

May 2023 | Final Environmental Impact Report
State Clearinghouse No. 2022070481

6TH CYCLE HOUSING ELEMENT UPDATE

Contra Costa County

Prepared for:

Contra Costa County

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1. Introduction

1.1 INTRODUCTION

This Final Environmental Impact Report (FEIR) has been prepared in accordance with the California Environmental Quality Act (CEQA) as amended (Public Resources Code §§ 21000 et seq.) and CEQA Guidelines (California Code of Regulations §§ 15000 et seq.).

According to the CEQA Guidelines, Section 15132, the FEIR shall consist of:

- (a) The Draft Environmental Impact Report (DEIR) or a revision of the Draft;
- (b) Comments and recommendations received on the DEIR either verbatim or in summary;
- (c) A list of persons, organizations, and public agencies comments on the DEIR;
- (d) The responses of the Lead Agency to significant environmental points raised in the review and consultation process; and
- (e) Any other information added by the Lead Agency.

This document contains responses to comments received on the DEIR for the 6th Cycle Housing Element Update during the public review period, which began February 3, 2023, and closed March 20, 2023. This document has been prepared in accordance with the CEQA Guidelines and represents the independent judgment of the Contra Costa County. This document and the circulated DEIR comprise the FEIR, in accordance with CEQA Guidelines, Section 15132.

1.2 FORMAT OF THE FEIR

This document is organized as follows:

Section 1, Introduction. This section describes CEQA requirements and content of this FEIR.

Section 2, Response to Comments. This section provides a list of agencies and interested persons commenting on the DEIR; copies of comment letters received during the public review period, and individual responses to written comments. To facilitate review of the responses, each comment letter has been reproduced and assigned a number (Letters A through C for agencies and organizations, Letters 1 through 45 for members of the public). Individual comments have been numbered for each letter and the letter is followed by responses with references to the corresponding comment number.

1. Introduction

Section 2.1, Master Responses. Several commenters raised similar issues; rather than responding individually, master responses have been developed to address the comments comprehensively. Master response topics are listed in Section 2.1 and detailed master responses are provided in Sections 2.1.1 – Section 2.1.7. A reference to the master response is provided, where relevant, in responses to individual comments.

Section 3. Revisions to the Draft EIR. This section contains revisions to the DEIR text and figures because of the comments received by agencies and interested persons as described in Section 2, and/or errors and omissions discovered after release of the DEIR for public review.

The responses to comments contain material and revisions that will be added to the text of the FEIR. The County staff has reviewed this material and determined that none of this material constitutes the type of significant new information that requires recirculation of the DEIR for further public comment under CEQA Guidelines Section 15088.5. None of this new material indicates that the project will result in a significant new environmental impact not previously disclosed in the DEIR. Additionally, none of this material indicates that there would be a substantial increase in the severity of a previously identified environmental impact that will not be mitigated, or that there would be any of the other circumstances requiring recirculation described in Section 15088.5.

1.3 CEQA REQUIREMENTS REGARDING COMMENTS AND RESPONSES

CEQA Guidelines Section 15204 (a) outlines parameters for submitting comments and reminds persons and public agencies that the focus of review and comment of DEIRs should be “on the sufficiency of the document in identifying and analyzing possible impacts on the environment and ways in which significant effects of the project might be avoided or mitigated. Comments are most helpful when they suggest additional specific alternatives or mitigation measures that would provide better ways to avoid or mitigate the significant environmental effects. At the same time, reviewers should be aware that the adequacy of an EIR is determined in terms of what is reasonably feasible. ...CEQA does not require a lead agency to conduct every test or perform all research, study, and experimentation recommended or demanded by commenters. When responding to comments, lead agencies need only respond to significant environmental issues and do not need to provide all information requested by reviewers, as long as a good faith effort at full disclosure is made in the EIR.”

CEQA Guidelines Section 15204 (c) further advises, “Reviewers should explain the basis for their comments, and should submit data or references offering facts, reasonable assumptions based on facts, or expert opinion supported by facts in support of the comments. Pursuant to Section 15064, an effect shall not be considered significant in the absence of substantial evidence.” Section 15204 (d) also states, “Each responsible agency and trustee agency shall focus its comments on environmental information germane to that agency’s statutory responsibility.” Section 15204 (e) states, “This section shall not be used to restrict the ability of reviewers to comment on the general adequacy of a document or of the lead agency to reject comments not focused as recommended by this section.”

In accordance with CEQA, Public Resources Code Section 21092.5, copies of the written responses to public agencies will be forwarded to those agencies at least 10 days prior to certifying the environmental impact report.

1. Introduction

The responses will be forwarded with copies of this FEIR, as permitted by CEQA, and will conform to the legal standards established for response to comments on DEIRs.

1. Introduction

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2. Response to Comments

2. Response to Comments

Section 15088 of the CEQA Guidelines requires the Lead Agency (Contra Costa County) to evaluate comments on environmental issues received from public agencies and interested parties who reviewed the DEIR and prepare written responses.

This section provides all written responses received on the DEIR and the County's responses to each comment.

Comment letters and specific comments are given letters and numbers for reference purposes. Where sections of the DEIR are excerpted in this document, the sections are shown indented. Changes to the DEIR text are shown in the underlined text for additions and ~~strikeout~~ for deletions.

The following is a list of agencies and persons that submitted comments on the DEIR during the public review period.

Number Reference	Commenting Person/Agency	Date of Comment	Page No.
Agencies & Organizations			
A	Bike East Bay	February 3, 2023	12
B	East Bay Municipal Utility District	March 8, 2023	17
C	Delta Protection Commission	March 20, 2023	40
Individuals			
1	Karen Case	February 4, 2023	49
2	Gary Branson 1	March 6, 2023	54
3	William and Cindy Cooley	March 6, 2023	58
4	Laurie Nadelman	March 6, 2023	62
5	Susan Hoster	March 6, 2023	67
6	David Nadelman	March 6, 2023	73
7	Dave Robbins	March 6, 2023	77
8	Chase Henri	March 6, 2023	82
9	Gary Branson 2	March 6, 2023	87
10	Martha Nickless	March 6, 2023	91
11	Christina & Keith Koenig	March 7, 2023	97
12	Todd Scruggs 1	March 7, 2023	102
13	Todd Scruggs 2	March 7, 2023	107
14	Todd Scruggs 3	March 7, 2023	113
15	Jo Hill	March 7, 2023	117
16	Michael and Jules Guzzardo	March 7, 2023	121
17	Jeff Zanardi	March 7, 2023	126
18	Michelle Paxton	March 7, 2023	132
19	Kim and Robert Scott	March 7, 2023	136
20	Craig Payne	March 7, 2023	140

2. Response to Comments

Number Reference	Commenting Person/Agency	Date of Comment	Page No.
21	Indy Sysive	March 7, 2023	147
22	Denise Wynne	March 8, 2023	151
23	David Aguirre	March 8, 2023	155
24	Mark Buckman	March 8, 2023	159
25	Craig McClearen	March 9, 2023	162
26	David DiVecchio 1	March 10, 2023	166
27	David DiVecchio 2	March 10, 2023	171
28	Darlynne Hall	March 12, 2023	175
29	Bonnie Clawson	March 13, 2023	181
30	Tara & Daniel Burmann	March 13, 2023	185
31	Loran Dodge	March 13, 2023	191
32	Tina Duncan	March 13, 2023	197
33	Jason Martin	March 14, 2023	202
34	Brooke Russell	March 14, 2023	208
35	Landon and Nicolle Bura	March 14, 2023	214
36	Michael Davis	March 14, 2023	220
37	Mary Anne Loyd	March 14, 2023	226
38	Bento and Ariele Teran	March 15, 2023	230
39	William Vance	March 16, 2023	236
40	Anthony Steller	March 17, 2023	240
41	Becca Stuart	March 17, 2023	247
42	Stephen Hernandez	March 17, 2023	253
43	Linda Ferrante	March 18, 2023	259
44	Ken and Eve Ferrante	March 20, 2023	263
45	Blythe Bruntz	March 20, 2023	267

2.1 MASTER RESPONSES

Several commenters raised similar issues and therefore, rather than responding individually, master responses have been developed to address the comments comprehensively. Master response topics are listed below, and the detailed master responses are provided in Sections 2.1.1 through 2.1.7. A reference to the master response is provided, where relevant, in responses to individual comments.

