



*"Small Town Atmosphere
Outstanding Quality of Life"*

**DRAFT MITIGATED NEGATIVE DECLARATION OF ENVIRONMENTAL
SIGNIFICANCE**

LEAD AGENCY: Town of Danville -- (Riley Anderson-Barrett)

NAME OF PROJECT: DEV21-0003 - Danville Self Storage

PROJECT DESCRIPTION: Development Plan request to allow the redevelopment at the property located at 344 Diablo Road allowing the construction of a new 22,847 square foot self-storage building. The site contains the Green Valley Creek to the north. There are no Town-protected trees on the subject property affected by this proposal.

ENVIRONMENTAL EFFECTS/MITIGATION MEASURES:

1. BIOLOGICAL RESOURCES: Will the Project:

- a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service? **Less than Significant with Mitigation Incorporated.** The project would redevelop an existing developed site and would not expand the development footprint. The project is not projected to impact special-status species.

All raptors and other nesting migratory birds are protected under the Migratory Bird Treaty Act and their eggs and young are protected under California Fish and Game Codes. A nesting survey would be conducted prior to commencing with construction work if this work would commence between February 1st and August 31st. If a nest is found, a buffer around the tree with the nest will be installed, which would be identified by a qualified biologist.

MITIGATION MEASURE 1: If tree removal must take place between February 1st and August 31st, preconstruction nesting surveys shall be conducted by a qualified biologist to ensure no

510 LA GONDA WAY, DANVILLE, CALIFORNIA 94526

nesting birds would be impacted by the trees' removal. If birds are determined to be nesting in the tree(s) slated for removal or in a nearby tree that could be disturbed by noise, a non-disturbance buffer shall be demarcated around the nest tree and no disturbance shall occur within the buffer zone until the present birds have finished nesting. Once nesting is completed and the young birds are flying freely, the non-disturbance buffer may be removed.

- b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service? **Less than Significant with Mitigation Incorporated.** The project would redevelop an existing developed site and would not expand the development footprint. However, a new storm drain outlet into Green Valley creek may be required

The project will not result in any direct impacts to this draining feature or any other seasonal wetlands. No structures are proposed within the creek's setback. No impacts are anticipated to the drainage feature, or its associated vegetation. Wildlife exclusion fencing would be installed around the perimeter of the drainage channel and around the perimeter of the project site to ensure that ground dwelling wildlife species are precluded from accessing the construction area.

MITIGATION MEASURE 2: *Wildlife exclusion fencing would be installed around the perimeter of the drainage channel and around the perimeter of the project site to ensure that ground dwelling wildlife species are precluded from accessing the construction area. In addition, evidence that appropriate permits from the various resource agencies shall be submitted to the Town prior to issuance of building permits.*

- c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means? **Less than Significant with Mitigation Incorporated.** The project would redevelop an existing developed site and would not expand the development footprint. All stormwater/surface runoff should be directed into the Town's storm drain system. No structures are proposed within the creek's setback. Installed silt fencing will prevent mobilized sediments and other construction debris from entering the adjacent creek corridor

MITIGATION MEASURE 3: *Stormwater and surface water runoff will be directed into the Town's storm drain system. Straw wattles and crushed rocks will encircle all storm inlets. Self-treating and self-retaining drainage areas are spread out throughout the site. Silt fences will prevent mobilized sediments and other construction debris from entering the adjacent creek corridor.*

MITIGATION MEASURE 4: *A Best Management Practices plan will be prepared and submitted to ensure no inadvertent siltation impacts to Green Valley Creek while the project is under construction.*

- d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites? **Less than Significant with Mitigation Incorporated.** The project would redevelop an existing developed site and would not expand the development footprint. All stormwater/surface runoff should be directed into the Town's storm drain system. No structures are proposed within the creek's setback.

All raptors and other nesting migratory birds are protected under the Migratory Bird Treaty Act and their eggs and young are protected under California Fish and Game Codes. A nesting survey would be conducted prior to commencing with construction work if this work would commence between February 1st and August 31st. If a nest is found, a buffer around the tree with the nest will be installed, which would be identified by a qualified biologist.

Wildlife exclusion fencing would be installed around the perimeter of the drainage channel and around the perimeter of the project site to ensure that ground dwelling wildlife species are precluded from accessing the construction area. Wildlife exclusion fencing will consist of silt fence backed with orange construction fence. The bottom of the fence would be keyed in the ground.

