CEQA Environmental Checklist Form

1.	Project Title:	Variance Permit for Residential Access Bridge Replacement Project - (County File #CDVR17-01013)
2.	Lead Agency Name and Address:	Contra Costa County Department of Conservation and Development 30 Muir Road Martinez, CA 94553
3.	Contact Person and Phone Number:	Gary Cupp, Senior Planner (925) 655-2705
4.	Project Location:	1201 Pine Lane Clayton, CA 94517 Assessor Parcel No. 078-020-014
5.	Project Sponsor's Name and Address:	Brian Kelley 4831 Geneva Avenue Concord, CA 94521
6.	General Plan Designation:	Single-Family Residential-Very-Low Density (SV) Open Space (OS)
7.	Zoning:	General Agricultural District (A-2)

8. Description of Project:

The proposed project consists of a request for approval of a Variance Permit authorizing the construction of a new 26-foot residential access bridge to replace a previous access bridge that was previously removed. The variance request is to allow a 0-foot front setback for the bridge structure, where 25 feet is required by zoning. Additionally, to accommodate the project's construction impacts to code-protected trees, the proposal also includes a request for a Tree Permit to work within the driplines of four (4) code-protected trees (ranging in sizes from 10 to 40 inches in diameter: 1 Coast Live Oak/1 Valley Oak/1 Buckeye/1 Eucalyptus), and the removal of two (2) dead trees on the subject property. The proposed bridge is necessary to access and develop the property with a future single-family residence.

9. Surrounding Land Uses and Setting:

The subject property is located at 1201 Pine Lane in Clayton, CA 94517. The lot is a vacant irregular-shaped parcel, approximately 5.74 acres in area, and is bounded on the west by a 15-lot residential subdivision. The western boundary of the property is also a boundary between the City of Clayton and unincorporated Contra Costa County. Pine Lane is maintained by the City of Clayton. The frontage to the subject property is traversed by Mt. Diablo Creek. To the north, east, and south of the subject property are agriculturally zoned parcels developed primarily with single-family residences. No crop farming or large-scale agricultural uses occur on the property or in the vicinity. There are some small horse farms in the area, but the surrounding environs are predominately residential in aspect and use, essentially being a continuation of the

City of Clayton. The lot is generally flat, but slopes gradually upward to the south with a steeper slope on the western boundary.

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

- Contra Costa County Public Works Department
- Contra Costa County Flood Control District
- Contra Costa County Building Inspection Division
- East Contra Costa Fire Protection District
- Contra Costa Water District
- Contra Costa County Department of Health Services, Environmental Health Division
- East Contra Costa Habitat Conservancy
- California Department of Fish & Wildlife
- ^{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.?

A "Notice of Opportunity to Request Consultation" was sent to the Wilton Rancheria and the Lisjan Nation on February 15, 2023. Staff did not receive a request for consultation from the Lisjan Nation in response to this notice, but a request to visit the site was received from the Wilton Rancheria. A cultural field representative from the Wilton Rancheria visited the project site on March 16, 2023 and conducted a visual survey of the bridge site. No remains or artifacts of Native American origin were found during the survey; nevertheless, the Wilton Rancheria submitted suggested mitigation measures for inclusion in this initial study (see *Section 18 – Tribal Cultural Resources*).

Environmental Factors Potentially Affected									
Without mitigation, the environmental factors checked below could have been potentially affected by this project. Upon incorporation of the mitigation measures identified in the following pages it has been found that the project will not result in any potentially significant impacts to the environment.									
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	\boxtimes	Tribal Cultural Resources					
Utilities/Services Systems		Wildfire	\boxtimes	Mandatory Findings of Significance					

Environmental Determination

On the basis of this initial evaluation:

☐ 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.

Gary Cupp

4/18/2023

Date

Gary Cupp Senior Planner Contra Costa County Department of Conservation & Development

		Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
1.	AE	STHETICS – Except as provided in Public Resour	ces Code Sec	tion 21099, w	ould the proj	ject:
	a)	Have a substantial adverse effect on a scenic vista?				\boxtimes
	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?				

<u>SUMMARY</u>:

- a) <u>No Impact</u>. Figure 5-4 of the Transportation and Circulation Element of the Contra Costa County General Plan ("General Plan") does not designate the portion of Marsh Creek Road at Pine Lane as a "Scenic Route"; thus, the subject site offers no scenic vistas for travelers on Marsh Creek Road. Furthermore, Figure 9-1 of the Open Space Element of the County General Plan does not identify any major scenic ridges and waterways within or adjacent to the subject property. The nearest scenic ridgeway is located approximately 2 miles to the northeast of the project site. However, due to the surrounding topography of the area, as well as existing development, the parcel is not visible from the ridge. Thus, the proposed access bridge will have no impact on scenic vistas or on scenic ridgeways.
- b) **No Impact.** The project is not located within a state designated scenic highway, and thus, the proposed access bridge would have no impact on any scenic resources within a state scenic highway.
- c) <u>No Impact</u>. The subject property is within the General Agricultural (A-2) zoning district, and the surrounding area is predominantly urban and developed with single-family residences. Adjacent land uses in the vicinity are similar in aspect and use. The A-2 zoning district does not have any regulations or restrictions regarding scenic quality. Thus, there is no impact with regards to scenic quality.
- d) **Less Than Significant Impact.** There are no streetlights proposed for the bridge, so there will be no new sources of glare or lighting created by street lamps. The application does not address residential outdoor lighting, since the application is for a variance to setback standards for the bridge only, but it is reasonable to assume that a future home will have exterior lighting sources, but it is equally reasonable to anticipate that they will not be in excess of standard

lighting for private residences. Such lighting will provide the necessary light for safety and security at night. Therefore, once any residential uses are established on the site, nighttime lighting would add new sources of light that currently do not exist, but given the low-density residential nature of any future development, the project's light contribution will be less than significant.

- Project Description, Application, and Plans
- Contra Costa County General Plan: <u>https://www.contracosta.ca.gov/4732/General-Plan</u>
- Contra Costa County A-2 Zoning Ordinance: <u>https://library.municode.com/ca/contra_costa_county/codes/ordinance_code?nodeId=T</u> <u>IT8ZO_DIV84LAUSDI_CH84-38GEAGDI</u>

2.	AG	Environmental Issues GRICULTURAL AND FOREST RESOURCES –	Significant Impact	Less Than Significant With Mitigation roiect:	Less Than Significant Impact	No Impact
	a)	Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non- agricultural use?				
	b)	Conflict with existing zoning for agricultural use, or a Williamson Act contract?				\bowtie
	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?				\boxtimes
	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?				

<u>SUMMARY</u>:

No Impact. The project site, as well as the surrounding properties, is zoned General a-e) Agricultural District (A-2). The proposed residential access bridge will not conflict with the existing A-2 zoning designation on the property or the surrounding area. The site is designated as "Grazing Land" on the California Department of Conservation's California Important Farmland Finder website. The subject property is not under a Williamson Act contract with the County, nor does Figure 8-2 Important Agricultural Lands in the Conservation Element of the General Plan list the site as important agricultural land. There are no agricultural activities occurring on the subject property, and no crop farming or large-scale agricultural uses occur in the vicinity. There are some small horse farms in the area, but the surrounding vicinity is predominately residential in aspect and use. Additionally, the project does not conflict with any existing zoning for, or cause rezoning of, forest land, timberland, or any timberland zoned as "Timberland Production." Nor will replacement of the access bridge cause other changes in the existing environment, which due to their location or nature, could result in conversion of farmland, to non-agricultural use. Therefore, the project will have no impact on agricultural or forest resources.

- Project Description, Application, and Plans
- Contra Costa County General Plan: <u>https://www.contracosta.ca.gov/4732/General-Plan</u>

- Contra Costa County A-2 Zoning Ordinance: <u>https://library.municode.com/ca/contra_costa_county/codes/ordinance_code?nodeId=T</u> <u>IT8ZO_DIV84LAUSDI_CH84-38GEAGDI</u>
- California Department of Conservation, California Important Farmland Finder: <u>https://maps.conservation.ca.gov/DLRP/CIFF/</u>

7

		Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
3.	Alf	R 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?			\boxtimes	
	d)	Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?			\boxtimes	

<u>SUMMARY</u>:

a) <u>Less Than Significant Impact</u>. Contra Costa County is within the San Francisco Bay air basin, which is regulated by the Bay Area Air Quality Management District (BAAQMD) pursuant to the *Bay Area 2017 Clean Air Plan*. The purpose of the *Clean Air Plan* is to bring the air basin into compliance with the requirements of Federal and State air quality standards and to protect the climate through the reduction of criteria pollutants and greenhouse gases. The CEQA Guidelines support lead agencies in analyzing air quality impacts. If, after analysis, the project's air quality impacts are found to be below the significant thresholds, then the air quality impacts may be considered less than significant. The potential air quality impacts for this project were evaluated using the BAAQMD 2017 CEQA guidelines screening criteria. Pursuant to these guidelines, if a project does not exceed the screening criteria size it is expected to result in less-than-significant impacts to air quality.

Although the proposed project could reasonably be expected to result in the future construction of single-family residence, as well as associated accessory structures and buildings, it is also reasonable to expect that such small-scale residential improvements would register well below the BAAQMD screening criteria that would trigger any regulation. Therefore, due to the small scope and low-density residential nature of the project, the replacement of a residential access bridge would not be in conflict with any applicable clean air plans or obstruct their implementation.