- Master Response 1: Emergency Services
- Master Response 2: Public Transportation
- Master Response 3: Circulation Network and Traffic Issues
- Master Response 4: Job Availability
- Master Response 5: Impact to Schools
- Master Response 6: Aesthetics
- Master Response 7: Property Zoned as Commercial

2. Response to Comments

2.1.1 Master Response 1: Emergency Services

Numerous commenters raised concerns about emergency services, such as fire, medical, and police protection services within Discovery Bay. Commenters expressed that proposed development under the Housing Element Update (proposed project), specifically the housing sites within Discovery Bay area, would worsen the impacts to emergency services. This master response focuses on the analysis provided in Chapter 5.15, *Public Services and Recreation*, in the DEIR which addresses the proposed Housing Element Update's impacts to emergency services.

Impact 5.15-1 (fire protection services) and Impact 5.15-2 (police protection services), on pages 5.15-10 and 5.15-15 respectively, of the DEIR, disclose that although no specific development proposals are directly associated with the proposed project, future development would result in an increase in population. Therefore, an increase in population resulting from the proposed project would result in an increase in services which could require the development or expansion of new facilities to support the demand for these services. However, Impact 5.15-1 and Impact 5.15-2 of the DEIR cite the County's General Plan policies which require project applicants and the County to ensure that there are adequate fire and police services at the time that specific development projects are proposed. In addition, Impact 5.15-1 and Impact 5.15-2 state that when the construction or expansion of facilities to accommodate additional personnel or equipment could become necessary, CEQA review, General Plan provisions, Ordinance Code regulations, and payment of impact fees would all be required. Therefore, all future development envisioned by the proposed project, including development located in Discovery Bay, would be required to ensure that fire and police protection services are adequate for existing and future residents in the areas. No changes to the DEIR are required.

2.1.2 Master Response 2: Public Transportation

Several commenters raised concerns about the lack of public transportation and stated that the four housing sites (APN: 011230041, 0041182006, 008010039, 011220039) proposed under the proposed project would benefit from being placed in areas with transit systems. This master response focuses on the Transit-Oriented Sites Alternative presented of the DEIR which provides a discussion considering removing all new sites in the proposed Housing Element sites inventory except those within half a mile of the Bay Area Rapid Transit (BART) stations and other high quality transit corridors.

The discussion of this alternative on page 7-5 of the DEIR notes that this alternative was rejected because there is limited developable land proximate to BART stations that would be able to support the 7,610 units with 2,485 units of buffer without causing issues such as displacement of existing residents and non-residential development, as well as potential inability to connect to water distribution and wastewater collection systems without major upgrades. As indicated in Impact 5.16-1 of the DEIR, as part of the standard development review process, the County would require all future development under the proposed project to go through a review of the pedestrian, bicycle, and transit facilities in the area to ensure future development does not conflict with existing or planned facilities supporting those travel modes. Therefore, subsequent review of transit facilities would be required at the time one of the sites listed in the Housing Element sites inventory is proposed for development. No changes to the DEIR are required.

2. Response to Comments

2.1.3 Master Response 3: Circulation Network and Traffic Issues

Numerous commenters expressed a need for expanding State Route 4 (SR-4) to accommodate additional residents, as well as traffic and commute issues in the Discovery Bay area. Some commenters stated that the four housing sites (APN: 011230041, 0041182006, 008010039, 011220039) proposed under the Housing Element Update would worsen these traffic, congestion, and commute. As shown in Table 3-3, *Residential Sites with Increasing Allowable Density*, on page 3-11 of the DEIR, there is one site in Discovery Bay (APN: 011230041) that has an existing General Plan Land Use designation of Single-Family Residential-High Density (SH) and a proposed land use designation in the new General Plan of Residential Medium Density (RM) that is proposed to have a maximum allowed density of 17 units per net acre. Table 3-4, *Non-Residential Sites Proposed to Allow Residential Units*, on page 3-22 of the DEIR, shows there are three sites in Discovery Bay that are non-residential sites proposed for residential uses; two of these sites (APN: 0041182006, 008010039) would be redesignated to Mixed Use (MU) with a proposed maximum allowed density of 75 units per net acre and the other site (APN: 011220039) would be redesignated to Residential Medium High Density (RMH) with a proposed maximum allowed density of 30 units per net acre. This master response focuses on the analysis provided in Chapter 5.16, *Transportation* in the DEIR which addresses the proposed Housing Element Update's impacts to the circulation network.

As indicated in Impact 5.16-1 on page 5.16-15 of the DEIR, the County would require all future development under the proposed project to go through a review of the roadway, pedestrian, bicycle, and transit facilities in the area surrounding the future development project to ensure that these future projects do not conflict with existing or planned facilities supporting all travel modes. As there are no site-specific designs/projects for any of the sites listed in the Housing Element sites inventory, it would be speculative to analyze impacts at this time. At the time future developments are proposed, subsequent analysis would evaluate these sites for consistency with the County's plans including the Congestion Management Program, Countywide Transportation Plan, and Countywide Bicycle and Pedestrian Plan, as well as ensure compliance with ordinances such as the Transportation Demand Management Ordinance program. In addition, as mentioned in Impact 5.16-3 on page 5.16-17 of the DEIR, subsequent projects under the Housing Element Update, including new roadway improvements, would be subject to and designated in accordance with County standards and specification which address potential design hazards including sight distance, driveway placement, and signage and striping. Therefore, if there is a need to expand roadways, pedestrian, bicycle, or transit facilities, at the time a future project is proposed, such expansions would need to go through subsequent review by applicable agencies in the County to ensure consistency with the County's circulation plans.

Regarding automobile delays, LOS and similar measures of traffic congestion are no longer considered a significant impact under CEQA. As such, Impact 5.16-2 on page 5.16-16 of the DEIR analyzes whether the Housing Element Update would conflict with the County's methodology for analyzing vehicle miles traveled (VMT) for land use projects. Impact 5.16-2 of the DEIR determined that at a programmatic level, the proposed project would decrease VMT per capita by 2040. However, VMT impacts on individual projects will be evaluated or screened based on the Contra Costa Transportation Authority's guidelines as site-specific development proposals are submitted. No change to the DEIR is required.

2. Response to Comments

2.1.4 Master Response 4: Job Availability

Commenters raised concerns about the lack of job availability in Discovery Bay and stated that future development of housing within the area would worsen job availability. Section 5.14, *Population and Housing*, of the DEIR, provides information regarding employment trends and growth projections in the unincorporated portion of the County. In addition, as stated in Chapter 6, *Unavoidable Impacts, Irreversible Changes, and Growth-Inducing Impacts*, of the DEIR, the Housing Element Update would not encourage or facilitate economic effects that could impact the environment beyond the provision of construction-related jobs associated with the production of housing units allowed under the proposed project. As the role of a Housing Element as a planning document is to facilitate affordable housing production within a jurisdiction, it does not specifically address job generating uses.

2.1.5 Master Response 5: Impacts to Schools

Commenters raised concerns regarding the impacts to schools and stated that future development of housing within the Discovery Bay area would worsen the impacts to schools. This master response focuses on the analysis provided in Chapter 5.15, *Public Services and Recreation*, in the DEIR, which addresses the proposed Housing Element Update's impacts to schools.

Impact 5.15-3, on page 5.15-23 of the DEIR, states that no school districts' capacities would be exceeded as a result of the potential units allowed under the proposed project, with the exception of West Contra Costa Unified School District, Martinez Unified School District, and Liberty Union High School District, which currently have enrollments that exceed their capacities. It should be noted that the Discovery Bay area is within the Liberty Union High School District service boundary, therefore the addition of these four housing sites could increase the number of students beyond the school's current capacity. Nevertheless, all districts in the County collect development fees pursuant to SB 50/Government Code Section 65995 and County Ordinance Division 812. Per Section 65996 Government Code payment of the impact fees is the "...the exclusive methods of considering and mitigating impacts on school facilities..." As all future development is required to school impact fees prior to issuance of building permits the impact of new students generated by the anticipated population increase is fully mitigated. No change to the DEIR is required.