MITIGATION MEASURE 5: *Wildlife exclusion fencing would be installed around the perimeter of the drainage channel and around the perimeter of the project site to ensure that ground dwelling wildlife species are precluded from accessing the construction area.*

MITIGATION MEASURE 6: *If tree removal must take place between February 1st and August*

31st, preconstruction nesting surveys shall be conducted by a qualified biologist to ensure no nesting birds would be impacted by the trees' removal. If birds are determined to be nesting in the tree(s) slated for removal or in a nearby tree that could be disturbed by noise, a non-disturbance buffer shall be demarcated around the nest tree and no disturbance shall occur within the buffer zone until the present birds have finished nesting. Once nesting is completed and the young birds are flying freely, the non-disturbance buffer may be removed.

2. CULTURAL RESOURCES: Would the project result in:

- c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? **Less than Significant with Mitigation Incorporated.** The proposed project is in a general location where artifacts and internments related to the Tatcan Miwok Indian tribes which historically occupied the area.

MITIGATION MEASURE 7: *In the event that subsurface archeological remains are discovered during any construction or pre-construction activities on the site, all land alteration work within 100 feet of the find shall be halted, the Town Planning Division notified, and a professional archeologist, certified by the Society of California Archeology and/or the Society of Professional Archeology, shall be notified. Site work in this area shall not occur until the archeologist has had an opportunity to evaluate the significance of the find and to outline appropriate mitigation measures, if they are deemed necessary. If prehistoric archaeological deposits are discovered during development of the site, local Native American organizations shall be consulted and involved in making resource management decisions.*

3. HYDROLOGY AND WATER QUALITY: Would the project result in:

- a) Violate any water quality standards or waste discharge requirements? **Less than Significant with Mitigation Incorporated.** Compliance with the Town's stormwater run-off requirements will ensure no water quality standards are violated. The integrated management practices (IMPs) proposed for the treatment areas will be consistent with the recommendations of the Contra Costa Clean Water Program. The proposed project will conform to the Town's Stormwater Management and Discharge Control Ordinance (Ord. No. 2004-06) and all applicable construction Best Management Practices (BMPs) for the site. A project Operations Maintenance Plan and Agreement will also be developed and recorded for this site. New storm drain outlets located within Green

Valley Creek may be required.

MITIGATION MEASURE 8: *Stormwater and surface water runoff will be directed into the property's private storm drain system. The applicant shall receive approval of any alterations made to their stormwater drainage facilities from all agencies that maintain control of resources contained within Green Valley Creek.*

4. NOISE: Would the project result in:

- d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project? **Less than Significant with Mitigation Incorporated.** Noise levels would temporarily be increased due to noise associated with the construction of the project. The noise impact will be less than significant given required standard conditions of approval which define and limit hours of construction.

MITIGATION MEASURE 9: *The applicant shall require their contractors and subcontractors to fit all internal combustion engines with mufflers, which are in good condition, and to locate stationary noise-generating equipment as far away from existing residences as feasible.*

MITIGATION MEASURE 10: *Construction activity shall be restricted to the period between the weekday hours of 7:30 a.m. to 5:30 p.m. (Mondays through Fridays), unless otherwise approved in writing by the City Engineer for general construction activity and the Chief Building Official for building construction activity. Prior to any construction work on the site, including grading, the applicant shall install a minimum 3' x 3' sign at the project entry which specifies the allowable construction work days and hours, and lists the name and contact person for the overall project manager and all contractors and sub-contractors working on the job.*

5. UTILITIES: Would the project result in:

- c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? **Less Than Significant with Mitigation Incorporated.** The project will be required to comply with all stormwater quality requirements. The project proposes self-retaining pervious areas and a bio-retention basin. Calculations were computed on the Contra Costa Clean Water Program's IMP calculator to determine C3 compliance.

MITIGATION MEASURE 11: *Stormwater and surface water runoff will be directed into the property's private storm drain system. The applicant shall receive approval of any alterations made to their stormwater drainage facilities from all agencies that maintain control of resources located within Green Valley Creek.*

DETERMINATION: Based upon the above identified mitigation measures, no significant environmental impacts are anticipated to be associated with the subject project. A Draft Mitigated Negative Declaration of Environmental Significance has been prepared.

The Initial Study was prepared by the Planning Department, Town of Danville. Copies of the Initial Study may be obtained at the Town offices located at 510 La Gonda Way, Danville, California 94526.

ATTEST:



Riley Anderson-Barrett
Assistant Planner