- b) <u>Less Than Significant Impact</u>. As discussed above, pursuant to BAAQMD screening criteria, the proposed project is not expected to exceed the threshold values typically associated with small-scale residential projects. Therefore, the project is expected to have a less-than-significant impact on this analysis category.
- c-d) <u>Less Than Significant Impact</u>. Construction of the replacement access bridge and the eventual development of a single-family residence will not result in any significant impacts to sensitive receptors. The construction and grading activities could result in localized emissions from construction equipment that would be typical of small residential construction projects, but such impacts would be temporary in nature and limited to the construction process.

Likewise, the construction of the replacement bridge is also not expected to produce any major sources of odor. Consequently, the expected temporary impacts to air quality are considered less than significant pursuant to BAAQMD screening guidelines.

Sources of Information

 Bay Area Air Quality Management District CEQA Air Quality Guidelines, 2017: <u>https://www.baaqmd.gov/~/media/files/planning-and-</u> research/ceqa/ceqa_guidelines_may2017-pdf.pdf?la=en

4.	BIC	Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
	a)	Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?				
	b)	Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?				
	c)	Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?				
	d)	Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of wildlife nursery sites?				
	e)	Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?		\boxtimes		
	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?				

<u>SUMMARY</u>:

Less Than Significant With Mitigation. Figure 8-1 of the General Plan's Conservation a) Element indicates that the project site is not located in a significant ecological area. Background literature searches, reconnaissance-level surveys, and focused rare-plant surveys were conducted by the project biologist to determine whether special-status species have potential to inhabit the project area based on documented occurrences, range, distribution, and suitable habitat. Information sources included the California Natural Diversity Data Base (CNDDB), the online California Native Plant Society (CNPS) Inventory of Rare and Endangered Plants, and the East Contra Costa County Habitat Conservation Plan/Natural Communities Conservation Plan (HCP/NCCP). Special-status species were analyzed for their potential to occur in the study area based on the availability of suitable habitat. The analysis of impacts reported below is based on the *Biological* Resources Report for the Brian & Robin Kelley Residential Development Project, 1201 Pine Lane, Clayton, CA ("Biological Resources Report") prepared by Mosaic Associates on July 2018, revised September 2018, and the Application Form and Planning Survey Report To Comply With and Receive Permit Coverage Under The East Contra Costa County Habitat Conservation Plan and Natural Community Conservation Plan ("Planning Survey

Report") by Mosaic Associates, dated August 2022. Impact analyses reflect existing conditions including the drought-related mortality and subsequent removal of two non-native black locust (Robinia pseudoacacia) trees that had been situated within the bridge construction footprint, and the change in status of two bumblebee species (crotch bumble bee (Bombus crotchii) and western bumble bee (Bombus occidentalis) which became candidates for State listing as endangered following the completion of the Biological Resources Report.

Possible impacts to special-status species and their habitats could occur during vegetation removal, ground-disturbing activities, or other construction-related activities. Possible impacts are described below, and mitigation measures are provided that would render the impacts less than significant.

Impacts and Mitigation Measures (MM)

<u>Bio Impact 1</u> - Nesting Birds

Reconnaissance-level surveys for special-status wildlife were conducted by Mosaic Associates on 4/6/2015, 4/24/2015 and 7/12/2018. The assessment of potential impacts of the bridge replacement project on listed and special-status wildlife species is based on those surveys and is summarized below. The assessment included consideration of both direct and indirect impacts. The trees within and in the vicinity of the study area provide suitable nesting habitat for the East Contra Costa County Habitat Conservation Plan/Natural Communities Conservation Plan (HCP/NCCP) covered species, Swainson's hawk and golden eagle. The trees on and near the study area also provide suitable nesting habitat for other species not covered by the HCP/NCCP, including the fully protected species White-Tailed Kite and other species protected under the Migratory Bird Treaty Act (50 CFR 10.13) and under California Fish and Game Code Sections 3503.5. Construction disturbance during the nesting season (generally February 15 through August 31) has the potential to result in a "take" of tree- or ground-nesting migratory birds and/or birds of prey or create disturbance that could result in nest abandonment.

• <u>MM BIO-1A</u> (Non-covered Migratory Birds and Birds of Prey)

If site disturbance commences between February 15 and August 31, a qualified biologist shall conduct a preconstruction bird nesting survey no more than 5 days prior to ground-disturbing construction and/or grading activities. If nests of either migratory birds or birds of prey are detected on or adjacent to the site, a nodisturbance buffer (generally 50 feet for passerines and 300 feet for raptors) in which no new site disturbance is permitted shall be observed until August 31, or the qualified biologist determines that the young are foraging independently. The size of the no-disturbance buffer shall be determined by a qualified biologist, and shall take into account local site features and existing sources of potential disturbance. If more than 15 days elapses between the survey and the start of construction, the survey shall be repeated. Prior to commencement of ground disturbing activities, the project proponent shall submit a letter-report from a qualified biologist documenting the pre-construction survey and presenting the biologist's findings and recommendations to the Community Development Division (CDD) of the Department of Conservation and Development for review and authorization to proceeding with construction activities.

• <u>MM BIO-1B</u> (Swainson's Hawk)

No more than 5 days prior to any ground disturbance related to the proposed project that occurs during the nesting season (March 15th to September 15th), a qualified biologist will conduct a preconstruction survey to establish whether Swainson's hawk nests within 1,000 feet of the project site are occupied. If potentially occupied nests within 1,000 feet are off the project site, then their occupancy will be determined by observation from public roads or by observations of Swainson's hawk activity near the project site. If nests are occupied, projectrelated activities within 1.000 feet of occupied nests or nests under construction will be prohibited to prevent nest abandonment. If site-specific conditions or the nature of the covered activity (e.g. steep topography, dense vegetation, limited activities) indicate that a smaller buffer could be used, the HCP/NCCP Implementing Entity (i.e., the East Contra Costa County Habitat Conservancy) will coordinate with the California Department of Fish and Wildlife (CDFW) and the US Fish and Wildlife Service (USFWS) to determine the appropriate buffer size. If young fledge prior to September 15, project-related activities can proceed normally. If the active nest site is shielded from view and noise from the project site by other development, topography, or other features, the applicant can apply to the HCP/NCCP Implementing Entity for a waiver of this avoidance measure. Any waiver must also be approved by the USFWS and CDFW. While the nest is occupied, project-related activities outside the buffer can take place. Prior to commencement of ground disturbing activities, the project proponent shall submit a letter-report from a qualified biologist documenting the pre-construction survey and presenting the biologist's findings and recommendations to the Community Development Division (CDD) of the Department of Conservation and Development for review and authorization to proceeding with construction activities.

• <u>MM BIO-1C</u> (Golden Eagle)

No more than 5 days prior to any ground disturbance related to the proposed project, a qualified biologist will conduct a preconstruction survey to establish whether active nests of golden eagle are present within 0.5 mile of the project site. If potentially occupied nests within 0.5 miles are off the project site, then their occupancy will be determined by observation from public roads or by observations of golden eagle activity near the project site. If active nests are present within 0.5 mile of the project site, project-related activities within 0.5 mile of the nest will be prohibited to prevent nest abandonment. If site-specific conditions or the nature of the covered activity (e.g. steep topography, dense vegetation, limited activities) indicate that a smaller buffer could be used, the HCP/NCCP Implementing Entity (i.e. the East Contra Costa County Habitat Conservancy) will coordinate with the CDFW and the USFWS to determine the appropriate buffer size. Construction

monitoring will focus on ensuring that no project activities occur within the buffer zone established around an active nest. Project-related disturbance may proceed once a qualified biological monitor determines that the nest has failed or that the young birds have fledged. Prior to commencement of ground disturbing activities, the project proponent shall submit a letter-report from a qualified biologist documenting the pre-construction survey and presenting the biologist's findings and recommendations to the Community Development Division (CDD) of the Department of Conservation and Development for review and authorization to proceeding with construction activities.

<u>Bio Impact 2</u> - California Tiger Salamander (CTS), Alameda Whipsnake (AWS), California Red-Legged Frog (CRLF)

The study area provides potential aestivation habitat for CTS, foraging habitat for CRLF and movement habitat for AWS. The study area does not support suitable breeding habitat for CTS or CRLF, and primary habitat elements for AWS are absent from the study area. Impacts of covered activities on CTS, AWS and CRLF and conservation measures for these species are fully addressed in the Conservation Plan/Natural Community Conservation Plan (HCP/NCCCP).

• <u>MM BIO-2</u>

Prior to issuance of building permits and ground-disturbing grading and/or construction activities, the applicant shall comply with all applicable preconstruction surveys, and avoidance and minimization measures required by the Conservation Plan/Natural Community Conservation Plan (HCP/NCCCP) related to California tiger salamander, Alameda whipsnake, and California red-legged frog. Applicant will provide confirmation of compliance from the NCP/NCCP to the CDD prior issuance of building permits.

Bio Impact 3 - San Francisco Dusky-Footed Woodrat

The oak woodland within the study area provides suitable denning habitat for the San Francisco dusky-footed woodrat. If woodrat lodges become established within the area subject to disturbance, vegetation removal and earthwork for the project could result in the injury or death of resident woodrats and destruction of an active woodrat lodge.

• <u>MM BIO-3</u>

Not more than 30 days prior to any ground disturbance related to the proposed project, a qualified biologist shall conduct a survey of the project site to determine whether San Francisco Dusky-Footed Woodrat lodges have been constructed within the work area. If no woodrat lodges are present within the work area, no further mitigation is required. If San Francisco Dusky-Footed Woodrat lodges are observed within the area subject to ground disturbance, a woodrat mitigation plan describing habitat enhancement and relocation of the lodge(s) to an area not subject to site disturbance within the study area shall be prepared and submitted to CDFW for approval. Applicant shall submit to the CDD verification of CDFW review and approval of mitigation plan prior to ground disturbance. If no Dusky-Footed

Woodrat lodges are observed, the biologist shall submit a report to the CDD for review prior to ground disturbance.

