preserve and protect lands capable of and generally used for production of food, fiber, and plant materials.

Zoning

The subject property is zoned A-4 (Agricultural Preserve--40-acre minimum parcel size). It is the intent of the A-4 Zone to provide areas that provide primarily for the commercial production of food and fiber. The subject property is also designated as an Agricultural Preserve under Contract No. 15-76.

Surrounding Land Uses and Setting

As detailed in Table A, the subject property is surrounded by various types of agricultural pursuits. There are also a number of residential enclaves east of the subject property along Camino Diablo, and to the north along Hoffman Lane.

Other Public Agencies Whose Approval is Required

Contra Costa Local Agency Formation Commission (Contra Costa LAFCo), if jurisdiction is relinquished by San Joaquin LAFCo as the principal LAFCo.

California Native American Tribal Consultation

Pursuant to Public Resources Code Section 21080.3.1 (AB 52), the Lead Agency is responsible for consultation with affected California Native American Tribes who are traditionally and culturally affiliated with the geographic area of the proposed project.

Existing Environmental Setting

The subject property is located west of the small community of Byron (population of 1,277 in 2010). This area in Southeastern Contra Costa County contains significant acreage in agricultural production and is headquarters to such family farms as Maggiore Ranches, Salvador Family Farm, Stoney Family Farms, and Freitas Cherry Ranch. A variety of crops and agricultural land uses are located in the area, including: orchards (primarily cherries, along with apricots, nectarines, peaches, olives, and walnuts); vineyards; row crops (primarily tomatoes and sweet corn); field crops (including alfalfa, hay, cereal hay, and field corn); irrigated pasture; dry farming; and grazing.

Detailed Project Description

The proposed project is the annexation of four parcels of record (under one ownership) totaling 89.48 acres to the Byron Bethany Irrigation District (BBID) in order to obtain irrigation water for crop production. (Refer to Figure 2: Annexation Map) Such water service will be subject to BBID's current rules and regulations governing both the distribution of water and payment of tolls and charges for water service. BBID will also offer water rights protection, provide advice regarding groundwater management and monitoring, and allow participation with other agencies in regional water planning.

Irrigation water will be supplied from BBID's Forty-Five Canal which traverses along the west side of Byron Highway, and from a lateral along Hammond Lane. BBID is currently providing approximately 200-250 acre-feet of surplus irrigation water to the Lawrence Property per growing season, which will be formalized upon completion of the annexation.

The Lawrence property is currently in agricultural production, and is used for cultivation of row crops (primarily corn and tomatoes on a rotating basis). The property owner may switch to almonds, once a secure supply of irrigation water is established. (James Lawrence, Property Owner; personal communication)

Sphere of Influence and Annexation

As part of the Sphere of Influence (SOI) Update for BBID, San Joaquin LAFCo approved a Municipal Service Review/Sphere of Influence Update on June 13, 2019. This action was in conjunction with the consolidation of BBID with The West Side Irrigation District (TWSID). As part of that action, the Lawrence Property was added to the BBID SOI, subject to subsequent annexation, which is the purpose of this action.

Urban Limit Line/Urban Growth Boundary

The subject property is outside the voter approved Contra Costa County Urban Limit Line (ULL). The Byron area is a Census Designated Place. The City of Brentwood, located northwest of the subject area, has an adopted ULL.

Flood Hazard

The project site is not within an identified flood hazard zone as depicted on Panel 510 of the National Flood Insurance Program for Contra Costa County, March 21, 2017.

Proposed Project Approvals

The proposed project will require the following approvals:

- **Annexation**
  Annexation of 89.48 acres to the Byron Bethany Irrigation District
  Detachments from other affected special districts within the annexation area are not contemplated.

  Approval by the Contra Costa Local Agency Formation Commission if San Joaquin LAFCo (as the principal LAFCo) relinquishes jurisdiction.