2.1.6 Master Response 6: Aesthetics

Commenters stated that the four housing sites proposed under the Housing Element Update, within the Discovery Bay area, would not match the area's aesthetics. This master response focuses on the analysis provided in Chapter 5.1, *Aesthetics*, of the DEIR, which addresses the proposed Housing Element Update's impacts to the visual character of Contra Costa County.

Impact 5.1-2, on page 5.1-7 of the DEIR, states that although new developments would alter the visual appearance of the County, such as those in Discovery Bay, these sites would be developed within urban and suburban areas, and therefore would not substantially change the visual appearance of the area. Future development under the proposed project would be subject to discretionary and design review by the Conservation and Development Department. Future development would also need to adhere to the General

2. Response to Comments

Plan policies and Housing Element Update policies related to aesthetics. In addition, new development would be required to comply with County ordinances regarding development, lighting, and landscaping and development regulations prior to issuance of a building permit. Since all sites proposed in the Housing Element Update are within the urban line limit (ULL), including those in Discovery Bay, all future projects would need to comply with the design regulations of the County, and therefore, would not substantially degrade the visual character or quality of the area. Future development would result in similar impacts, and therefore, cumulative impacts would be less than significant. No changes to the DEIR are required.

2.1.7 Master Response 7: Property Zoned as Commercial

Commenters raised concerns about the loss of commercial land in Discovery Bay, which would eventually impact incorporation of the town, due to the rezoning of commercial land to residential uses (APN: 011230041, 0041182006, 008010039, 011220039), as proposed under the Housing Element Update inventory.

As shown in Table 3-3, *Residential Sites with Increasing Allowable Density*, on page 3-11 of the DEIR, there is one site in Discovery Bay (APN: 011230041) with an existing General Plan designation of Single-Family Residential-High Density (SH) and is proposed to be redesignated to Residential Medium Density (RM). As shown in Table 3-4, *Non-Residential Sites Proposed to Allow Residential Units*, on page 3-22 of the DEIR, there are three sites in Discovery Bay (APN: 0041182006, 008010039, 011220039) that are non-residential sites proposed for residential uses; two of these sites would be redesignated to mixed use and the third site would be redesignated to Residential Medium High Density. Mixed-use projects would include residential and non-residential uses. As mentioned in Appendix A, Sites Inventory, of the Housing Element (Appendix 3-1 of the DEIR) these sites are vacant, except for one site on Discovery Bay Boulevard (APN: 004182006) which is mostly vacant land and includes a paved parking lot with two existing commercial structures.

Regarding the loss of commercial land which would impact eventual incorporation of the town, incorporation of a city is a separate process that would need to go through the Local Agency Formation Commission. As this comment does not address any inadequacies of the DEIR, no changes are required.

2. Response to Comments

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2. Response to Comments

LETTER A – Bike East Bay (2 pages)

From: [Bruce Ole Ohlson](#)
To: [DCD Housing Element](#)
Cc: [Delta Pedalers Board](#); [Bike Concord](#); [BFB Advocacy Department](#); [Robert Prinz](#)
Subject: Housing Element comment
Date: Friday, February 3, 2023 7:44:03 PM

Daniel,

Thank you for all the work you are putting into the updated housing element for the County.

A-1

Bicyclists would like to see one point added. Every house built according to this plan must be on or within a few hundred meters of a bicycle facility. Motorists have a complete network of motor vehicle facilities that allow them to drive to any destination in the county. Bicyclists, especially in light of climate change, should have access to a similar network. Currently, the space between the curb-faces is fixed. Most of the streets and roads in our county were planned and constructed when the automobile was supreme and all other modes of transportation were ignored. It will be PROHIBITIVELY expensive to widen our roads if that is even possible. We are faced with the necessity of parceling out space on our public streets a bit more equitably. In many instances, just narrowing the vehicle traffic lanes will permit the painting of bicycle lanes. Where this is not possible, a vehicle traffic lane will have to be removed in order to paint two bicycle lanes on the street. These bicycle lanes must be part of a continuous network. Each lane must extend all the way to and away from the limit line of each intersection. This is the 21st Century. That's just the way things will have to be.

A-2

A-3

Thank you for your concern with the transportation needs of all people, not just those in cars.

All best wishes,

~Ole

Bruce "Ole" Ohlson
Bike East Bay

2. Response to Comments

Delta Pedalers Bicycle Club
Contra Costa Countywide Bicycle Advisory Committee
CCTA Bicycle & Pedestrian Advisory Committee
Caltrans District 4 Bicycle Advisory Committee
TRANSPLAN appointee to Highway 4 Integrated Corridor Management
Study
Healthy and Livable Pittsburg Collaborative

2. Response to Comments

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2. Response to Comments

A **Response to Comments from Bike East Bay (BEB), dated February 3, 2023.**

A-1 BEB suggests that every house built according to Housing Element Update be on or within a few hundred meters of a bicycle facility.

See Master Response 2: Public Transportation and Bicycle Network.

A-2 BEB states that motorists have a complete network of motor vehicle facilities and argues that bicyclists should have access to a similar network. BEB states that most of the streets and roads were constructed when the automobile was supreme, and all other modes of transportation were ignored. BEB argues that widening roads would be more expensive and suggests that narrowing vehicle traffic lanes will permit the painting of bicycle lanes.

As this comment does not describe any inadequacies of the DEIR, no changes to the DEIR are necessary. Additionally, the County has adopted its Active Transportation Plan, which carries the goal of implementing an equitable transportation system that supports active transportation for users of all ages and abilities. Additionally, Contra Costa Transit Authority has an established 2018 Countywide Bicycle and Pedestrian Plan, as well as a Vision Zero Framework and Systemic Safety Approach plan.

A-3 BEB states that when it is not possible to narrow a vehicle lane, a vehicle traffic lane should be removed to paint two bicycle lanes on the street. BEB states that lanes must be part of a continuous network, and each lane must extend all the way to and from the limit line of each intersection.

See response to comment A-2.

2. Response to Comments

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2. Response to Comments

LETTER B – East Bay Municipal Utility District (18 pages)



March 6, 2023



Daniel Barrios, Senior Planner
Contra Costa County
Department of Conservation and Development
30 Muir Road
Martinez, CA 94553

Re: Draft Environmental Impact Report for the Contra Costa County 6th Cycle Housing
Element Update

Dear Mr. Barrios:

East Bay Municipal Utility District (EBMUD) appreciates the opportunity to comment on the Draft Environmental Impact Report (EIR) for the Contra Costa County 6th Cycle Housing Element Update located in the County of Contra Costa (County). EBMUD commented on the Notice of Preparation of a Draft EIR for the Housing Element Update on December 29, 2022. EBMUD's original comments (see enclosure) still apply regarding water service, Mokelumne Aqueducts, water recycling and water conservation.

B-1

If you have any questions concerning this response, please contact Timothy R. McGowan, Senior Civil Engineer, Major Facilities Planning Section at (510) 287-1981.

Sincerely,

A handwritten signature in blue ink that reads 'David J. Rehnstrom'.

David J. Rehnstrom
Manager of Water Distribution Planning

DJR:EZ:kvv
wdpd23_070 Contra Costa County 6th Cycle housing Element Update Draft EIR

Enclosure

2. Response to Comments

Enclosure



Daniel Barrios, Senior Planner
Department of Conservation and Development
Contra Costa County
30 Muir Road
Martinez, CA 94553

Re: Notice of Preparation of a Draft Environmental Impact Report for the Contra Costa County 6th Cycle Housing Element Update

Dear Mr. Barrios:

East Bay Municipal Utility District (EBMUD) appreciates the opportunity to comment on the Notice of Preparation of a Draft Environmental Impact Report for the Contra Costa County 6th Cycle Housing Element Update, which encompasses areas within Contra Costa County (County). EBMUD has the following comments.