Bio Impact 4 - American Badger

Suitable habitat for American Badger is present in the grassland within the area subject to construction disturbance. Construction activities could result in the death or injury of an American Badger and destruction of an active den.

• <u>MM BIO-4</u>

A qualified biologist shall conduct a preconstruction survey for the American Badger within 14 days prior to the start of construction. If no potential dens are found, no additional measures are required. If an active badger den is found, consultation with CDFW would be required. Construction would be halted within 100 feet of the den during the breeding season (summer through early fall), and hand excavation of dens during the non-breeding period would be required subject to CDFW approval. Applicant shall submit to the CDD verification of CDFW review and approval prior to start of construction. If no Badger dens are observed, the biologist shall submit a report to the CDD for review prior to construction.

Discussion of Impacts to Other Special-Status or Sensitive Species Not Requiring Mitigation

Special-Status Plants

Focused rare plant surveys were conducted by the project botanist, and no special-status plants were observed within the study area during the surveys, which were timed to coincide with the flowering period of potentially occurring rare plants. The project would have no impact on special-status plants; *no mitigation is required*.

Special-Status Bats

No potential roost sites for special-status bats would be subject to construction-related disturbance. The project would not impact special-status bats; *no mitigation is required*.

Bridges' Coast Range Shoulderband Snail

While suitable habitat for this snail is present in the study area, project development will impact approximately 0.90 acre of grassland habitat. Loss of habitat occupied by the Bridges' Coast Range Shoulderband Snail, if present within the study area, would not result in a significant or adverse impact under CEQA guidelines due to the small area of suitable habitat that would be disturbed and the presence of abundant suitable habitat in the undeveloped grassland south of the project; *no mitigation is required*.

Crotch Western and Obscure Bumble Bees

Development of the project site would result in the loss of 0.90 of potential nesting and foraging habitat. Due to the small area of development and the isolation from more

extensive habitat for these species in the Central Valley, the loss of the habitat would be less than significant; *no mitigation is required*.

Implementation of Mitigation Measures BIO-1 through BIO-4 will reduce project impacts on special-status or sensitives species to less-than-significant levels.

b) Less Than Significant Impact. Figure 8-1 of the General Plan's Conservation Element indicates that the project site is not located in a significant ecological area, but the project site is located within the HCP/NCCP Plan Area. Natural communities and habitat within the project site were mapped consistent with the land cover types described in the HCP/NCCP (see Table 1 below). Of the land cover types mapped in the project site, Riparian Woodland and Other Waters (Stream Channel) would be considered sensitive natural communities. The project proposes construction of a bridge located in riparian woodland that would span the creek channel with no earthwork below top of bank. Bridge abutments would be constructed above the top of bank, and no removal of riparian vegetation will occur. The bridge would be constructed in the location of an old bridge which is no longer present, and the old bridge abutments which were constructed below top of bank will remain in place. Bridge construction would not result in an adverse effect on riparian habitat or other sensitive natural communities.

Land Cover	Area, acres
Urban/Developed	0.85
Non-native Annual	
Grassland	3.74
Oak Woodland	0.69
Riparian Woodland	0.31
Other waters (stream	
channel)	0.15
Total	5.74 ac

 Table 1. Acreages of Existing Land Cover Types in the Study Area

Based on the above information, the project would not 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 Wildlife or the U.S. Fish and Wildlife Service.

c-d) <u>No Impact</u>. Based on the Preliminary Delineation of Wetlands and Other Waters of the U.S., Ezero Project, 1201 Pine Lane Clayton, Contra Costa County CA (Coast Range Biological May 2015), Mt. Diablo Creek and an ephemeral tributary, mapped as potential "jurisdictional other waters" are located on the project site, but the project does not propose any direct removal, filling, hydrological interruption or other impacts to these features. Furthermore, the proposed project will not interfere with the movement of native fish or

wildlife, nor will it reduce the suitability of the riparian habitat along the drainages as a movement corridor. The project site is surrounded on three sides by development and lacks habitat for native fish. The project will not interfere with or obstruct any wildlife movement in Mt. Diablo Creek, the unnamed tributary, or elsewhere on the project site. No wildlife nursery sites are present on the project site; thus, the project will have no impact on this analysis category.

e) Less Than Significant with Mitigation. The project site is located approximately 0.1 mile east of Mt. Diablo State Park, an area identified as a significant ecological area by Figure 8-1 of the General Plan's Conservation Element. The proposed project would not conflict with County policies addressed by the Conservation Element of the General Plan. Trees on vacant properties are protected by the Contra Costa County Tree Protection and Preservation Ordinance ("Tree Ordinance") which provides regulation for tree removal and other construction impacts such as working within the driplines of code-protected trees, while allowing for reasonable development of private property. Trees on the project site were mapped and a list of trees was prepared by a certified arborist in May 2015. Limited pruning of one native California buckeye (Aesculus californica) is required to facilitate construction of the bridge across Mt. Diablo Creek. Implementation of the standard requirements and conditions of approval cited in the Tree Ordinance for impacts to codeprotected trees will reduce the impacts to less-than-significant levels.

Impacts and Mitigation Measures (MM)

Bio Impact 5 - Construction Activities Within the Driplines of Code-Protected Trees Project construction has the potential to impact code-protected trees during ground disturbance due to grading and/or construction activities under the driplines of four (4) code-protected trees for bridge and driveway construction.

• <u>MM BIO-5</u> (Tree Preservation Requirements)

Pursuant to the requirements of Section 816-6.1204 of the Contra Costa County Tree Protection and Preservation Ordinance, to address the possibility that construction activity damages trees that are to be preserved, the applicant shall provide the county with a security to allow for replacement of trees that are significantly damaged or destroyed by construction activity. Prior to submittal for or issuance of building and/or grading permits, the applicant shall provide a security that is acceptable to the Department of Conservation and Development, Community Development Division (CDD).

- A. <u>Amount of Security</u>. The security shall be an amount sufficient to cover:
 - i. Preparation of a tree planting and irrigation plan by a licensed landscape architect, arborist, or landscape contractor. The plan shall comply with the State's Model Water Efficient Landscape Ordinance or the county's Water Efficient Landscape Ordinance, if the county's ordinance has been adopted, and verification of such shall accompany the plan. The estimated

cost to prepare the plan shall provide for the planting of eight (8) trees, minimum 24-inch box size, or an equivalent planting contribution as determined appropriate by the CDD (including Sections A.ii, A.iii, B, and C below). If applicable, the plan shall be implemented prior to final building inspection.

- ii. The estimated materials and labor costs to complete the improvements shown on the approved planting and irrigation plan (accounting for supply, delivery, and installation of trees and irrigation).
- iii. An additional 20% above the costs described in Sections A.i and A.ii above to account for inflation potential.
- B. <u>Initial Deposit for Processing of Security</u>. The County ordinance requires that the applicant pay fees to cover all staff time and material costs for processing the required security. At the time of submittal of the security, the applicant shall pay an initial deposit of \$200.
- C. Duration of Security. After the final building inspection has been completed, the applicant shall submit a letter to the CDD, composed by a consulting arborist, describing any construction impacts to trees intended for preservation. The security shall be retained by the County for a minimum of 12 months up to 24 months beyond the date of receipt of this letter. As a prerequisite of releasing the bond between 12 and 24 months, the applicant shall arrange for the consulting arborist to inspect the trees and to prepare a report on the trees' health. The report shall be submitted to the CDD for review, and it shall include any additional measures necessary for preserving the health of the trees. These measures shall be implemented by the applicant. In the event that the CDD determines that trees intended for preservation have been damaged by development activity, and that the applicant has not been diligent in providing reasonable restitution of the damaged trees, then the CDD may require that all or part of the security be used to provide for mitigation of the trees damaged, including replacement of any trees that have died.
- D. Prior to the start of any clearing, stockpiling, trenching, grading, compaction, paving or change in ground elevation on a site with trees to be preserved, the applicant shall install fencing at the dripline or other area as determined by an arborist report of all trees adjacent to or in the area to be altered. Prior to grading or issuance of any permits, the fences shall be inspected and the location thereof approved by project arborist.
- E. No grading, compaction, stockpiling, trenching, paving or change in ground elevation shall be permitted within the dripline unless indicated on the grading plans approved by the county and addressed in any required report prepared by an arborist. If grading or construction is approved within the dripline, an arborist may be required to be present during grading operations. The arborist shall have the authority to require protective measures to protect the roots. Upon completion of grading and construction, an involved arborist shall prepare a report outlining further methods required for tree protection if any are

required. All arborist expense shall be borne by the developer and applicant unless otherwise provided by the project's conditions of approval.

F. No parking or storing vehicles, equipment, machinery or construction materials, construction trailers and no dumping of oils or chemicals shall be permitted within the dripline of any tree to be saved.

Implementation of Mitigation Measure BIO-5 will reduce project impacts on codeprotected trees to less-than-significant levels.

f) <u>Less Than Significant with Mitigation</u>. The East Contra Costa County Habitat Conservation Plan/Natural Community Conservation Plan (HCP/NCCP) was adopted by the County in October of 2006. The purpose of the HCP/NCCP is to provide a framework to protect natural resources while streamlining the environmental permitting process for impacts to covered special-status species within the rapidly expanding region of Eastern Contra Costa County. The proposed project site is located within the HCP/NCCP Plan Area, and the project is subject to implementation of ordinance no. 2007-53.