Figure 1: Vicinity Map

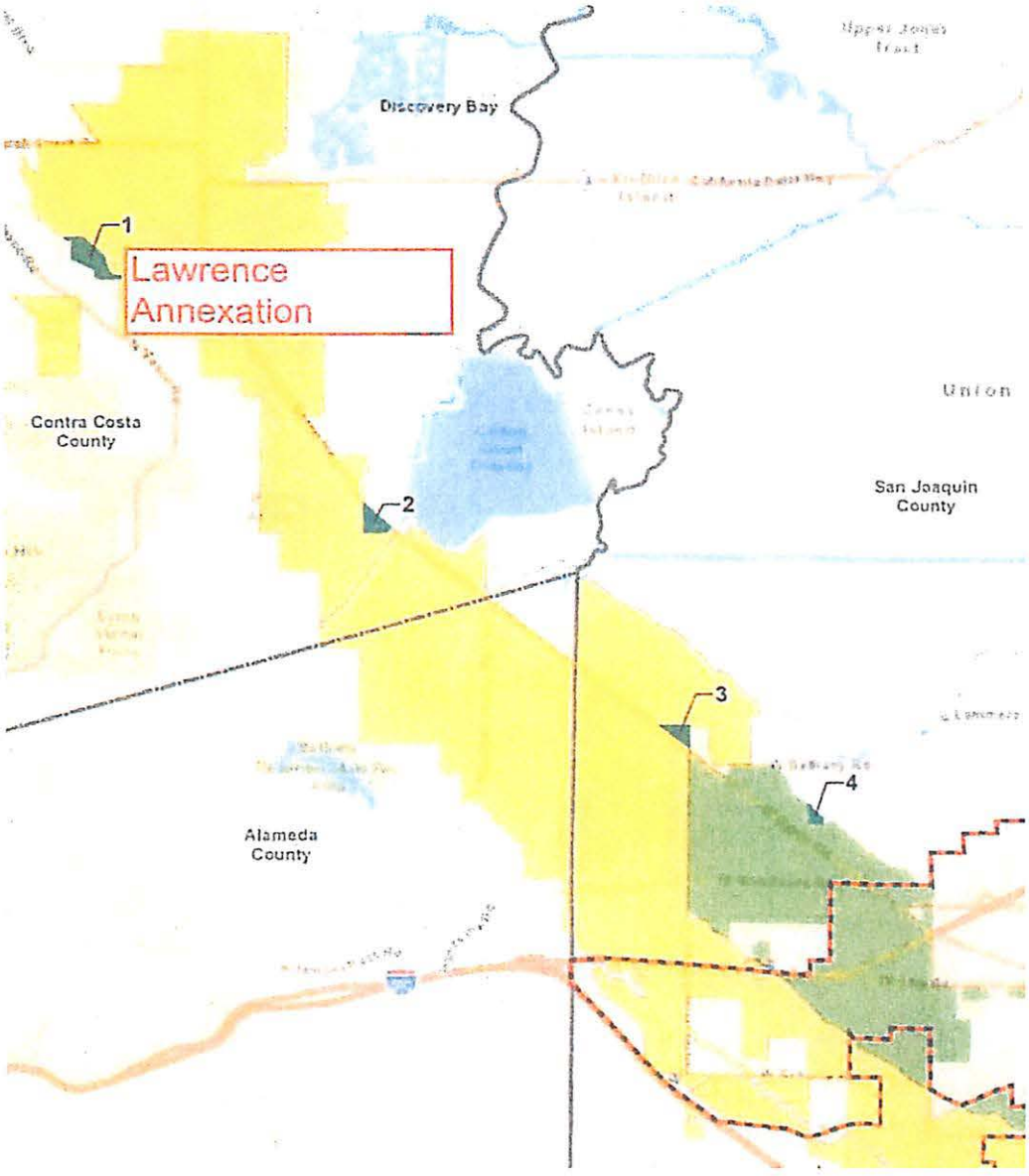
