

**Department of
Conservation and
Development**

30 Muir Road
Martinez, CA 94553

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**Contra
Costa
County**



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November 5, 2021

**NOTICE OF PUBLIC REVIEW AND INTENT TO ADOPT A
PROPOSED MITIGATED NEGATIVE DECLARATION**

Pursuant to the State of California Public Resources Code and the "Guidelines for Implementation of the California Environmental Quality Act of 1970" as amended to date, this is to advise you that the Contra Costa County Department of Conservation and Development, Community Development Division, has prepared an initial study evaluating the potential environmental impacts of the following project:

- 1. Project Title:** Two-lot minor subdivision of vacant 15.54-acre parcel in Byron
- 2. County File Number:** CDMS20-00001
- 3. Lead Agency:** Contra Costa County, Department of Conservation and Development
- 4. Lead Agency Contact Person:** Syd Sotoodeh, Planner II
(925) 655-2877 / syd.sotoodeh@dcd.cccounty.us
- 5. Project Location:** A 15.54-acre vacant parcel located on Bixler Road between Byer Road and Kellogg Creek Road in the Byron area of Contra Costa County
(Assessor's Parcel Number: 002-020-010)
- 6. Applicant's Name, Address, and Phone Number:** Gilbert A. Fitch & Associates
c/o Don Fitch
P.O. Box 21542
Concord, CA 94521
(925) 643-5122

- 7. Description of Project:** The applicant is requesting approval of a vesting tentative map for a minor subdivision application that would subdivide the subject 15.54-acre parcel into two parcels. Parcel “A” and Parcel “B” would each have a lot area of 7.77 acres with 75 percent of each parcel reserved for agricultural purposes. Access would be from Bixler Road through a shared 20-foot gravel road within a 30-foot access easement, with 20-foot radii curb returns. The first 50 feet of the access road would be paved. The application includes a request for a tree permit for project impacts to twenty code-protected trees, including nineteen river red gum (*Eucalyptus camaldulensis*) trees and one Aleppo pine (*Pinus halepensis*). It is proposed the trees be removed due to being located within the footprint of site improvements, poor health, or failure. The applicant is also requesting exceptions from the requirements of Title 9 of the County Ordinance Code relative to the widening of Bixler Road, the undergrounding of overhead utility services, and the collect and convey provisions relative to stormwater runoff.

Although not proposed as part of this project, it is anticipated that each parcel would eventually be developed with a new single-family residence, barn, and septic system. Water would be provided by two existing domestic water wells that were permitted by the Contra Costa Environmental Health Division in 2019. Three 3,000-gallon water tanks for each resulting lot are proposed to satisfy fire safety requirements of the East Contra Costa Fire Protection District (ECCFPD). The vesting tentative map includes locations for these proposed and existing improvements within a 1-acre “building envelope.” In addition, a grading permit will be required for the import of $\pm 8,550$ cubic yards (CYS) of fill (Parcel A $\pm 4,450$ CYS; Parcel B $\pm 4,100$ CYS); for future residential foundation pads.

- 8. Surrounding Land Uses and Setting:** The project site is located within a rural area of unincorporated Byron, approximately one mile northeast of Byron’s Main Street. The subject property is located along the eastern side of Bixler Road, 820 feet north of Byer Road and 1,048 feet south of Kellogg Creek Road. The majority of the surrounding properties are within an agricultural zoning district, with the exception of a handful of parcels approximately 1/2 mile to the south along Camino Diablo which are in a Single-Family Residential (R-40) zoning district, and parcels on our surrounding Byron’s Main Street approximately 1 mile southwest which are zoned for Commercial (C), Retail-Business (R-B), or Single-Family Residential (R-6) uses. Similarly, most surrounding parcels have an Agricultural Lands (AL), Agricultural Core (AC), or Open Space (OS) general plan land use designation with the exception of the parcel directly south of the subject property which located within a Public-Semi-Public (PS) land use designation, and the residential-zoned parcels 1/2 mile to the south that are located within a Single-Family Residential – Very Low Density (SV) land use designation. Properties in this area are predominantly used as pastureland, dry cropland, or orchards, and, if developed, single-family residences with agricultural accessory buildings. The property directly south of the project site is owned by the County and is currently the location of the Orin Allen Youth Rehabilitation Facility, also known as the Byron Boys Ranch (OAYRF Boy's Ranch).

The subject property is a vacant 15.54-acre lot that has access from Bixler Road to the west. The property is rectangular in shape and is relatively flat with an overall elevation change of approximately 4 feet from the eastern property line to the western property line. The property is a disturbed (disked) agricultural field that has historically been used for annual cropland and is currently covered by non-native grasses. Of the twenty-nine trees inventoried that line the western boundary of the site along Bixler Road, all except one is *Eucalyptus camaldulensis*. Existing infrastructure includes two wells and associated well pads, a dry, remnant irrigation ditch located along the western boundary of the

property, and two wooden weirs (i.e., dams/barriers) in the remnant ditch, one upstream and one downstream. The property is otherwise devoid of any buildings.

- 9. Determination:** The County has determined that without mitigation the project may result in significant impacts to the environment. Therefore, pursuant to California Code of Regulations Section 15070, a Mitigated Negative Declaration/Initial Study has been prepared, which identifies mitigation measures to be incorporated into the project that will reduce those impacts to less than significant levels. Prior to adoption of the Mitigated Negative Declaration, the County will be accepting comments on the Mitigated Negative Declaration/Initial Study during a 30-day public comment period.