Impacts and Mitigation Measures (MM)

Bio Impact 6 - HCP/NCCP Compliance

Project construction would conflict with the HCP/NCCP absent project-specific authorization pursuant to the HCP/NCCP and implementation of the measures listed below.

• <u>MM BIO-6</u>

The following measures are subject to the Conservation Plan/Natural Community Conservation Plan (HCP/NCCCP) approval, and must be satisfied prior to the start of construction:

- <u>Take Authorization</u>. The project is receiving permit coverage under the HCP/NCCP. All applicable avoidance, minimization and mitigation measures of the HCP/NCCP will be imposed on the project. The project will receive take authorization under the County's incidental take permit from the U.S. Fish and Wildlife Service issued pursuant to Section 10(a)(1)(B) of the Federal Endangered Species Act (permit number TE 160958-0 and the County's incidental take permit from the California Department of Fish and Wildlife issued pursuant to California Fish and Wildlife Code Section 2835 (permit number 2835-2007-01-03).
- <u>HCP/NCCP Mitigation Fees</u>. Prior to the issuance of grading or construction permits for the project and in accordance with the final HCP/NCCP Planning Survey Report application dated August 12, 2022, the applicant shall pay:
 - i. The required HCP/NCCP Development Fee for 5.51 acres of impact, subject to annual adjustments in accordance with Chapter 9.3.1 of the HCP/NCCP, or record a stream setback deed restriction, or grant deed of development rights over an area that

exceeds the minimum required stream setback area, in a form as approved by Conservancy and Contra Costa County Counsel, and pay a reduced Development Fee for 1.01 acres of impact; and

- ii. The required HCP/NCCP Wetland Mitigation Fee for 0.005 acre of riparian woodland and 0.03 acre of setback encroachment; and
- iii. The required HCP/NCCP Development Fee for 0.01 acre of temporary impact.

The Department of Conservation and Development will issue a Certificate of Coverage after receipt of mitigation fee payment and/or recordation of a stream setback deed restriction and reduced mitigation fee payment. The Certificate of Coverage will confirm that the mitigation fee payment has been received, and that other HCP/NCCP requirements have been met or will be performed, and will authorize take of covered species.

- 3. <u>Construction Monitoring Plan</u>. Prior to the issuance of grading or construction permits for the project, and in accordance with the final HCP/NCCP Planning Survey Report application dated August 12, 2022, the applicant shall submit a construction monitoring plan to the East Contra County Habitat Conservancy for review and approval.
- 4. <u>Species-Level Measures</u>. Species-specific avoidance and minimization measures specified by the HCP/NCCP for Swainson's Hawk and Golden Eagle, in accordance with the final HCP/NCCP Planning Survey Report application dated August 12, 2022, and detailed in Mitigation Measure BIO-1B and BIO-1C above shall be implemented to mitigate impacts to less than significant.

Implementation of Mitigation Measure BIO-6 will ensure the project will be consistent with the requirements of the HCP/NCCP.

- Project Description, Application, and Plans
- Contra Costa County General Plan: <u>https://www.contracosta.ca.gov/4732/General-Plan</u>
- California Department of Fish and Wildlife. Accessed February 10, 2023: https://apps.wildlife.ca.gov/lands/
- Coast Range Biological, May 2015. Preliminary Delineation of Wetlands and Other Waters of the U.S. Ezero Project, 1201 Pine Lane, Clayton, Contra Costa County, CA
- Contra Costa County Conservation & Development, General Plan. Accessed February 10, 2023: <u>https://contracosta.ca.gov/DocumentCenter/View/30918/Ch8-Conservation-Element?bidId=</u>
- Contra Costa County Tree Protection and Preservation Ordinance. Accessed February 10, 2023: <u>http://contracostaco-ca.elaws.us/code/oc_title8_div816_ch816-6_sec816-6.1202</u>
- McNeil, Joseph. 2015. Preliminary Tree List and 1201 Pine Lane Tree Map.

- Mosaic Associates, July 2018, Revised 9/24/2018. Biological Resources Report for the Brian & Robin Kelley Residential Development Project, 1201 Pine Lane, Clayton, CA
- Mosaic Associates, July 30, 2018, revised August 12, 2022. Application Form and Planning Survey Report To Comply With and Receive Permit Coverage Under The East Contra Costa County Habitat Conservation Plan and Natural Community Conservation Plan
- Focused rare plant surveys conducted by botanist Tom Mahony of Coast Range Biological on 4/24/2015 and 7/8/2015.

5.	С	Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation	Significant	No Impact
	a)	Cause a substantial adverse change in the significance of a historical resource pursuant to \$15064.5?				
	b)	Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?			\boxtimes	
	c)	Disturb any human remains, including those interred outside of formal cemeteries?				

SUMMARY:

a-c) <u>Less Than Significant Impact</u>. The Open Space Element of the General Plan includes a map (Figure 9-2) that illustrates areas of varying archeological sensitivity within the County. According to Figure 9-2, the project site is in an area designated as "largely urbanized." The project site is also a vacant lot with no buildings or development of any kind, so no above-ground historical or archeological resources exist on the property. Additionally, there is no evidence in the record at the time of completion of this initial study that indicates the presence of human remains at the project site. Finally, the project site is not listed on the Contra Costa County Historic Resources Inventory or the California Department of Conservation's list of historical resources. Therefore, any project impacts on this analysis category will be less than significant.

- Contra Costa County General Plan. "Chapter 9: Open Space Element." 2005-2020. <u>https://www.contracosta.ca.gov/DocumentCenter/View/30919/Ch9-Open-Space-Element?bidId=</u>
- California Department of Conservation. *California Historical Resources*. https://ohp.parks.ca.gov/ListedResources/?view=county&criteria=7
- Contra Costa County *Historic Resources Inventory* (2019) <u>https://www.contracosta</u> .ca.gov/DocumentCenter/View/1116/Historic-Resources-Inventory-HRI?bidId

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

SUMMARY:

- a) <u>Less Than Significant Impact</u>. The proposed bridge replacement is not a large-scale development that will be a source of excessive energy use. The construction phase of the project, including site grading and eventual home construction, will likely require the use of electrical and petroleum-based fuel resources, but these impacts will be temporary in duration and are considered necessary for development of the site and not wasteful. Once the bridge is constructed, and a future home is constructed and occupied, energy consumption is anticipated to be at a level consistent with other residential land uses. Furthermore, the California Code of Regulations, Title 24, Part 6, pertaining to energy-efficiency standards for residential (and non-residential) buildings will be implemented for all residential building permits in order to assure that the latest energy-efficient technologies and methods will be incorporated in the construction of new homes at the site. Thus, project impacts to this analysis category will be less than significant.
- b) Less Than Significant Impact. Locally, Contra Costa County adopted its Climate Action Plan (CAP) on December 15, 2015 with the purpose to identify and achieve a reduction in greenhouse gas (GHG) emissions as mandated by the State under AB32. The CAP outlines the County's strategy to address the challenges of climate change by reducing local GHG emissions while improving community health. Additionally, the CAP meets the California Environmental Quality Act (CEQA) requirements for developing a qualified GHG reduction strategy, and it is consistent with the Bay Area Air Quality Management District's (BAAQMD) guidance on preparing a qualified GHG reduction strategy. The project will not conflict with the CAP or the County's goal of reducing GHG emissions. Any future development of the project site will require compliance with all applicable regulations to ensure the construction will not have a significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy. The design and operation strategies set forth in the CAP for reducing GHG emissions include measures such as installing energy efficient finishing materials, including roofing and lighting that would reduce the project's consumption of energy resources during operation. The energy efficiency requirements of Title 24 are supportive of the goals and policies of the CAP, and as discussed in section a) above, project construction will comply with the requirements of Title 24. Therefore, the project will not obstruct or conflict with any plans for renewable energy or energy efficiency.

- Project Description, Application, and Plans
- California Air Resources Board, *Assembly Bill 32 Overview* https://www.arb.ca.gov/cc/ab32/ab32.htm
- California Energy Commission 2019 Building Energy Efficiency Standards
 <u>https://www.energy.ca.gov/title24/2019standards/</u>
- Climate Action Plan, Contra Costa County, 2015

		Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
7.		OLOGY AND SOILS – Would the project:				
	a)	Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury or death involving:				
		 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?			\boxtimes	
		iv) Landslides?			\boxtimes	
	b)	Result in substantial soil erosion or the loss of topsoil?			\boxtimes	
	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?				

<u>SUMMARY</u>:

a) <u>Less Than Significant Impact</u>. The San Francisco Bay Region is considered one of the most seismically active regions of the United States, and it can be assumed that the project site will be subject to one or more major earthquakes. Earthquake intensities vary depending on numerous factors, including earthquake magnitude, distance of the site from the causative fault, and the geology of the site. The USGS has stated that there is a 72 percent chance of at least one magnitude 6.7 or greater earthquake striking the Bay Area region between the present and 2043. The project site is not located in an Alquist-Priolo Earthquake zone as designated by the State of California. According to Figure 10-4 the Safety Element of the General Plan, the site is in an area rated as having a "moderate damage susceptibility." This designation is applied to sites that are underlain by younger Holocene alluvium. The Safety Element recognizes that local ground conditions are highly variable. Structures sited on competent foundation materials and stable slopes typically perform satisfactorily. Conversely, weakly consolidated soils that

are water saturated at or near the ground surface, and steep, unstable slopes are considered to be potentially hazardous. The risk of structural damage from earthquake ground shaking is controlled by building codes and grading regulations. The California Building Code (CBC), and the County Grading Ordinance, mandate that for structures or buildings requiring building permits must take into account foundation conditions and the proximity of active faults and their associated ground shaking characteristics in their design. Design-level geotechnical reports must also include CBC seismic design parameters; these parameters are used by structural engineers in the design of engineered structures. It is the standard practice of the Building Inspection Division of the Department of Conservation and Development to verify that the seismic requirements of the CBC are incorporated into residential building permits; thus, compliance with the County's building and grading regulations is anticipated to keep such risks within generally accepted limits.