WATER SERVICE

Effective January 1, 2018, water service for new multi-unit structures shall be individually metered or sub-metered in compliance with California State Senate Bill 7 (SB-7). SB-7 encourages conservation of water in multi-family residential, mixed-use multi-family and commercial buildings through metering infrastructure for each dwelling unit, including appropriate water billing safeguards for both tenants and landlords. EBMUD water services shall be conditioned for all development projects within the Housing Element Update that are subject to SB-7 requirements and will be released only after the project sponsor has satisfied all requirements and provided evidence of conformance with SB-7.

B-2

Main extensions that may be required to serve any specific developments within the Housing Element Update to provide adequate domestic water supply, fire flows, and system redundancy will be at the project sponsor's expense. Please see the enclosed EBMUD documents for California (Waterworks Standards) Code of Regulations, Title 22, Section 64572 (Water Main Separation) and EBMUD requirements for placement of water mains. Pipeline and fire hydrant relocations and replacements due to modifications of existing streets, and off-site pipeline improvements, also at the project sponsor's expense, may be required depending on EBMUD metering requirements and fire flow requirements set by the local fire department. When the development plans are finalized for individual projects within the Housing Element Update, project sponsors for individual projects should contact EBMUD's New Business Office and request a water service estimate to determine costs and conditions of providing water service to the development. Engineering and installation of new and relocated pipelines and services require substantial lead time, which should be provided for in the project sponsor's development schedule.

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2. Response to Comments

Daniel Barrios, Senior Planner
December 29, 2022
Page 2

Project sponsors for individual projects within the Housing Element Update should be aware that EBMUD will not install piping or services in contaminated soil or groundwater (if groundwater is present at any time during the year at the depth piping is to be installed) that must be handled as a hazardous waste or that may be hazardous to the health and safety of construction and maintenance personnel wearing Level D personal protective equipment. Nor will EBMUD install piping or services in areas where groundwater contaminant concentrations exceed specified limits for discharge to the sanitary sewer system and sewage treatment plants. The project sponsor must submit copies to EBMUD of all known information regarding soil and groundwater quality within or adjacent to the project boundary and a legally sufficient, complete, and specific written remediation plan establishing the methodology, planning and design of all necessary systems for the removal, treatment, and disposal of contaminated soil and groundwater.

B-4

EBMUD will not design piping or services until soil and groundwater quality data and remediation plans have been received and reviewed and will not start underground work until remediation has been carried out and documentation of the effectiveness of the remediation has been received and reviewed. If no soil or groundwater quality data exists, or the information supplied by the project sponsor is insufficient, EBMUD may require the project sponsor to perform sampling and analysis to characterize the soil and groundwater that may be encountered during excavation, or EBMUD may perform such sampling and analysis at the project sponsor's expense. If evidence of contamination is discovered during EBMUD work on the project site, work may be suspended until such contamination is adequately characterized and remediated to EBMUD standards.

MOKELUMNE AQUEDUCTS

EBMUD's Mokelumne Aqueducts (Aqueduct) right-of-way (owned in fee) is located throughout the County. Any projects being planned within or immediately adjacent to EBMUD Aqueduct property will need to follow EBMUD's Procedure 718 – Authorized Uses of Pipeline Rights-of-Way. A copy of the procedure is enclosed for your reference.

B-5

Design drawings for any project encroachment (roadway, utility, facility, etc.) or restoration projects crossing or within the Aqueduct right-of-way will need to be submitted to EBMUD for review of possible drainage, site grading, fencing, construction access, and other conditions that may impact EBMUD property. EBMUD requires a full set of drawings (full size or 11" x 17") as well as an electronic copy in PDF format. All submittals shall be sent to the attention of Vincent H. Pon, P.E., Superintendent of Aqueduct Section, 1804 West Main Street, Stockton, CA 95203. Additional information and an encroachment package are included in EBMUD's Procedure 718. Applications for non-EBMUD uses will not be processed unless accompanied by the appropriate application fees outlined in the current applicable Water and Wastewater System Schedule of Rates and Charges and Fees. Contractors must secure an encroachment permit from EBMUD Aqueduct Section prior to mobilizing and starting construction work. A pre-construction meeting with EBMUD is mandatory.

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2. Response to Comments

Daniel Barr ios, Senior Planner
December 29, 2022
Page 3

When a project involves the construction of a retaining wall and fence along the property line; these must be constructed completely outside of EBMUD property, including all footings. The project sponsor shall contact EBMUD's Survey Section to coordinate identifying, locating and marking correct property lines.

B-6 cont'd

WATER RECYCLING

EBMUD's Policy 9.05 requires that customers use non-potable water, including recycled water, for non-domestic purposes when it is of adequate quality and quantity, available at reasonable cost, not detrimental to public health, and not injurious to plant, fish and, wildlife to offset demand on EBMUD's limited potable water supply.

B-7

Some portions of the County's southeast quadrant in San Ramon and Danville falls within and around the service area of the Dublin San Ramon Service District-EBMUD Recycled Water Authority (DERWA) and EBMUD's San Ramon Valley's Recycled Water Project transmission and distribution pipeline infrastructure. Although the Housing Element Update is residential in nature, many projects and related non-residential and recreational developments present opportunities for recycled water uses. Appropriate recycled water uses range from landscape irrigation, toilet flushing, cooling, agricultural, and other non-potable applications which can potentially be served by existing or expanded recycled water pipelines in the future.

B-8

In 2019, DERWA and the participating agencies implemented a moratorium on new recycled water connections in San Ramon and Danville until additional wastewater sources are secured that can be utilized to expand the treatment and service of recycled water within the San Ramon Valley Region. As EBMUD advances plans and implements its recycled water supply expansion, EBMUD requests the County and project sponsors for individual projects within the Housing Element Update to coordinate closely with EBMUD and provide an estimate of expected water demand for potential recycled water uses for each specific project during the planning of the various housing components. Accordingly, EBMUD will assess and consider the feasibility of providing recycled water to individual projects within the Housing Element Update for appropriate uses.

B-9

WATER CONSERVATION

Individual projects within the Housing Element Update presents an opportunity to incorporate water conservation measures. EBMUD requests that the County include in its conditions of approval a requirement that the project sponsor comply with Assembly Bill 325, "Model Water Efficient Landscape Ordinance," (Division 2, Title 23, California Code of Regulations, Chapter 2.7, Sections 490 through 495). Project sponsors should be aware that Section 31 of EBMUD's Water Service Regulations requires that water service shall not be furnished for new or expanded service unless all the applicable water-efficiency measures described in the regulation are installed at the project sponsor's expense.

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Daniel Barrios, Senior Planner
December 29, 2022
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If you have any questions concerning this response, please contact Timothy R. McGowan,
Senior Civil Engineer, Major Facilities Planning Section at (510) 287-1981.

Sincerely,



David J. Rehnstrom
Manager of Water Distribution Planning

DJR:EZ
sb22_370 Contra Costa County Housing Element Update NOP Response

Enclosures: EBMUD Requirements for Placement of Water Mains
EBMUD Procedure 718 – Authorized Uses of Pipeline Rights-of-Way

2. Response to Comments



Procedure 718

EFFECTIVE 13 DEC 22
SUPERSEDES 08 JUL 20
LEAD DEPARTMENT O&M

AUTHORIZED USES OF PIPELINE RIGHTS-OF-WAY

PURPOSE – To establish procedures and criteria for review and authorization of overhead, surface, and sub-surface use of District-owned and easement established property containing raw and distribution water aqueducts and pipelines (“pipelines”) for purposes other than installation, maintenance, and operation of District pipelines.

Forms Used	
L-14	Limited Land Use Permit
K-47	Work Request Agreement
N-15	Certificate of Public Liability Insurance
N-17	Certificate of Workers’ Compensation Insurance
	Application for Use of EBMUD Property or Request for Information
	General Fund Receipts for Miscellaneous Payments

Authority and Responsibility

Use, development, and control of fee-owned and easement established rights-of-way for District and non-District uses must be consistent with the District’s operations, maintenance, security, and the rights and obligations of the District. District and non-District uses of District-owned pipeline rights-of-way may be permitted, at the District’s sole discretion, only if the uses conform to Policy 7.01 - Aqueduct and Distribution Pipeline Rights-of-Way Maintenance and the requirements of this Procedure.