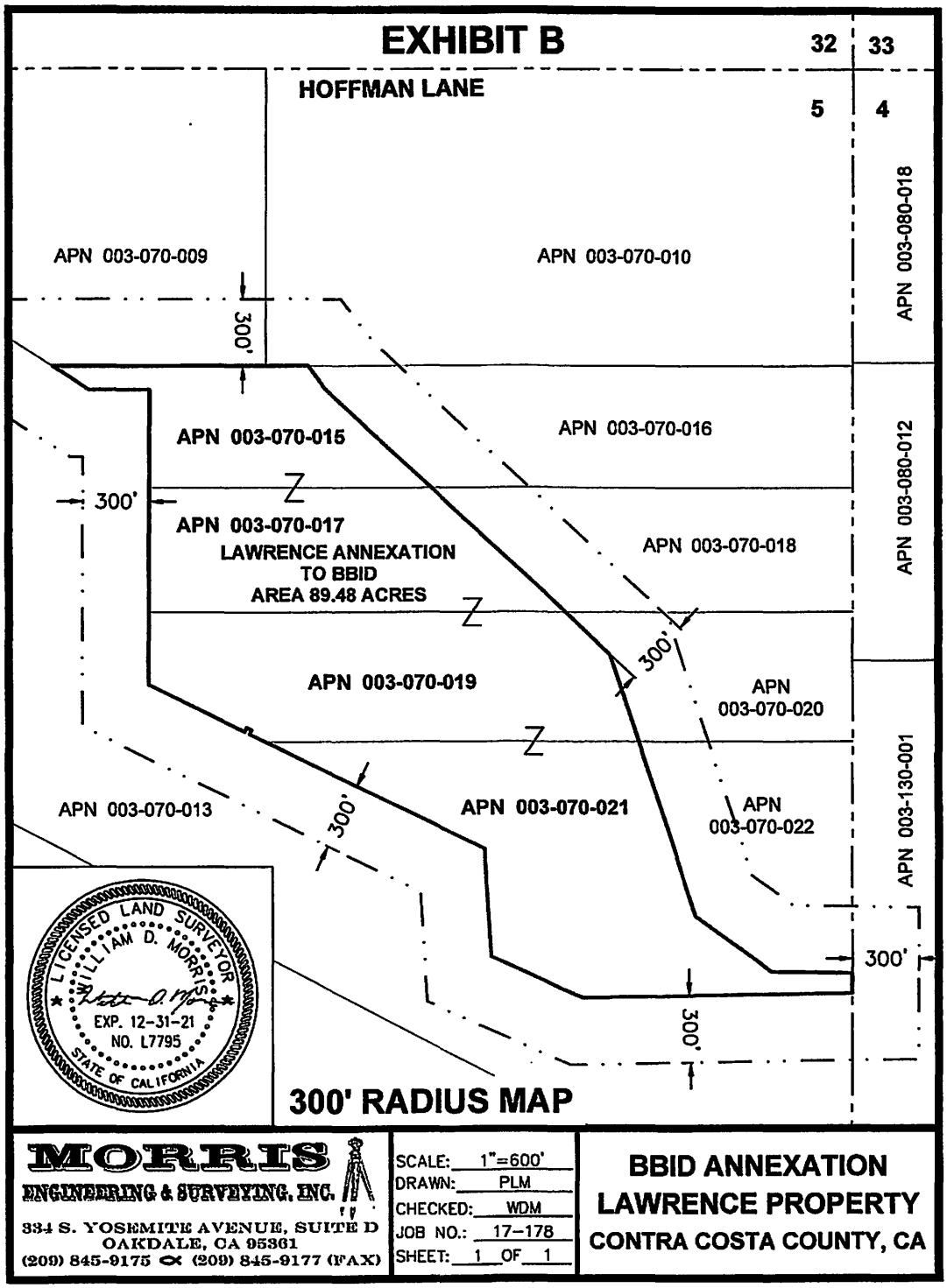