Figure 10-5 of the Safety Element of the County General Plan rates the project site as having "generally moderate to low" liquefaction potential. This map divides Contra Costa County into three categories: "generally high," "generally moderate to low," and "generally low" liquefaction potentials. The map was prepared in consideration of available data on soil types, elevation of the water table, and limited review of available borehole logs for land development projects around the county. The Safety Element contains a number of policies that are directed to protect development from landslide hazards and minimize grading of steep slopes. The General Plan has historically classified major slope areas in excess of 26 percent as "not readily developable" or "undevelopable," recognizing the cost and engineering difficulties of grading in areas of steep slopes (Policy 10-29); and density is to decrease as slopes increase above 15 percent (Policy 10-28). Areas that are subject to slides and slippages from other natural causes may be very hazardous under earthquake conditions. Earthquake effects will be more extensive if a major earthquake occurs during the rainy season, when slope stability is reduced due to slope saturation. Whether a landslide will or will not occur usually cannot be predicted under "natural conditions" because of the range of natural conditions and changes at a site which occur over time. However, land which has experienced landslide movement in the past is believed to be generally more slide-prone, and also is more sensitive to man-induced changes, such as grading, watering, removing or changing the type of vegetation, changing drainage patterns, and other possible factors. Additionally, according to Figure 10-6 of the Safety Element, the site is located in an area where no known landslide deposits have been identified.

- b) Less Than Significant Impact. The project site is mostly flat with contours generally upsloping to the west. Any future grading or development will be required to comply with all applicable erosion control best management practices (BMPs) required for grading and building permits. Such BMPs will minimize and keep any construction-related erosion withing acceptable levels. For these reasons, it is expected that erosion will be a less-than-significant impact.
- c) <u>Less Than Significant Impact</u>. According to Figure 10-6 of the Safety Element, the site is located in an area where no known landslide deposits have been identified. And pursuant to Figure 10-5 of the of the Safety Element, the project site is located in an area that has been characterized as having a "generally moderate to low" liquefaction potential. In addition, the

proposed development sites are located on the flat areas of the property, so the potential for landslides, lateral spreading, subsidence, liquefaction, or collapse is less than significant.

- d) Less Than Significant Impact. According to the Soil Survey of Contra Costa County, the soil series that occurs on the site is the Zamora silty clay loam (ZaA, 0-2% slopes) where the bridge is proposed and Perkins gravelly loam (PaD, 9-15% slopes) in the future home development area. For the Zamora unit runoff is slow and there is no hazard of erosion, and the shrink-swell potential is moderate. For the Perkins unit runoff is slow to medium and the hazard of erosion is slight to medium, and the shrink-swell potential is moderate. Therefore, any risks or impacts associated with expansive soils are considered less than significant.
- g) <u>Less Than Significant Impact</u>. The project is for the construction of a replacement residential access bridge. Any future residential home construction will be reviewed by the Building Inspections Division of the Department of Conservation and Development. Septic and sanitary requirements will be reviewed by the Health Services Department (HSD). The HSD submitted initial comments on the bridge location indicating that the bridge construction should not impact a previously reviewed septic disposal field on the property; therefore, the subject property can adequately support a wastewater disposal system.
- h) <u>Less Than Significant Impact</u>. The property is predominately flat and underlain by old mixed alluvium with no visible geologic features. There are no rock outcroppings on the site, so the likelihood of destroying a unique geologic or paleontological feature is low, so any impacts are considered less than significant.

- California Division of Mines and Geology *Special Publication 42*.
 <u>https://www.conservation.ca.gov/cgs/Documents/Publications/Special-Publications/SP_042.pdf</u>
- California Department of Conservation. *California Earthquake Hazards Zone Map*. <u>https://maps.conservation.ca.gov/cgs/EQZApp/app/</u>
- Contra Costa County General Plan. "Chapter 10: Safety Element." 2005-2020. <u>https://www.contracosta.ca.gov/DocumentCenter/View/30920/Ch10-Safety-Element?bidId=</u>
- United States Geologic Survey. *Earthquake Outlook for the San Francisco Bay Region* 2014-2043. August, 2016. <u>https://pubs.usgs.gov/fs/2016/3020/fs20163020.pdf</u>
- Soil Survey of Contra Costa County, California, 1977.

8. GRE	Environmental Issues EENHOUSE GAS EMISSIONS – Would the pro	Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
a) (Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?				
r	Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?				

SUMMARY:

- Less Than Significant Impact. Greenhouse gas (GHG) emissions could have an effect on the a) atmosphere and climate by trapping heat in the atmosphere. GHGs are considered global pollutants, unlike criteria air pollutants and toxic air contaminants which are pollutants of regional and local concern. The major GHGs that are released from human activity include carbon dioxide (CO2), methane (CH4), and nitrous oxides (NOx). The primary sources of GHGs produced by human activities are vehicles (including planes, trains, and automobiles), energy plants, and industrial and agricultural activities. Various modeling tools are available to estimate emissions based on the type of project. For example, CalEEMod is an emissions model that was released by the California Air Pollution Control Officers Association (CAPCOA). CalEEMod is a statewide land use emissions computer model designed to provide a uniform platform for government agencies, land use planners, and environmental professionals to quantify potential criteria pollutant and GHG emissions associated with both construction and operations from a variety of land use projects. The model quantifies direct emissions from construction and operation activities (including vehicle use), as well as indirect emissions, such as GHG emissions from energy use, solid waste disposal, vegetation planting and/or removal, and water use. The model is a tool for quantifying air-quality impacts from land use projects throughout California. The model can be used for a variety of situations where an air-quality analysis is necessary or desirable, such as the preparation of CEQA documents. The model is free and may be downloaded at www.caleemod.com. Such an analysis is desirable for large-scale projects such as large-scale land development, subdivisions, mixed-use scenarios, and industrial and commercial projects. Due to the small-scale residential nature of the proposed project, an extensive emissions-modeling analysis was not pursued. Instead, the County has chosen to use the 2017 BAAQMD "screening criteria" to assist in the identification of potentially significant project impacts on air quality. These screening criterial provide a conservative indication of whether the proposed project could result in potentially significant air-quality impacts. The thresholds are as follows for single-family residential projects:
 - NOx 325 Dwelling Units
 - GHG 56 Dwelling Units
 - Construction-Related ROG 114 Dwelling Units

In summary, the screening criteria indicate that the eventual development of the lot with one single-family residence does not present a risk of significant air quality impacts, and so

rigorous evaluation of air quality effects is not needed. According to the screening criteria listed above, projects that create up to 55 dwelling units would probably not trigger quantitative evaluation of GHG emissions, so it stands to reason that the potential for one future singlefamily residence poses a less-than-significant impact in terms of GHG emissions. The residential access bridge replacement project is not a large-scale development that will be a source of excessive GHG emissions. Future site development will most likely consist of activities such as site clearing, access improvements, site grading, and home construction. The construction phase of the project, including site grading and any future home construction, will likely require the use of petroleum-based fuel resources, but these impacts will be temporary in duration. Once the bridge and house are constructed and occupied, GHG emissions are anticipated to be at a level consistent with other low-density residential land uses, which are not are not categorized as excessive emitters of GHGs. Due to these factors, the GHG emissions associated with the eventual development and residential use of the lot are considered less than significant.

b) Less Than Significant Impact. The Contra Costa County Board of Supervisors, in April 2012, directed the Department of Conservation and Development to prepare a Climate Action Plan (CAP) to address climate change impacts in the unincorporated area by reducing GHG emissions. The CAP was adopted by the Board of Supervisors on December 15, 2015. The CAP outlines the County's strategy to address the challenges of climate change by reducing local GHG emissions while improving community health. Additionally, the CAP meets the California Environmental Quality Act requirements for developing a qualified GHG reduction strategy, and is consistent with the Bay Area Air Quality Management District's (BAAQMD) guidance on preparing a qualified GHG reduction strategy. A qualified reduction strategy provides CEQA tiering, or streamlining, benefits to subsequent development projects that are consistent with the CAP. The CAP outlines the County's efforts to address climate change, primarily by reducing local GHG emissions, while improving community health. This is accomplished by providing the scientific, regulatory, and public health framework for addressing climate change and GHGs at the local level. The CAP meets the California Environmental Quality Act requirements for developing a qualified GHG reduction strategy, and is consistent with the BAAQMD's guidance on preparing a qualified GHG reduction strategy. As stated above in the response to section a), the construction phase of the project is expected to be a source of short-term GHG emissions; these impacts will be temporary in duration. Once the homes are constructed and occupied, GHG emissions are anticipated be at a level consistent with other residential land uses. Thus, the project will not conflict with any plans or polices, such as the Contra Costa County Climate Action Plan, adopted to reduce such emissions.

- Bay Area Air Quality Management District CEQA Air Quality Guidelines, 2017. <u>https://www.baaqmd.gov/~/media/files/planning-and-</u> research/ceqa/ceqa_guidelines_may2017-pdf.pdf?la=en
- Bay Area Air Quality Management District website: <u>www.baaqmd.gov</u>
- Contra Costa County Climate Action Plan.