- No use of District pipeline rights of way or property by others will be permitted as a condition to meet city/county zoning requirements or to obtain any land use permit, approval, or entitlement affecting properties not owned by the District.
- No use of District properties by others will be permitted except under terms of a written agreement.
- Use of pipeline rights-of-way for District purposes shall have the concurrence of the Director of Operations and Maintenance and shall include all applicable protections required for similar third-party use.
- The Board of Directors has exclusive authority to approve any proposed right-of-way use requiring the adoption and implementation of one or more mitigation measures to minimize potentially significant environmental impacts.
- The decision whether to authorize any party other than the District to use District-owned property containing pipelines for any non-District purpose is a legislative act undertaken at the sole discretion of District staff. No notice or hearing is required to consider an application for use of such property, and staff’s decision is not subject to appeal.

Acceptable long-term uses of the pipeline rights-of-way include but are not necessarily limited to: utility crossings, road crossings, limited agriculture, equestrian and pedestrian trails, parks, oil and gas leases, and District-owned ground water wells. Acceptable long-term uses of rights-of-way and easements for future pipelines will be evaluated upon facility completion. Such uses will be authorized in writing. All approved uses will conform to the requirements and limitations described in the attached EBMUD Requirements for Entry or Use of Pipeline Rights-of-Way (Requirements for Entry or Use) and all other conditions as specified in the written approval.

The Water Supply Division and the Water Treatment and Distribution Division are each primarily responsible to implement this Procedure with respect to proposed uses of rights-of-way containing a facility “owned” by that Division. Facility “ownership” for this purpose is determined based on which Division has “Overall Responsibility” for the facility according to Table 1 of Procedure 706 – Facilities: Inspection, Maintenance and Repair. Wherever this Procedure allocates responsibility to both Divisions in the

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Authorized Uses For Pipeline Rights-of-Way

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alternative, the responsibility shall rest with the Division which owns the facility within the right-of-way which is proposed to be used.

The Water Supply or the Water Treatment and Distribution Divisions are responsible for monitoring permitted uses and detecting and preventing unauthorized uses of pipeline rights-of-way, respectively.

The Office of General Counsel and the Manager of Real Estate Services will be consulted when an unauthorized user will not voluntarily desist.

The Water Supply or the Water Treatment and Distribution Divisions are responsible for coordinating the development of recommendations with respect to the terms and conditions to be stipulated when a District or non-District use of a pipeline right-of-way is to be permitted.

The Director of Engineering and Construction shall be consulted as necessary to provide location analysis or to determine what structural, grading, drainage, corrosion protection or other engineering measures are required and to obtain estimates of engineering, design and inspection costs.

Inquiries and Applications for Use

Applications and inquiries for use of pipeline rights-of-way shall be processed by the Water Operations Department. Applications for non-District uses will not be processed unless accompanied by the appropriate application fees specified in the District's "Water and Wastewater System Schedules of Rates and Charges, Capacity Charges, and Other Fees".

The Water Operations Department is responsible for:

- Providing requirements for use of the District's pipeline rights-of-way to applicants requesting use of the right-of-way. See the attached Requirements for Entry or Use.
- Providing requirements to applicants for proposed work located adjacent to the District's pipeline rights-of-way which has the potential to impact the District's pipelines (e.g., proposed excavations that may include use of tiebacks that could result in a vertical encroachment and/or excavations that have the potential for ground movements that could damage District pipelines).
- Checking for completeness of any permit (e.g., Encroachment Permit Application) to ensure compliance with the requirements for entry or use of pipeline rights-of-way contained in Requirements for Entry or Use plus any other conditions applicable to the proposed use.
- Collecting engineering, plan review and construction inspection costs and documentation of insurance coverage, if necessary.
- Monitoring existing encroachments and inspection of the construction of new approved encroachments.
- Providing information to the Engineering and Construction Department for technical input regarding additional permit requirements or special restrictions that may be applicable (in addition to those outlined in the Requirements for Entry or Use).
- Assuring proper environmental documentation for proposed uses through consultation with the Water Distribution Planning Division, when appropriate. Policy 7.01 - Aqueduct and Distribution Pipeline Rights-of-Way Maintenance, requires the District to ensure that any construction impacts from third-party use of District rights of way are mitigated to the level of "no significant impact."

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Real Estate Services is responsible for:

- Advising the Manager of Water Supply or the Manager of Water Treatment and Distribution of any real estate matters which relate to a specific proposed use.
- Collecting application fees and charges, preparing and executing limited land use permits, leases, easements, and all other property-related agreements (except for revocable licenses and temporary entry permits) and recommending fees and charges appropriate to the property use allowed, and for securing payment. See the current applicable Water and Wastewater System Schedule of Rates and Charges and Fees.
- Maintaining records relating to rights-of-way crossings and use, and providing information to the Engineering and Construction Department for the update of District pipeline drawings and GIS applications.

Types of Permit License or Easement

The Manager of Water Supply or Manager of Water Treatment and Distribution shall keep available the forms listing the general requirements set forth in Requirements for Entry or Use for each of the following:

Temporary Entry/Temporary Construction Permit

For temporary access to pipeline rights-of-way such as for surveying, potholing, construction, for temporary access via the District's right-of-way to property adjacent to the right-of-way, and other similar short-term situations.

Revocable License and Revocable Landscape License

For pipelines, sewers, storm drains, overhead and underground cables, public trails, landscaping and other crossings or lateral encroachments.

Limited Land Use Permit

Provides for agricultural or other surface use of the right-of-way for a period not to exceed one year (vehicular parking is prohibited). These permits are renewable annually if inspection reveals satisfactory conformance to conditions of permit.

Easement

For streets, highways, large diameter pipelines, canals and railroads, and other permanent publicly-owned encroachments. Easements are officially recorded with the county having jurisdiction. The consideration for the easement (e.g., fee) will be based on the value of the property being encumbered.

The Manager of Water Supply or Manager of Water Treatment and Distribution shall request review of any proposed revisions to application forms and lists of requirements from the Engineering and Construction Department, Real Estate Services Division, Office of General Counsel, and the District's Pipe Committee.

Processing Applications

Temporary Entry Permits and Temporary Construction Permits

The Manager of Water Supply or Manager of Water Treatment and Distribution (or designee) may issue temporary entry and construction permits including imposing standard and temporary conditions relating to the use. The Manager of Real Estate Services and the Office of General Counsel will be consulted regarding unusual circumstances.

2. Response to Comments

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Revocable Licenses

The Manager of Water Supply or Manager of Water Treatment and Distribution (or designee), if warranted, shall conduct a field investigation to determine pipeline protection requirements and in consultation with the Design Division or the Pipeline Infrastructure Division, will set forth the engineering and operating requirements.

The Manager of Water Supply or Manager of Water Treatment and Distribution (or designee), shall then specify any and all requirements, including special conditions to the applicant, and discuss the terms and conditions of the license agreement as well as any processing, design and inspection costs and license fee. The Manager of Water Supply or Manager of Water Treatment and Distribution may then enter into a standard license agreement with relevant special conditions on behalf of the District. The Manager of Real Estate Services and the Office of General Counsel shall be consulted regarding any unusual circumstances.

Copies of all revocable licenses issued by the Water Supply Division or the Water Treatment and Distribution Division shall be provided to the Manager of Real Estate Services.

Copies of all licenses or leases issued by the Manager of Real Estate Services on Pipeline Rights-of-Ways shall be provided to the Water Supply Division or the Water Treatment and Distribution Division.

Limited Land Use Permits

The Manager of Water Supply or Manager of Water Treatment and Distribution (or designee), shall convey the District's requirements to the applicant and investigate to determine any special conditions.