Figure 2: Annexation Map



Regulatory Guidance

This document is an initial study, which provides justification for a Negative Declaration pursuant to the California Environmental Quality Act (CEQA). This Negative Declaration has been prepared in accordance with CEQA, Public Resources Code Section 21000 et seq., and the State CEQA Guidelines 14 California Code Regulations Section 15000 et seq.

An initial study is conducted by the Lead Agency to determine if a project may have a significant effect on the environment. In accordance with the CEQA Guidelines Section 15063, an EIR must be prepared if an initial study indicates that the proposed project under review may have a potentially significant impact on the environment. A Negative Declaration may be prepared instead, if the Lead Agency prepares a written statement describing the reasons why the proposed project would not have a significant effect on the environment, and therefore, why it does not require the preparation of an EIR (CEQA Guidelines Section 15371). According to CEQA Guidelines Section 15070, a proposed Negative Declaration shall be prepared for a project subject to CEQA when either:

a) *The initial study shows there is no substantial evidence, in light of the whole record before the agency, that the proposed project may have a significant effect on the environment, or The initial study identifies potentially significant effects, but:*
   (1) *Revisions in the project plans or proposals made by or agreed to by the applicant before the proposed negative declaration is released for public review would avoid the effects or mitigate the effects to a point where clearly no significant effects would occur and;*
   (2) *There is no substantial evidence, in light of the whole record before the agency, that the proposed project as revised may have a significant effect on the environment.*

2. Environmental Determination

Environmental Factors Potentially Affected

The environmental factors checked below are analyzed in this Initial Study:

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

Determination:

On the basis of this initial evaluation:

X 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.

Rick Gilmore	September 10, 2020
Signature	Date
Rick Gilmore, General Manager	Byron Bethany Irrigation District

Evaluation of Environmental Impacts:

1) A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards, (e.g., the project will not expose sensitive receptors to pollutants based on a project-specific screening analysis.)

2) All answers must take account of the whole action involved including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.

3) Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.

4) "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from Section XVII, "Earlier Analyses," may be cross-referenced).

5) Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063 (c)(3)(D). In this case, a brief discussion should identify the following:

   a) Earlier Analysis Used: Identify and state where they are available for review.
   b) Impacts Adequately Addressed: Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
   c) Mitigation Measures: For effects that are "Less Than Significant with Mitigation Measures Incorporated," describe the mitigation measures, which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.

6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should where appropriate, include a reference to the page or pages where the statement is substantiated.

7) Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.

8) This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.

9) The explanation of each issue should identify:

a) the significance criteria or threshold, if any, used to evaluate each question; and

b) the mitigation measure identified, if any, to reduce the impact to less than significant.

3. Environmental Checklist

1. Aesthetics

Except as provided in Public Resources code Section 21099, would the project:	Potentially Significant	Less Than Significant with Mitigation	Less Than Significant	No Impact
a) Have a substantial adverse effect on a scenic vista?				X
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?				X
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 point.) If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?			X	
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?			X	

Discussion

a-b) No Impact:

The Project area is not within a scenic vista or visible from a State scenic highway.

c-d) Less Than Significant:

Continuation of the existing agricultural operation on the subject property will not degrade the existing visual character in the project vicinity; nor will it add substantial light or glare to the project vicinity.

Mitigation

None Required.

2. Agricultural and Forestry Resources

In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board.	**Potentially Significant**	**Less Than Significant with Mitigation**	**Less Than Significant**	**No Impact**
Would the project:				
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?				X
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?				X
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 1220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?				X
d) Result in the loss of forestland or conversion of forestland to non-forest use?				X
e) Involve other changes in the existing environment, which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?				X

References:

Prime Agricultural Soil and Important Farmland Map. Contra Costa Local Agency Formation Commission. August 10, 2017.

Soil Survey, Contra Costa County, California. United States Department of Agriculture, Soil Conservation Service. September 1977.

Discussion

a-e) No Impact:

The subject property is classified as Prime Agricultural Land and is considered to be Class 1 soil... On-site soils are identified as Brentwood clay loam (Bb) with nearly level valley fill suitable for a variety of crops and commercial agriculture. Brentwood clay loam has a Story Index (on a scale of 100 high) of 81.

Annexation of this property will not convert agricultural land to a non-agricultural use, but will retain the existing agricultural activities currently in place. The subject property is zoned A-4 (Agricultural Preserve) which is consistent with the existing and proposed use. Each of the four parcels of record is under a separate Williamson Act Contract.

Mitigation

None Required.