• <u>www.caleemod.com</u>

		Environmental Issues	Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
9.	HA	ZARDS AND HAZARDOUS MATERIALS – W	ould the proj	ect:		
	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?			\boxtimes	

<u>SUMMARY</u>:

- a-b) Less Than Significant Impact. No hazardous materials are proposed to be managed or disposed of on the site, and the routine transport, use, or disposal of hazardous materials is also not proposed. Products technically classified as hazardous materials, such as vehicle fuels, engine fluids, lubricants, paints, and other common household chemicals are typically used during construction site development for residential projects, and it is reasonable to expect that similar materials will be used for the eventual future development of the site, but their availability will be in small quantities and incidental to their use in construction. Spills and accidents involving their use would be negligible, and since the construction phase will be temporary in duration and not routine, these impacts will therefore be less than significant.
- c) <u>No Impact</u>. The closest school is Diablo View Middle School, located at 300 Diablo View Ln. in Clayton, is 1.2 miles west of the project site. Since the routine transport, use, or disposal of hazardous materials is not proposed for this project, it is not anticipated that hazardous materials will impact any schools, accidentally or otherwise.

- d) <u>No Impact</u>. The property is not on the list of contaminated properties or toxic substance cleanup sites maintained by the California Department of Toxic Substances Control (DTSC); thus, there will be no impact to the analysis category.
- e) <u>No Impact</u>. The project site is located farther than 2 miles from the nearest public use airport, which is the Buchanan Airport in Concord. Thus, the project would not create an aircraft safety hazard, or a noise hazard (see Section 13 of this document for analysis of project noise impacts), for people working, residing in, or traveling through the area; therefore, no impacts are anticipated.
- f) <u>No Impact</u>. In the event of an emergency, emergency personnel and equipment would enter and exit the site vicinity from the existing access point located at the Pine Lane frontage of the property. The site of the subject property's ingress and egress is already established, and the replacement bridge will restore functional access to the property. The project would not impair implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan. Therefore, there will be no impacts.
- g) Less Than Significant Impact. The project site is an urbanized developed residential area. The area is served by the East Contra Costa Fire Protection District. District staff has previously reviewed the project and provided no comments regarding the project as it relates to wildfire risk. According to Figure 10-10 (Fire Hazard Areas) of the Safety Element of the General Plan indicates that the project site is located in a low fire hazard local responsibility area, as opposed to moderate and high fire hazard areas that are the responsibility of the state. Therefore, there is a less than significant risk of loss, injury, or death involving wildland fire.

- California Department of Public Health FAQs About Asbestos in the Home and Workplace, 2017.
 <u>https://www.cdph.ca.gov/Programs/CCDPHP/DEODC/EHLB/IAQ/CDPH%20Docume</u> <u>nt%20Library/AsbestosFactSheet_201711_final-ADA.pdf</u>
- California EPA Cortese List: <u>https://dtsc.ca.gov/dtscs-cortese-list/</u>
- California Department of Forestry & Fire Protection, Fire and Resource Assessment Program. *Contra Costa County Very High Fire Hazard Severity Zones in LRA*, 2009. <u>https://osfm.fire.ca.gov/media/6660/fhszl_map7.pdf</u>
- Contra Costa County General Plan Safety Element.
- East Contra Costa Fire Protection District Project Comments, dated 6/13/22.

		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?			\boxtimes					
		ii) Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?			\boxtimes					
		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?								
	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) Less Than Significant Impact. The proposed project has been reviewed by the Public Works Department and the Flood Control District for conformance with the drainage requirements of Division 914 of the county ordinance code, and for compliance with Provision C.3 of the municipal regional stormwater discharge permit issued by the Regional Water Quality Control Board. Provision C.3 addresses both soluble and insoluble stormwater runoff pollutant discharges and prevent increases in runoff flows from new development and redevelopment projects. Any wastewater disposal/septic systems or groundwater wells that could affect water quality will have to be reviewed and permitted by the Health Services Department (HSD) and will have to comply with all applicable standards and regulations enforced by the HSD. Thus the project will have a less-than-significant impact on this analysis category.
- b) <u>No Impact</u>. The subject property is not located within a state-designated "critically overdrafted" groundwater basin. The domestic water service to the project site is already provided by the Golden State Water Company. There are no water wells proposed, so the project is expected to have a negligible effect on groundwater depletion or recharge. Furthermore, the project will receive water from a municipal supplier, and there is no evidence

in the record that the project would conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan.

- c) <u>Less Than Significant Impact</u>. As discussed above in section a), the project has been reviewed and approved by the Public Works Department and the Flood Control District for compliance with Provision C.3 of the municipal regional stormwater discharge permit issued by the Regional Water Quality Control Board. Division 914 of the county ordinance code requires that all stormwater entering and/or originating on the property will be collected and conveyed, without diversion and with an adequate storm drainage system, to an adequate natural watercourse having a definable bed and banks or to an existing adequate public storm drainage system which conveys stormwaters to an adequate natural watercourse. Streambed alteration permitting will be required by the California Department of Fish & Wildlife (CDFW). Thus, compliance with Division 914 of the County Ordinance code and with the permitting requirements of the CDFW, the project is anticipated to have less than a significant impact on drainage patterns.
- d) <u>Less Than Significant Impact</u>. The bridge site is located within a 100-year flood plain. The project has been reviewed by the Flood Control District. Prior to construction, the bridge will be permitted to comply with any flood-plain requirements, thus any impacts would be less than significant. Any future home construction would be situated outside the flood plain. The site is not located near the bay or open ocean, so the project area will not be impacted by tsunamis. 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. This hazard does not exist within the Clayton area as there are no large lakes or reservoirs in proximity. As such, there would be no risk of pollutants being released from the site due to inundation through flooding, tsunamis, mudflows, or seiche, therefore, impacts will be less than significant.
- e) <u>No Impact</u>. The subject property is not located within a state-designated "critically overdrafted" groundwater basin, and therefore it is not subject to the Sustainable Groundwater Management Act, and accordingly there are no regulations imposed by the County aside from General Plan policies to protect groundwater quality from pollution. The proposed replacement bridge does not include any proposed changes that will affect groundwater in any way.

- Contra Costa Clean Water Program, C3 Guidance: Development, <u>https://www.cccleanwater.org/construction-business/development</u>
- Hydrology Analysis for CDMS21-00004 prepared by Kister, Savio & Rei, Inc.
- Project comments from the Flood Control District, dated 4/18/17 and 12/19/18.
- Contra Costa County Tsunami Hazard Areas, California Department of Conservation, 2021. <u>https://www.conservation.ca.gov/cgs/tsunami/maps/contra-costa</u>
- Contra Costa County General Plan, 2005-2020. *Safety Element*.
 <u>https://www.contracosta.ca.gov/DocumentCenter/View/30920/Ch10-Safety-Element?bidId=</u>

California Department of Water Resources website.
 <u>https://water.ca.gov/programs/groundwater-management/bulletin-118/critically-overdrafted-basins</u>

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:

No Impact. The project consisting of the replacement of an access bridge and the eventual a-b) development of a vacant parcel with a single-family residence is considered in-fill development. The proposed project would maintain existing access to the surrounding properties and areas. Thus, the proposed subdivision would not divide an established community. Established single-family residential neighborhoods are located immediately adjacent to the subject parcel to the west, and parcels to the east are agriculturally zoned, but consist of low-density, residential developments. The proposed access bridge replacement and eventual development of the vacant subject property would not alter the existing land uses in the area and would not divide the established community. Furthermore, the proposed project is consistent with the standards of the General Agricultural (A-2) zoning district, and with the Single-Family Residential-Very Low Density (SV) General Plan land use designation. Also, the site is located within the Urban Limit Line (ULL), which qualifies the site for potential development with urban and residential uses. The project as proposed does not conflict with applicable land use plans, policies, or regulations that have been adopted for the purpose of avoiding or mitigating an environmental effect; thus, there will be no impacts to this analysis category.

- Contra Costa County General Plan, 2005-2020. *Land Use Element*.
 <u>https://www.contracosta.ca.gov/DocumentCenter/View/30913/Ch3-Land-Use-Element?bidId=</u>
- Contra Costa County Municipal Code. *Title 8*. <u>https://library.municode.com</u> /ca/contra_costa_county/codes/ordinance_code?nodeId=TIT8ZO

	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?			Ó	\boxtimes		
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-b) **No Impact.** Figure 8-4 of the Conservation Element of the General Plan identifies mineral resource areas in Contra Costa County. Goals, policies, and implementation measures aimed at protection of mineral resource areas are also presented in the Conservation Element. The site is not within a mineral resource area designated by the General Plan and has a very low potential for containing economic mineral deposits; therefore, there will be no impacts to this analysis category.

Sources of Information

 Contra Costa County General Plan, 2005-2020. Conservation Element. <u>https://www.contracosta.ca.gov/DocumentCenter/View/30918/Ch8-Conservation-Element?bidId=</u>

	Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
13. NC	DISE – 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?			\boxtimes	
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?				