Real Estate Services shall prepare the Limited Land Use Permit (Form L-14) in duplicate, including special conditions or stipulations, accompanied by a District-prepared location sketch that will refer to pipeline stationing and other appropriate location identifiers, including adjacent pipeline structures.

Engineering and Construction Department shall prepare the location sketch.

After payment of the stipulated consideration determined by Real Estate Services, the Manager of Water Supply or Manager of Water Treatment and Distribution (or designee) shall review and execute the permit. These copies are then returned to the Manager of Real Estate Services, together with any stipulated consideration.

Forty-five days before expiration of a Limited Land Use Permit, the Manager of Real Estate Services shall notify the Manager of Water Supply or Manager of Water Treatment and Distribution, who shall investigate the permittee's operations. If renewal of the permit is recommended, the permit will be renewed by letter from the Manager of Real Estate Services.

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Leases and Easements

The Water Supply or Water Treatment and Distribution Divisions shall conduct a field investigation to determine requirements for pipeline protection and, in consultation with the Design Division or Pipeline Infrastructure Division, if necessary, will set forth the engineering and operating requirements.

If structural or corrosion protective facilities are required, the Manager of Water Supply or Manager of Water Treatment and Distribution (or designee) shall request the Manager of Design Division or Pipeline Infrastructure Division to proceed with the required design or plan reviews. (During design, the designer will communicate with the applicant's engineer.) Upon completion of design, the plans will be delivered to the applicant via the Manager of Water Supply or Manager of Water Treatment and Distribution (or designee), who will arrange for inspection as required.

The Manager of Real Estate Services shall discuss with the applicant the terms of the agreement and the amount of the consideration, including any processing, design, and inspection costs. Real Estate Services shall obtain an appraisal and engineering estimates, if necessary.

Upon agreement with the applicant, the Manager of Real Estate Services, shall draft, for review and approval by the Manager of Water Supply Division or the Manager of Water Treatment and Distribution Division and Office of General Counsel, an agreement granting the applicant the property interest under the terms and for the consideration as approved. Real Estate Services shall assure that evidence of insurance is provided, if required. The lease or easement shall be submitted to the District's Board of Directors for approval, if required by Procedure 108 - Real Estate Transactions. Two copies of the lease or easement shall be sent to the applicant with instructions to sign and return the copies, together with the consideration, to the Manager of Real Estate Services. Easements shall be recorded and the applicant shall provide the Manager of Real Estate Services with the recording data.

Approvals

District and non-District uses of pipeline rights-of-way shall be confirmed in writing, listing any special conditions which may apply to the proposed use to the requesting District departments or third parties by the Manager of Water Supply or Manager of Water Treatment and Distribution (or designee).

Terminations

Any third-party use of the District's pipeline property may be terminated at the District's sole discretion, so long as the termination is authorized by and done in a manner compliant with the terms and conditions of the permit, license, or lease that governs the use. If the Water Supply Division or the Water Treatment and Distribution Division terminates any permit or license, the Manager of Real Estate Services and the Design Division shall be so notified by memo. The Office of General Counsel may be consulted before undertaking a termination which may affect the District's legal interests.

Terms and Conditions

The final determination of generally applicable terms and conditions appropriate for District uses of pipeline properties rests with the Director of Operations and Maintenance.

A specific third-party applicant for use of pipeline property may be required, as a condition of approval of the application, to comply with the generally applicable terms and conditions, or with different or additional terms and conditions that are determined to be in the District's best interest. The decision to approve or deny an application, and the selection of terms and conditions of any approval, shall rest with the Director of Operations and Maintenance. There is no right to an administrative appeal or hearing, and the decision of the Director or designee is final.

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Records	<p>The Manager of Real Estate Services shall maintain a file containing copies of all documents relating to right-of-way crossings or uses, except for temporary encroachment permits, and is responsible for the assignment of right-of-way crossing numbers to approved documents.</p> <p>The Engineering and Construction Department shall maintain as-built and right-of-way drawings and other information of pipelines. Updates to these drawings shall be made following:</p> <ol style="list-style-type: none">1. Grant of Revocable License or Easement. Notice to be supplied by the Manager of Real Estate Services.2. Completion of crossing construction covered by license or easement. Notice, including "as built" location data, to be supplied by the applicant to the Water Supply Division or Water Treatment and Distribution Division for transmittal to the Engineering and Construction Department. This notice will be routed through the Engineering and Construction Department, as necessary, then to the Manager of Real Estate Services.3. Termination of any pipeline right-of-way use. Notice to be supplied by the Manager of Real Estate Services. <p>Drawings of right-of-way crossings and uses within the service area will be updated in GIS applications by Mapping Services based on information provided from Real Estate Services.</p>
Required Fees	<p>Pipeline right-of-way fees for the processing of applications and documents related to proposed uses are included in the "Water and Wastewater System Schedules of Rates and Charges, Capacity Charges, and Other Fees". The Manager of Water Supply and Manager of Water Treatment and Distribution are responsible for periodic review and updating of Requirements for Entry or Use. The Manager of Real Estate Services is responsible for review and updating of Fees and Documentation Charges, Use of Aqueduct and Distribution Pipeline Rights-of-Way by Others.</p>
References	<p>Policy 7.01 – Aqueduct and Distribution Pipeline Rights-of-Way Maintenance Procedure 108 – Real Estate Transactions Procedure 436 – Miscellaneous Accounts Receivable and Cash Receipts Procedure 706 – Facilities: Inspection, Maintenance and Repair Requirements for Entry or Use of Pipeline Rights-of-Way (attached) Water and Wastewater System Schedules of Rates and Charges, Capacity Charges, and Other Fees (as updated periodically)</p>

2. Response to Comments



EBMUD REQUIREMENTS FOR ENTRY OR USE OF PIPELINE RIGHTS-OF-WAY

East Bay Municipal Utility District

2. Response to Comments

1. Requests for encroachment rights or for other uses of the District's raw and distribution water aqueduct and pipeline ("pipeline") properties shall be directed to the Manager of Water Supply, 1804 West Main Street, Stockton, California 95203. Property uses shall only be permitted subject to appropriate written permit, license, easement, or lease agreement.
2. Requests for property uses shall be in writing and accompanied by a completed application, application fees, plan and profile drawings of the area and work involved. District pipeline stationing and adjacent above-ground structures must be shown. Applicant's horizontal and vertical control must be correlated to the District's. Drawings and maps shall be ANSI D size (22x34 inch) or ANSI B size (11x17 inch) and must also be provided in electronic .pdf format. Application must include complete insurance documentation.
3. The applicant must indemnify, defend, and hold harmless the District and associated personnel from and against any claims, losses, and liability arising by reason of the applicant's use of District's property or the applicant's acts or omissions pursuant to any permit or approval issued by the District, on such terms as the District may require. The applicant may be required to provide evidence of insurance coverage.
4. All requests for uses of District property must be consistent with requirements and limitations set forth by Procedure 718 and will be reviewed and approved on a case-by-case basis.
5. District land and facilities shall be restored to a condition as good as that which existed before applicant's entry on the right-of-way.
6. Applicant's use of property shall not increase District costs or interfere with District access, operations, maintenance, or repair of its facilities.
7. The applicant must pay the District the appraised value of the easement or lease, if appropriate, for the rights granted to the applicant. Appropriate environmental documentation must be completed in accordance with the California Environmental Quality Act before the rights can be granted. The District may require the applicant to prepare the documentation at its expense before the application will be considered for approval. The District will review the environmental documentation to determine whether it (i) adequately describes the applicant's project, (ii) contains a detailed disclosure and analysis of the project's impacts, (iii) describes feasible measures to mitigate any construction impacts to the District's right-of-way to a level of no significant impact, and (iv) is otherwise legally sufficient. The District may rely on any existing environmental documentation for the applicant's project if the District determines that the existing documentation meets the above-described standards.
8. For any District-approved encroachment, the applicant must pay the District for any of the following measures, as determined necessary by the District:
 - a. Design of structural protective measures
 - b. Design of fences or other structures
 - c. Corrosion control protective measures
 - d. District engineering, plan review, and inspection of activities
 - e. Environmental documentation
 - f. Application, permit or license fees.
9. The plan for the execution of the work must be approved by the District.
10. The type and weight of equipment working over the pipelines must be approved by the District.
11. The use of vibratory compaction equipment is prohibited on the pipeline right-of-way unless otherwise approved by EBMUD. Allowable compaction effort, allowable equipment, and maximum depth of each lift of fill shall be subject to District review and approval before start of construction.
12. A minimum of 48 business hours' notice must be given to the District before work commences on District pipeline right-of-way. Contact information will be provided in permit.