3. Geology and Soils

Would the project:	Potentially Significant	Less Than Significant With Mitigation	Less Than Significant	No Impact
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:				
(i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.				X
(ii) Strong seismic ground shaking?				X
(iii) Seismic-related ground failure including liquefaction?				X
(iv) Landslides?				X
b) Result in substantial soil erosion or the loss of topsoil?			X	
c) Be located on a geologic unit or soil that is unstable, or would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?			X	
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?				X
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?				X
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?				X

References:

Contra Costa County General Plan 2005-2020, Chapter 10 – Safety Element. Contra Costa County Department of Conservation and Development. January 18, 2005.

Soil Survey, Contra Costa County, California. United States Department of Agriculture, Soil Conservation Service. September 1977.

Discussion

a, c, d e, f) No Impact:

The project site is not located in an area subject to earthquakes, strong seismic ground shaking, liquefaction, or landslides.

b) Less Than Significant Impact:

On-site soils are classified as Brentwood clay loam (Bb), which is well drained, runoff is slow, and there is no erosion hazard when the soil is tilled and exposed.

Mitigation

None Required.

4. Land Use and Planning

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

References

Contra Costa County General Plan 2005-2020, Chapter 3 – Land Use Element. Contra Costa County Department of Conservation and Development. January 18, 2005.

Discussion

a) No Impact:

The proposed project is on the periphery of the community of Byron and not adjacent to the community proper. Therefore, it will not divide the community.

b) No Impact:

Annexation of the subject property to Byron Bethany Irrigation District is logical and consistent with Contra Costa General Plan Policies. This was recognized by San Joaquin LAFCo when it amended the BBID Sphere of Influence to include the subject property.

Mitigation

None Required.

5. Tribal Cultural Resources

Would the project:	Potentially Significant	Less Than Significant With Mitigation	Less Than Significant	No Impact
a) Cause a substantial adverse change in the significance of a tribal cultural resource, as defined in Public Resource Code section21074 as either a site, feature, place, cultural landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:				X
(i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or				X
(ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subsection (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.				X

Discussion

a) **No Impacts:**

No tribal cultural resources have been identified within or adjacent to the project site. This area has been under agricultural cultivation for many years and the probability of the presence of tribal cultural resources is very low.

Pursuant to Public Resources Code Section 21080.3.1 (AB 52), Byron Bethany Irrigation District as the Lead Agency, consulted with affected California Native American Tribes who are traditionally and culturally affiliated with the geographic area of the proposed project. The following 10 tribes were invited to consult with BBID on the proposed project:

Amah Mutsun Tribal Band	Galt, California
Amah Mutsun Tribal Band of Mission San Juan Bautista	Woodside, California
Buena Vista Rancheria of Me-Wuk Indians	Sacramento, California
Indian Canyon Mutsun Band of Costanoan	Hollister, California

Ione Band of Miwok Indians	Plymouth, California
Muewkma Ohlone Indian Tribe of the San Francisco Bay Area	Castro Valley, California
North Valley Yokuts Tribe	Linden, California
The Ohlone Indian Tribe	Fremont, California
United Auburn Indian Community of the Auburn Rancheria	Auburn, California
Wilton Rancheria	Elk Grove, California

None of the tribes listed requested additional consultation with BBID.

Mitigation

None Required.

6. Wildfire

If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, **would the project:**	Potentially Significant	Less Than Significant With Mitigation	Less Than Significant	No Impact
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?				X
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?				X
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?				X
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?				X

Reference:

California Department of Forestry and Fire Protection. *Fire Hazard Severity Zones.* August 2018.

Discussion

a,b,c,d) No Impacts:

The current circulation system that provides evacuation routes is not in proximity to the subject property.

The subject property is not within a CAL FIRE Fire Hazard Severity Zone, but is adjacent to a 'Moderate' Fire Hazard Severity Zone to the west. This is the lowest fire hazard severity designation.

The potential exists for grassland fires to occur on adjacent lands; however, this possibility is considered very low due to most properties in the area are under cultivation.

Mitigation

None Required.