- a) Less Than Significant Impact. The noise element of the County General Plan contains the land use compatibility guidelines for community noise. Due to the residential nature of the project, it will not increase ambient noise levels in the area, since residential properties are generally not sources of excessive noise. It is acknowledged that the construction phase of the project has the potential to increase noise levels due to the use of construction equipment, vehicles, and tools to construct the bridge, but these impacts will be temporary in duration and noise will revert to existing levels once the bridge and any future home is constructed. Therefore, the impacts are considered less than significant.
- b) <u>Less Than Significant Impact.</u> Ground-borne vibration is most commonly associated with railroads, freeways, bus lines, heavy construction and grading activities, large truck traffic, and airports. Ground-borne noise is produced when ground vibrations cause resonances in the floors and walls of buildings, which then radiate a rumbling noise directly into the rooms. Because the bridge project is small in scale it will not be a source of excessive ground-borne noise or vibration. Residential land uses are not a significant source of ground-borne vibrations; therefore, the project impacts will be less than significant.
- c) <u>No Impact</u>. The subject property is not located within an area covered by the Contra Costa Airport Land Use Compatibility Plan, nor is the project located within 2 miles of an airport or private airstrip. Thus, there will be no impact on this analysis category.

- Contra Costa County General Plan, 2005-2020. Noise Element. <u>https://www.contracosta.ca.gov/DocumentCenter/View/30921/Ch11-Noise-Element?bidId=</u>
- Caltrans, "Groundborne Noise and Vibration Impacts", dated 11/5/2014.

• Contra Costa County Airport Land Use Compatibility Plan, dated 12/13/2000.

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

- a) <u>Less Than Significant Impact</u>. The proposed project is to replace a residential access bridge for and the eventual residential development of the property. The bridge construction and the future development of a single-family residence will not increase population significantly beyond existing levels in the area. The eventual home construction would not require road extensions, but would require utility extensions such as sanitary sewer, electric/gas, and water services. One new home would be expected to generate a negligible population increase that would not alter the location, distribution, density, or growth rate of the overall county population.
- b) **No Impact.** The proposal does not require the displacement of people or existing homes, nor does it require the construction of new homes elsewhere. Thus, there is no impact to this analysis category.

Sources of Information

• Project Application and Plans for County File# CDVR17-01013

Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
15. PUBLIC SERVICES – Would the project result in s	ubstantial adv	erse physical	impacts asso	ociated with
the provision of new or physically altered government	al facilities, ne	ed for new of	r physically a	ultered
governmental facilities, the construction of which cou	ld cause signif	icant environ	mental impac	cts, in order
to maintain acceptable service ratios, response times	or other perfor	mance object	tives for any	of the
public services:				
a) Fire Protection?			\boxtimes	
b) Police Protection?			\boxtimes	
c) Schools?				
d) Parks?				
e) Other public facilities?			\square	

<u>SUMMARY</u>:

- a) <u>Less Than Significant Impact</u>. The site is currently served by the East Contra Costa Fire Protection District. The fire district has reviewed the application and provided their comments relating to the proposed project. No new fire protection facilities will be required, so the impacts will be less than significant on this analysis category.
- b) Less Than Significant Impact. The Growth Management Element, Section 4.4 of the County General Plan requires 155 square feet of Sheriff's station area and support facilities for every 1,000 members of the population; since there eventually be only one new residence on a lot designated by the General Plan as being a very low-density residential site, it is reasonable to expect that the proposed project would not increase the population up to this threshold. Therefore, the project would not increase the demand for police service facilities or require the construction or need for new police substations within the area.
- c) <u>Less Than Significant Impact</u>. Since the project would not significantly increase the population in Clayton, it would have a less than significant impact on enrollment at existing local schools.
- d) <u>Less Than Significant Impact</u>. The County General Plan requires that three acres of neighborhood parks be available for every 1,000 members of the population. The proposed bridge replacement project does not affect parks and recreation in the County, and any future home development will be required to comply with current Contra Costa County park dedication and park impact fee requirements.
- e) <u>Less Than Significant Impact</u>. Impacts to other public facilities, such as hospitals and libraries are usually caused by increases in population. Implementation of the proposed project will not induce significant population growth. Therefore, impacts to hospitals, libraries, or other public facilities will be less than significant.

Sources of Information

 Contra Costa County General Plan, 2005-2020. Public Facilities/Services Element. https://www.contracosta.ca.gov/DocumentCenter/View/30917/Ch7-Public-Facilities_Services-Element?bidId=

- Contra Costa County General Plan, 2005-2020. Growth Management Element. <u>https://www.contracosta.ca.gov/DocumentCenter/View/30914/Ch4-Growth-Management-Element?bidId=</u>
- Contra Costa County General Plan, 2005-2020. *Land Use Element*. <u>https://www.contracosta.ca.gov/DocumentCenter/View/30913/Ch3-Land-Use-Element?bidId=</u>
- Project comments from the East Contra Costa Fire Protection District, received 6/13/22.

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

<u>SUMMARY</u>:

a-b) <u>Less Than Significant Impact</u>. The project does not require construction of new recreational facilities or expansion of existing recreational facilities. Increased use of parks and other recreational facilities typically results from general population growth over time and from development of projects that increase the number of people in the immediate vicinity of such facilities. Impacts on public facilities, such as parks, are usually caused by increases in population. The bridge replacement project will not impact population growth, nor will future development of one single-family residence increase population significantly beyond existing levels in the area. Finally, the project will be required to comply with current Contra Costa County park dedication and park impact fee requirements at the time any new homes are constructed, so such impacts will be less than significant.

- Contra Costa County General Plan, 2005-2020. Public Facilities/Services Element. https://www.contracosta.ca.gov/DocumentCenter/View/30917/Ch7-Public-Facilities Services-Element?bidId=
- Contra Costa County General Plan, 2005-2020. Growth Management Element. <u>https://www.contracosta.ca.gov/DocumentCenter/View/30914/Ch4-Growth-Management-Element?bidId=</u>

	Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation	Significant	No Impact
17. TR	ANSPORTATION – 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)?			\boxtimes	
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?				

- a) Less Than Significant Impact. The project proposes to replace a former access bridge on the subject site. Implementation Measure 4-c of the Growth Management Element in the General Plan requires a traffic-impact analysis be conducted for any project that is estimated to generate 100 or more AM or PM peak-hour trips. The eventual development of a very low-density residential lot with one single-family residence is not anticipated to generate a significant population increase. One residence would generate considerably less trips than the 100 peak hour am/pm trip threshold that would trigger traffic study. Nor would the project conflict with any applicable congestion management programs. Furthermore, the proposed project would not conflict with any applicable plans, ordinances, or policies establishing measures of effectiveness for the performance of the circulation system, so the project impacts would be less than significant.
- b) Less Than Significant Impact. As stated above in section a), the proposed project will not yield 100 or more peak-hour trips, and therefore a traffic-impact analysis is not required. Furthermore, the project is considered a small in-fill development and not expected to contribute to traffic congestion in the area. In light of these factors, the County considers this an appropriate qualitative analysis of traffic impacts consistent with CEQA guidelines.
- c) <u>Less Than Significant Impact</u>. There are no increased hazards due to a design feature such as curves. Comments received from the Fire District do not indicate concerns regarding the site's ingress or egress. Additionally, the project will not require any alterations to Pine Lane or Marsh Creek Road; therefore, the project improvements would not present a significant design hazard or incompatible use.
- d) <u>Less Than Significant Impact</u>. The East Contra Costa Fire Protection District has reviewed the project for conformance with Fire District standards (which includes emergency access), and no comments were received indicating that the proposed project would result in inadequate emergency access.

- Contra Costa County General Plan, 2005-2020. *Growth Management Element*. <u>https://www.contracosta.ca.gov/DocumentCenter/View/30914/Ch4-Growth-Management-Element?bidId=</u>
- Institute of Transportation Engineers. Common Trip Generation Rates, Trip Generation Manual, 10th Edition. <u>https://www.troutdaleoregon.gov/sites/default/files/fileattachments/</u> <u>public_works/page/966/ite_land_use_list_10th_edition.pdf</u>
- Governor's Office of Planning and Research, State of California. *Technical Advisory* on Evaluating Transportation Impacts in CEQA. December 2018. <u>https://opr.ca.gov/docs/20190122-743 Technical Advisory.pdf</u>
- Contra Costa County General Plan, 2005-2020. Land Use Element. <u>https://www.contracosta.ca.gov/DocumentCenter/View/30913/Ch3-Land-Use-Element?bidId=</u>
- Project comments from the East Contra Costa Fire Protection District, received 6/13/22.

Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
18. TRIBAL CULTURAL RESOURCES – Would the p significance of a tribal cultural resource, defined in Pa feature, place, cultural landscape that is geographical landscape, sacred place, or object with cultural value	ublic Resource ly defined in te	es Code section erms of the si	on 21074 as e ze and scope	either a site, of the
 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? 				

a-b) Less than Significant Impact With Mitigation. As discussed in Section 5 – Cultural Resources of this initial study, there are no existing structures or historical resources located on the project site. Additionally, there is no evidence in the record at the time of completion of this initial study that indicates the presence of human remains at the project site. A "Notice of Opportunity to Request Consultation was sent to the Wilton Rancheria and the Lisjan Nation on February 15, 2023. Staff did not receive a request for consultation from the Lisjan Nation in response to this notice, but a request to visit the site was received from the Wilton Rancheria. A cultural field representative from the Wilton Rancheria visited the project site on March 16, 2023 and conducted a visual survey of the bridge site. No remains or artifacts of Native American origin were found during the survey; nevertheless, the Wilton Rancheria submitted suggested mitigation measures for inclusion in this initial study. Furthermore, figure 9-2 of the Open Space Element of the General Plan identifies the project site to be situated in an urbanized area that is not archeologically sensitive.

Impacts and Mitigation Measures (MM)

<u>Tribal Resource Impact 1</u> – Inadvertent Discovery of Tribal Cultural Resources

Project grading and construction may have the potential to unearth buried Tribal Cultural Resources.