2. Response to Comments

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13. A preconstruction meeting is required prior to start of work.
14. No building or portions of buildings shall be constructed on the property. No other types of structures shall be constructed unless specific approval is given by the District.
15. No longitudinal encroachments such as drainage ditches; gas, phone, or electrical lines; pipelines, or roads will be permitted. All property line fences (including footings) must be located completely outside District property lines.
16. District staff shall monitor pile driving or other work which can result in vibration and occurs within 100 feet of the aqueducts. District staff shall also monitor other work located within 100 feet of the pipeline right-of-way, if such work has the potential to result in ground movements that could damage the District's facilities (i.e., large excavations with potential for horizontal or vertical ground deformations within the District's rights-of-way).
17. Railroad, freeway and highway crossings of the pipeline right-of-way shall be on permanent bridges with a minimum vertical clearance of 14 feet 6 inches between the finished ground surface and the underside of the bridge. Crossings of pipeline rights of way, on grade will be over structurally-encased aqueducts with a sleeve for a fourth aqueduct.
18. Street and road crossings constructed on grade shall incorporate protection of the pipelines. Protective measures will be designed by applicant's licensed engineer to District standards with specific District approval of each design.
19. Existing pipeline protective measures such as concrete slabs shall not be cut, penetrated, or otherwise disturbed. If a protective measure is cut, penetrated, or disturbed, it shall be replaced with a new protective measure, designed by applicant's licensed engineer to District standards with specific District approval of design.
20. Traffic control fences or approved barriers shall be installed along each side of the street, road or trail before opening to the public.
21. Temporary construction fences and barricades shall be installed by contractor as directed by the District.
22. No geotechnical exploration such as drilling or boring shall be allowed on an pipeline right-of-way without prior written approval from the District.
23. Any changes in finished grade in the pipeline right-of-way must be approved by the Aqueduct Section. Earth fills or cuts on adjacent property shall not encroach onto District property except where authorized for vehicular crossings on grade and where the District determines that there will be no detrimental effect on or maintenance of the pipelines.
24. Crossings shall be perpendicular to the pipelines and on a constant grade across District property.
25. Sanitary sewers, water lines, petroleum product lines, or other lines crossing above the pipelines must be encased in a steel, polyvinyl chloride (PVC), or reinforced concrete pipe conduit or be imbedded in reinforced concrete with a minimum vertical clearance of two (2) feet between the casing/embedment and the top of District pipelines. The casing shall extend the entire width of the pipelines right-of-way.
26. All pipelines crossing below the pipelines must be encased in a steel or reinforced concrete conduit and provide a minimum of three (3) feet of clearance between the casing and the bottom of the District pipelines.

2. Response to Comments

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27. Trenchless construction methods such as horizontal directional drilling or jack-and-bore between the top of the pipelines and the bottom of the protective structure (slab) are prohibited.
28. On pressurized pipe crossings, shutoff valves shall be provided outside and adjacent to both sides of District property.
29. At the point of crossing, steel pipeline crossings and steel casings shall incorporate electrolysis test leads, bond leads, and leads necessary for interference testing. Corrosion control devices, when required, must be approved by the District.
30. Cathodic protection for steel encasements must be installed as follows:
 - Provide a dielectric coating to the exterior surface of the steel casing within the District's right-of-way, 16 mil epoxy or equivalent.
 - Provide galvanic protection to the portion of the steel casing within the District's right-of-way in accordance with the National Association of Corrosion Engineers RP-01-69.
 - If the carrier pipe is constructed of ductile iron or steel, provide electrical isolation between the carrier and casing using casing insulators; redwood skids are not permitted.
 - Provide test results to the District demonstrating the adequacy of the cathodic protection system, and the adequacy of the electrical isolation of the carrier (if metallic) from the casing. The District reserves the right to witness any such tests.
31. Gravity drainage of District property shall be maintained. Open channels constructed across the right-of-way shall be paved with reinforced concrete. Headwalls, inlets, and other appurtenances shall be located outside District property. Drainage facilities shall be provided outside the District's property at the top and/or toe of fill slopes or cuts constructed adjacent to District property to assure adequate drainage.
32. Overhead electrical power conductors across the property shall be a minimum of 30 feet above ground. Communication and cable TV crossings shall be a minimum of 20 feet above the ground. Supporting poles or towers shall be located outside the pipelines right-of-way.
33. Buried electrical cables passing over the pipelines shall be installed in PVC conduit and encased in red concrete across the entire width of the right-of-way. In some cases, PVC-coated steel conduit with a red concrete cap may be substituted. All other buried cables shall be installed in conduits and marked in the appropriate Underground Service Alert (USA) colored marking materials and with surface signs installed at 4-foot intervals that include the utility name, type, and emergency contact information across the entire width of the right-of-way. The minimum vertical clearance between the conduit and the top of the District's pipelines is two (2) feet.
34. Electrical or telecommunications cables shall not be allowed to pass under the pipelines.
35. Vehicular parking and storage of equipment or material on aqueduct or distribution pipelines property are prohibited.
36. All District survey monuments and markers shall be undisturbed. If any District survey markers or monuments must be disturbed, they will be replaced or relocated by the District at applicant's expense prior to the start of any ground disturbing work.
37. All pipeline crossings involving mechanical excavation on the right-of-way require potholing of all pipelines at the site of the proposed crossing. Visible reference markings showing the pipeline alignments and depths to top of pipe shall be maintained for the duration of any mechanical excavation on District property. Excavations within two (2) feet of pipelines shall be made by hand. Entry permits are required for pothole work.
38. All grading or excavating of the right-of-way requires USA notification and the maintenance of a current inquiry identification number.

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39. Certified six-sack mix is the minimum acceptable concrete batch to be used on the pipelines right-of-way. Concrete compression strength shall be 3,000 per square inch (PSI) or better at 28 days. If samples do not reach 3,000 PSI at 28 days, the entire section of slab or encasement related to that sample must be removed and replaced at applicant's expense.
40. Each truckload of concrete to be placed on the right-of-way may be sampled by the District. No water may be added to the mix after sampling.
41. Maximum allowable slump is three inches. All concrete exceeding three inches will be rejected and cannot be used on the right-of-way.
42. No traffic will be allowed over protective slabs until 3,000 PSI is reached.
43. All work areas shall be inspected by the District for final approval. As-built drawing submittals are required for District approval.
44. No work is allowed on weekends or District-recognized holidays unless otherwise authorized in the required permit.

2. Response to Comments



Applicant Pipeline Design Criteria

EBMUD values applicant pipeline projects and is committed to providing a thorough and efficient design. To ensure an efficient design process and to avoid significant delays the design criteria below should be adhered to when submitting improvement plans.