4. Mandatory Findings of Significance

Mandatory Findings of Significance	Potentially Significant	Less Than Significant With Mitigation	Less Than Significant	No Impact
a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?				X
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)?				X
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?				X

Discussion

a and c) Less than Significant:

The proposed project may have a small but incremental impact; however, these environmentally sensitive issues are not anticipated to cause any significant environmental concerns.

b) Less Than Significant

Agricultural activities and crop production on the subject property may add an incremental effect to local traffic and circulation, stormwater runoff, noise, and pesticide and fertilizer use. However, these activities are currently in place and no changes are anticipated.

5. Preparers and References

Report Preparation:

- Bruce Baracco, Principal Planner
  Baracco and Associates
  baraccoplanner@comcast.net
  209-304-0028

References:

Regulations, Code of (CA) (as amended). Title 14 – Natural Resources, Division 6 – Natural Resources Agency, Chapter 3 -- *Guidelines for Implementation of the California Environmental Quality Act, Appendix G – Environmental Checklist Form*. Sacramento, CA.

See also references pertaining to specific checklist topics.

6. Glossary

Annexation	The inclusion of territory into a city or special district.
Contiguous	In the case of boundary, territory adjacent to an agency to which boundary is proposed. Territory is not contiguous if the only contiguity is based upon a strip of land more than 300 feet long and less than 200 feet wide.
District	An agency of the state, formed in accordance with general law or a special act, for the local performance of governmental functions within limited boundaries. Synonymous with "special district."
General Plan	A document containing a statement of development policies including a diagram and text setting forth the objectives of the plan. The general plan must include certain state mandated elements related to land use, circulation, housing, conservation, open-space, noise, and safety.
Lead Agency	The public agency which has the principal responsibility for carrying out or approving a project. The Lead Agency decides whether an EIR or Negative Declaration is required for a project, and causes the appropriate document to be prepared.
Negative	A written statement prepared by a Lead Agency that briefly describes the reasons that a project, no exempt from CEQA, will not have a significant effect on the environment and therefore does not require the preparation of an EIR.
Open Space	Any parcel or area of land or water, which is substantially unimproved and devoted to an open-space use.
Prime Agricultural Land	An area of land, whether a single parcel or contiguous parcels, that has not been developed for a use other than agriculture and meets certain criteria related to soil classification or crop and livestock carrying capacity. Class I and II soils as mapped by the Soil Conservation Service, U.S. Department of Agriculture.
Project	Under CEQA, a project is the whole of an action which has the potential to result in significant environmental change in the environment, directly, or ultimately (see CEQA Guidelines Section 15378).
Responsible Agencies	Under CEQA, responsible agencies are all public agencies other than the Lead Agency that have discretionary approval power over the project.
Zoning	The primary instrument for implementing the general plan. Zoning divides a community or county into districts or "zones" that specify the permitted/prohibited land uses

7. Comments Received and Lead Agency Responses to Comments

The Proposed Initial Study and Negative Declaration were circulated for public review for a 30-day period from October 20 through November 18, 2020. The following agencies, organizations, and individuals received copies of the draft document for review:

State Clearinghouse (15 copies)
Byron Bethany Irrigation District Board of Directors (7 copies)
Alameda Local Agency Formation Commission
Contra Costa Local Agency Formation Commission
San Joaquin Local Agency Formation Commission
Contra Costa County Department of Conservation & Development
San Luis & Delta-Mendota Water Authority
Power-Water Resources Pooling Authority
United State Bureau of Reclamation
Mid-Pacific Region, South Central California Area Office
Tracy Field Office

No comments were received from State agencies (through the State Clearinghouse), or from Federal agencies, local agencies, or individuals. Therefore, no responses are required.