Due to the COVID-19 shelter-in-place order, the mitigated negative declaration can be viewed online at the following link: <https://www.contracosta.ca.gov/4841/Public-Input>. Any documents referenced in the index can be provided upon request by contacting the project planner.

Public Comment Period – The period for accepting comments on the adequacy of the environmental document will **begin November 8, 2021, and extend to 5:00 P.M., Tuesday, December 7, 2021.** Any comments should be submitted in writing to the following address:

Contra Costa County
Department of Conservation & Development
Attn: Syd Sotoodeh
30 Muir Road
Martinez, CA 94553

or;

via email to syd.sotoodeh@dcd.cccounty.us

The proposed Mitigated Negative Declaration will be considered for adoption at a meeting of the County Zoning Administrator. The hearing date before the County Zoning Administrator has not yet been scheduled. Due to the COVID-19 shelter-in-place order, the hearing will be held remotely via phone/web. Hearing notices with instructions on how to join will be sent out prior to the finalized hearing date.

Additional Information – For additional information on the Mitigated Negative Declaration and the proposed project, you can contact me by email at syd.sotoodeh@dcd.cccounty.us or by telephone at (925) 655-2877.

Sincerely,



Syd Sotoodeh
Planner II
Department of Conservation & Development

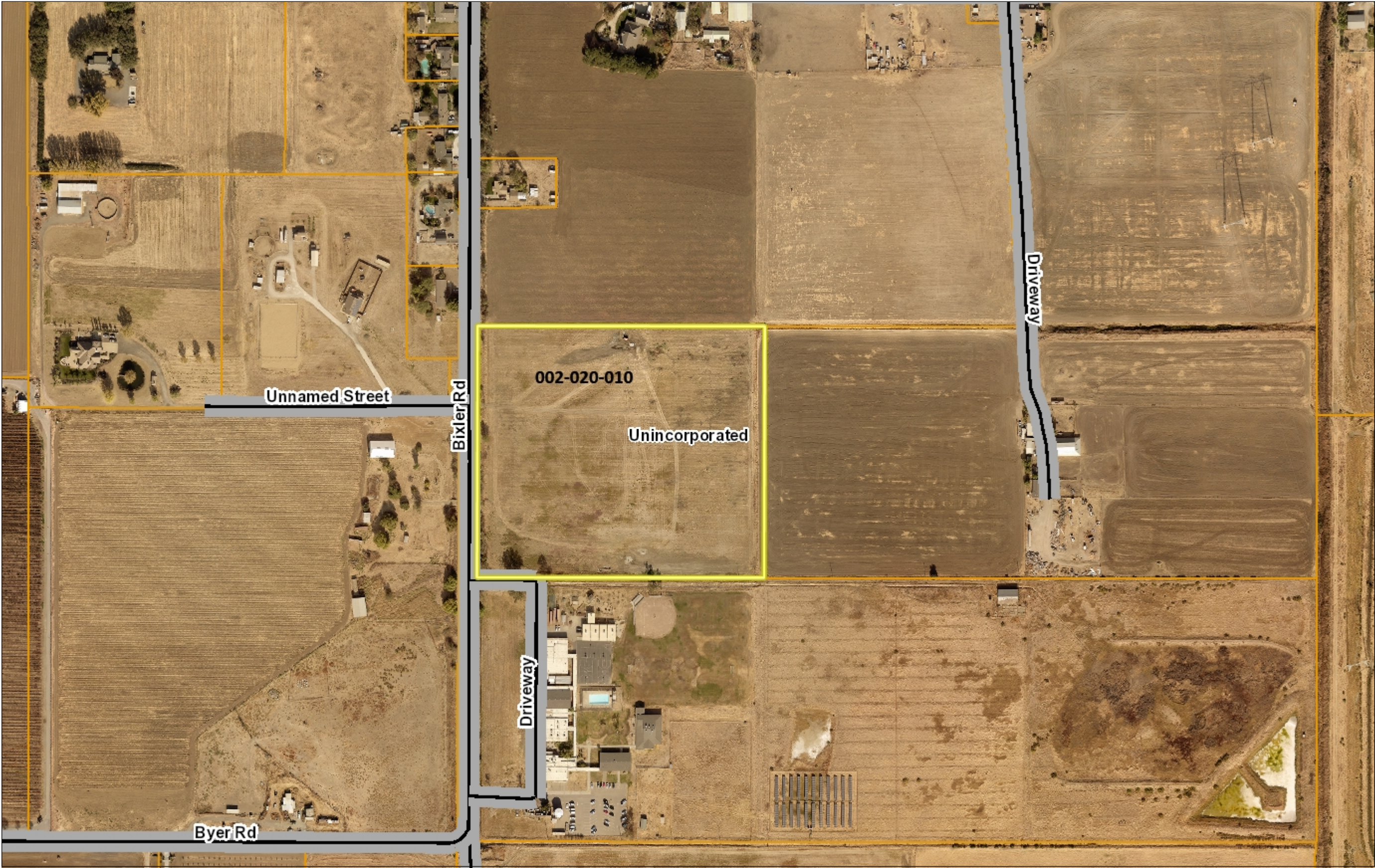
cc: County Clerk's Office (2 copies)

attch: Project Vicinity Map

Project Vicinty Map



- Legend
- City Limits
 - Unincorporated
 - Highways
 - Highways Bay Area
 - Streets
 - County Boundary
 - Bay Area Counties
 - Assessor Parcels
 - Aerials 2019
 - Red: Band_1
 - Green: Band_2
 - Blue: Band_3
 - World Imagery
 - Low Resolution 15m Imagery
 - High Resolution 60cm Imagery
 - High Resolution 30cm Imagery
 - Citations



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