• <u>MM TCR-1</u> (Inadvertent Discovery Tribal Cultural Resources)

If potential tribal cultural resources (TCR), archaeological artifacts, other cultural resources, articulated, or disarticulated human remains are discovered during construction activities, all work will cease within 100 feet of the find (based on the apparent distribution of the resources). Examples of potential cultural materials include but are not limited to midden soils, artifacts, chipped or worked stone, baked clay, shell, or bone. A Native American Representative from the federally recognized Wilton Rancheria ("the Tribe") will assess the significance of the find and make recommendations for further evaluation and treatment if necessary. Culturally appropriate treatment that preserves or restores the cultural qualities and

integrity of a TCR may be, but is not limited to, processing materials for reburial, minimizing handling of cultural objects, leaving objects in place within the landscape, construction monitoring of any further activities by a tribal representative, and or returning the objects to a location within the project area where they will not be subject to future impacts. The Wilton Rancheria does not consider curation of TCRs to be appropriate or respectful and requests that materials not be permanently curated, unless specifically requested by the Tribe. If any human remains are discovered during construction activities, the County Coroner and the Native American Heritage Commission shall be contacted immediately. Upon determination by the County Coroner that the remains are Native American in origin, the Native American Heritage Commission will assign the Most Likely Descendant(s) (MLD) who will work the project proponents to define proper treatment and disposition. After review of the find and consultation with the MLD, the authority to proceed may be accompanied by the addition of development requirements which provide for protection and preservation of the site and/or additional measures necessary to address the sensitive and unique nature of the site. All treatment recommendations made by the Tribe and other cultural resources specialists will be documented in the confidential portion of the project record. Work in the area(s) of the cultural find may only proceed after authorization from the lead agency in coordination with the Tribe. Applicant must report to the Community Development Division of the Department of Conservation and Development any TRC finds that require coordination with the Tribe and implementation of the requirements of this mitigation measure.

Implementation of mitigation measure TCR-1 will ensure that project-related impacts to previously undiscovered Tribal Cultural Resources will be less than significant.

- Contra Costa County General Plan. "Chapter 9: Open Space Element." 2005-2020. <u>https://www.contracosta.ca.gov/DocumentCenter/View/30919/Ch9-Open-Space-Element?bidId=</u>
- California Department of Conservation. *California Historical Resources*. <u>https://ohp.parks.ca.gov/ListedResources/?view=county&criteria=7</u>
- Contra Costa County Historic Resources Inventory (2019) <u>https://www.contracosta</u> .ca.gov/DocumentCenter/View/1116/Historic-Resources-Inventory-HRI?bidId
- Mitigation Measures submitted by the Wilton Rancheria in response to tribal Notice of Consultation, received 4/7/23.

		Environmental Issues	Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
19.	<u>U</u> Т а)	ILITIES AND SERVICE SYSTEMS – Would the Require or result in the relocation or construction	project:			
	a)	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?				

- a) Less Than Significant Impact. The proposed bridge replacement does not require, nor does it impact, any utility services, but the eventual construction of one single-family residence will require power, water, and sanitary services. In that event, the project will be serviced by Pacific Gas & Electric for power, and the site will receive water service from the Contra Costa Water District. Sanitary and wastewater will be handled onsite by a septic system that will be reviewed and permitted by the Environmental Health Division of the Contra Costa County Health Services Department. Due to the very low density single-family residential nature of the project, it is not anticipated that it will create an unmanageable added-capacity demand or interfere with existing water or wastewater facilities in the area. Nor would the project require the relocation or construction of new or expanded telecommunications facilities. Therefore, project impacts will be less than significant.
- b) <u>Less Than Significant Impact</u>. The project is within the area served by the Contra Costa Water District. It is the responsibility of the District to deliver water to all developed properties in its service area. The eventual addition of one single-family residence is not expected to have an impact on the existing demand for water resources during dry or multiple dry years.
- c) Less Than Significant Impact. See response to section a) above.
- d) <u>Less Than Significant Impact</u>. The proposal has been reviewed by the Health Services Department and no additional solid-waste requirements were suggested. The project is served

by the Republic Services Keller Canyon Landfill, located in the Bay Point Area, which has enough approximate capacity to continue accepting waste for the next 50 years; therefore, adequate capacity exists in this landfill to accommodate the proposed project. Therefore, the proposed subdivision will not impact the attainment of solid waste reduction goals. Any potential future home construction on the project site would be subject to the CalGreen Construction and Demolition Debris Recovery Program administered by the Department of Conservation and Development. The Debris Recovery Program requires that at least 65% of construction job site debris (by weight) for most construction types, that would otherwise be sent to landfills, be recycled, reused, or otherwise diverted to appropriate recycling facilities.

e) Less Than Significant Impact. See response to section d) above.

- CalGreen / Construction & Demolition Debris Recovery Program
 <u>http://www.cccounty.us/4746/CalGreen-Construction-Demolition-Debris-</u>
- Project comments from the Health Services Department, dated 4/28/17.

	Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
	LDFIRE – If located in or near the state respon- te hazard severity zones, would the project:	nsibility are	as or lands	classified as	very high
a)	Substantially impair an adopted emergency response plan or emergency evacuation plan?				
b)	Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby, expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?				
c)	Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?				
d)	Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?				

- a) <u>Less Than Significant Impact</u>. Emergency access to the site is typically reviewed by the Fire District. The East Contra Costa Fire Protection District reviewed the proposed project and have not indicated that there are any concerns relating to adequate emergency access to the project site. Residents of the project would use Pine Lane and the existing local road networks. The construction of the proposed replacement bridge and the eventual development of the lot with a single-family residence will not significantly impact any emergency response or emergency evacuation plans.
- b) <u>Less Than Significant Impact</u>. Because the project site is within an urban area served by the East Contra Costa Fire Protection District, the risks of a major wildfires are relatively low due to the largely urbanized nature of the area. Furthermore, the future residences that may constructed on the site will be required to comply with the standards of the California Building Code and Uniform Fire Code that are operative when residential building permits are requested, therefore there will be less-than-significant impacts in this analysis category.
- c) <u>Less Than Significant Impact</u>. The project is served by the East Contra Costa Fire Protection District which provides an urban level of service. The site access has been reviewed by the Fire District and deemed to provide adequate emergency access; therefore, any impacts will be less than significant. See also responses to **sections a**) and b) above.
- d) <u>Less Than Significant Impact</u>. The project site is largely flat in the areas that will be developed, so the risk of landsliding on the property is low. Any future home development is not located within an area subject to flooding, and no change in drainage direction or to existing drainage patterns is proposed.

Sources of Information

- California Department of Forestry and Fire Protection. Contra Costa County Very High Fire Hazzard Severity Zones in LRA. https://www.contracosta.ca.gov/DocumentCenter/View/30913/Ch3-Land-Use-Element?bidId=
- Project comments from the East Contra Costa Fire Protection District, dated 6/13/22.

50

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

- a) <u>Less Than Significant Impact With Mitigation</u>. It has been determined that with implementation of the mitigation measures cited in *Section 4 Biological Resources*, that the project will not significantly reduce or threaten the range, habit, or population of plants, fish, or wildlife. No major periods of California history or prehistory are affected; the property is not listed on, and does not qualify to be listed on, the National Register of Historic Places or the California Register of Historical Resources. Furthermore, implementation of the mitigation measures identified in *Section 18 Tribal Cultural Resources* of this document will further reduce the project impacts to less-than-significant levels.
- b) Less Than Significant Impact With Mitigation. The project will not increase population significantly beyond existing levels on property or in the area; thus, the project will not have a cumulatively considerable impact on the environment. No long-term adverse impacts are anticipated to occur, and as such, the incremental effects of the project would not be considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probably future projects. The County is not currently processing any discretionary applications for non-residential development for properties that are contiguous to the project site. With the implementation of the mitigations described in the sections above, the proposed project would not result in cumulatively considerable impacts on the environment.
- c) <u>Less Than Significant Impact</u>. Based on the preceding analyses contained in this document, there are no substantial environmental effects of the project on neighboring parcels or to the neighboring residential developments. The project as proposed would not result in potentially significant environmental impacts with the implementation of mitigation measures. All

identified mitigation measures will be included as conditions of approval for the proposed project, and the applicant will be responsible for implementation of the mitigation measures. Furthermore, no evidence has been found in the record that would indicate that the project would have a potential to cause substantial adverse effects on human beings, whether directly or indirectly, so there will be less than significant impacts.

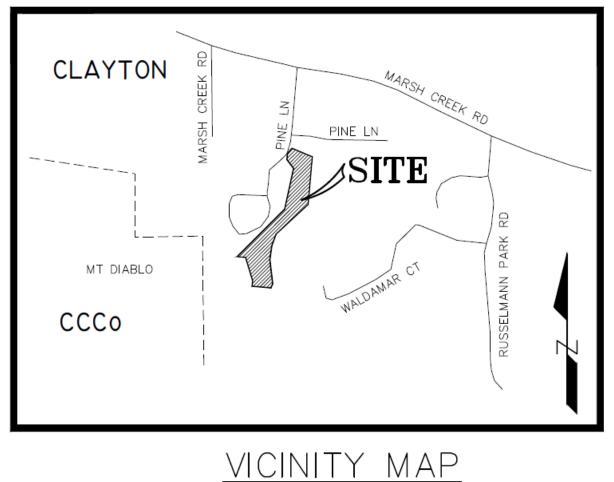
<u>Sources of Information</u> (See sources cited in the preceding sections.)

ATTACHMENTS

- 1. Vicinity Map
- 2. Site Plans

(see following pages)

1201 Pine Lane, Clayton, CA 94517



NO SCALE