TABLE A

Information regarding the areas surrounding the proposal area

	APN	Existing Land Use	General Plan Designation	Zoning Designation
East	003-070-016	Agricultural Preserves	Agricultural Core	A-4: Agricultural Preserve District
	003-070-018	Agricultural Preserves	Agricultural Core	A-4: Agricultural Preserve District
	003-070-020	Agricultural Preserves	Agricultural Core	A-4: Agricultural Preserve District
	003-070-022	Agricultural Preserves	Agricultural Core	A-4: Agricultural Preserve District
	003-130-001	Orchards, Vineyards, Row Crops, Irrigated Pasture, 40 acres and over	Agricultural Core	A-2: General Agricultural District
West	003-070-013	Dry Farming, Farming, Grazing & Pasture, 40 acres and over	Agricultural Lands	A-3: Heavy Agricultural District
North	003-070-009	Dry Farming, Farming, Grazing & Pasture, 40 acres and over	Agricultural Core	A-4: Agricultural Preserve District
	003-070-010	Dry Farming, Farming, Grazing & Pasture, 40 acres and over	Agricultural Core	A-40: Exclusive Agricultural District
South	003-070-013 *(same parcel as West)*	Dry Farming, Farming, Grazing & Pasture, 40 acres and over	Agricultural Lands	A-3: Heavy Agricultural District

State of California - Department of Fish and Wildlife

2021 ENVIRONMENTAL FILING FEE CASH RECEIPT

DFW 753.5a (REV. 01/01/21) Previously DFG 753.5a

Print | StartOver | Finalize&Email

RECEIPT NUMBER:
07-01/11/2021-007

STATE CLEARINGHOUSE NUMBER *(If applicable)*
2020109021

SEE INSTRUCTIONS ON REVERSE. TYPE OR PRINT CLEARLY.

LEAD AGENCY	LEADAGENCY EMAIL	DATE
BYRON BETHANY IRRIGATION DISTRICT		01/11/2021

COUNTY/STATE AGENCY OF FILING	DOCUMENT NUMBER
CONTRA COSTA COUNTY	2021-00006

PROJECT TITLE

LAWRENCE ANNEXATION TO THE BYRON BETHANY IRRIGATION DISTRICT

PROJECT APPLICANT NAME	PROJECT APPLICANT EMAIL		PHONE NUMBER
BYRON BETHANY IRRIGATION DISTRICT			(209) 835-0375
PROJECT APPLICANT ADDRESS	**CITY**	**STATE**	**ZIP CODE**
7995 BRUNS ROAD	BYRON	CA	94514

PROJECT APPLICANT *(Check appropriate box)*

☐ Local Public Agency ☐ School District ☒ Other Special District ☐ State Agency ☐ Private Entity

CHECK APPLICABLE FEES:

☐ Environmental Impact Report (EIR)	$ 3,445.25	$
☒ Mitigated/Negative Declaration (MND)(ND)	$ 2,480.25	$ 2,480.25
☐ Certified Regulatory Program (CRP) document - payment due directly to CDFW	$ 1,171.25	$
☐ Exempt from fee		
☐ Notice of Exemption (attach)		
☐ CDFW No Effect Determination (attach)		
☐ Fee previously paid (attach previously issued cash receipt copy)		
☐ Water Right Application or Petition Fee (State Water Resources Control Board only)	$ 850.00	$
☒ County documentary handling fee	$ 50.00	$ 50.00
☐ Other		$

PAYMENT METHOD:

☐ Cash ☐ Credit ☒ Check ☐ Other CHK# 3129 AND 3101 **TOTAL RECEIVED** $ 2,530.25

SIGNATURE	AGENCY OF FILING PRINTED NAME AND TITLE
X [signature]	Smith ssmith Deputy Clerk

Receipt# 5618

ORIGINAL - PROJECT APPLICANT | COPY - CDFW/ASB | COPY - LEAD AGENCY | COPY - COUNTY CLERK | DFW 753.5a (Rev. 01012021)

Deborah Cooper
Contra Costa County
Clerk-Recorder
555 Escobar Street
Martinez, CA 94553
(925) 335-7900

Public

Receipt No.: 202100005618

Cashier: 190

Register: WINDOW6

Date/Time: 01/11/2021 08:42 AM

Description	Fee
Negative Declaration	
Filing Time:	08:42 AM
Filing Total:	$2,530.25
Filing Fee:	$2,530.25
Total Amount Due:	$2,530.25
Total Paid	
Check Tendered: #3129	$2,480.25
Check Tendered: #3101	$50.00
Amount Due:	$0.00

THANK YOU
PLEASE KEEP FOR REFERENCE