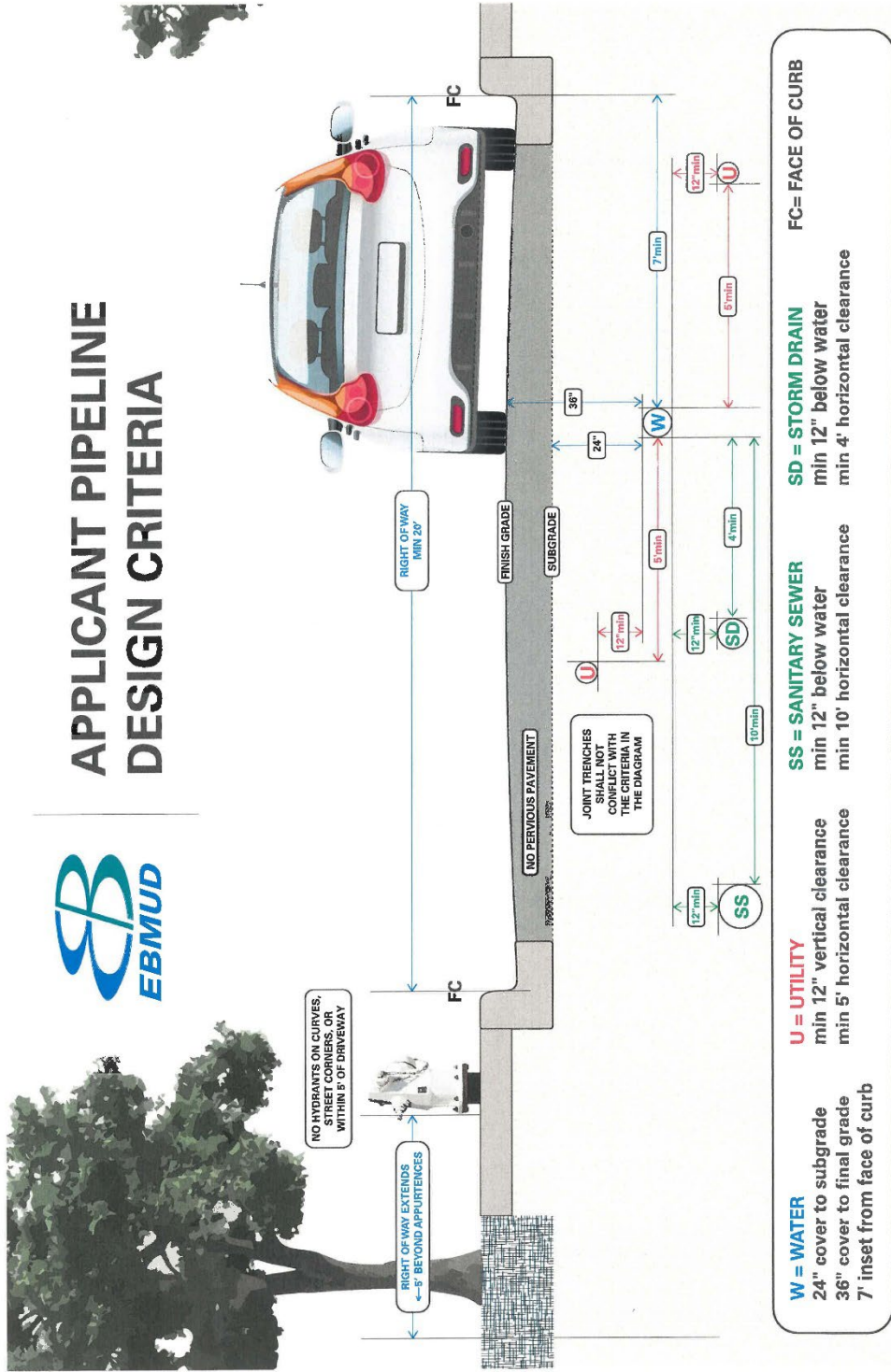
Design Criteria

- Water mains shall be seven (7) feet from face of curb.
- Water mains shall maintain a minimum one (1) foot vertical and five (5) foot horizontal clearance from other utilities.
- Gas mains shall meet the one (1) foot vertical separation requirement by installing the gas main below the water main only.
- Water mains shall maintain a minimum ten (10) foot horizontal clearance (O.D. to O.D.) and be located a minimum one (1) foot above any sewer main. Title 22 CCR
- Water mains shall maintain a minimum four (4) feet horizontal clearance (O.D. to O.D.) and be located a minimum one (1) foot above any storm drain. Title 22 CCR
- Water mains shall have a 36-inch cover to final grade and 24-inch cover to pavement subgrade.
- Joint trenches that are in conflict with the criteria above may delay the project. Submit to EBMUD final joint trench plans (no intent plans) which include the size of the joint trench and the utilities located inside.
- Water mains shall not be installed under pervious pavement.
- Water mains installed under decorative pavement, pavers, or stamped concrete will require an additional paving agreement.
- Hydrants shall not be located on curved sections of street, street corners, or within five feet of a driveway.
- Right of ways for 6-inch and 8-inch water mains shall be a minimum of 20 feet wide and extend five (5) feet past the water main centerline.
- Right of ways for 12-inch to 24-inch water mains shall be a minimum of 20 feet wide and extend eight (8) feet past the water main centerline.

Please contact the New Business Office representative assigned to your project if there are any questions regarding the requirements listed above. Meeting this criteria will enable the most efficient design possible.

March 2021

2. Response to Comments



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2. Response to Comments

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2. Response to Comments

B Response to Comments from East Bay Municipal Utility District (EBMUD), dated March 8, 2023.

B-1 EBMUD provided their original comments on the Notice of Preparation (dated December 29, 2022), regarding water service, Mokelumne Aqueducts, water recycling, and water conservation.

Refer to comments in B-2 to B-10.

B-2 EBMUD states that water services shall be conditioned for all development projects within the Housing Element Update that are subject to SB-7 requirements, which requires individually or sub-metered water service for multi-unit structures and will be released after the project sponsor has satisfied all requirements with SB-7.

As this is a state mandate, future development proposed under the Housing Element would have to comply with SB-7.

B-3 EBMUD states that main extensions may be required to serve any specific development within the Housing Element Update at the project sponsor's expense and project sponsor should refer to the EBMUD documents for California Code of Regulations, Title 22, Section 64572. EBMUD states that once development plans are finalized for individual projects within the Housing Element Update, project sponsors should contact EBMUD and request a water service estimate to determine cost and conditions for providing water service to development.

This comment refers to future developers and specific projects, that may be within the EBMUD service area, to follow listed requirements and procedures to ensure water services. As this comment does not describe any inadequacies of the DEIR, no changes to the DEIR are necessary.

B-4 EBMUD states that they will not install piping or services in contaminated soil or groundwater. EBMUD states that project sponsors must submit copies of all known information regarding soil and groundwater quality within or adjacent to the project boundary and a specific remediation plan for removal, treatment, and disposal of contaminated soils and groundwater. EBMUD will review remediation plans and determine the proper actions for development after review.

See response to comment B-3. Impact 5.9-2, on page 5.9-20 of the DEIR, states that if future housing development facilitated by the Housing Element Update is found to be on a State-prepared list of hazardous waste sites pursuant to Government Code 65962.5, then future development would be required to do an environmental site assessment by a qualified professional to ensure that projects would not disturb hazardous materials on any of the hazardous materials sites or plumes of hazardous materials diffusing from one of the hazardous materials sites, and that any proposed development, redevelopment, or

2. Response to Comments

reuse would not create a substantial hazard to the public or the environment. The analysis also states compliance with local, state, and federal level regulations would remedy all potential impacts caused by hazardous substance.

- B-5 EBMUD states any project within or adjacent to EBMUD's Mokelumne Aqueduct property will need to follow EBMUD's procedure 718 – Authorized Uses of Pipeline Rights-of-Way which the agency has attached for reference.

See response to comment B-3. The DEIR is a programmatic EIR. Future development would be required to comply with all applicable regulations, including EBMUD's procedures. As this comment does not address any inadequacies of the DEIR, no further response is necessary.

- B-6 EBMUD states that design drawings for any project encroachment (roadway, utility, facilities, etc.) or restoration projects crossing or within the Aqueduct right-of-way will need to be submitted to EBMUD for review of conditions that may impact EBMUD property. EBMUD indicates the items that must be included in the submittal and actions that must be done prior.

See response to comment B-5.

- B-7 EBMUD states that EBMUD's Policy 9.05 requires that customers use non-potable water for domestic purposes to offset demand on EBMUD's limited potable water supply.

This comment refers to future users within the EBMUD service area. As this comment does not describe any inadequacies of the DEIR, no changes to the DEIR are necessary.

- B-8 EBMUD states that portions of the County's southeast quadrant in San Ramon and Danville fall within the Dublin San Ramon Service District-EBMUD Recycled Water Authority (DERWA) and EBMUD's San Ramon Valley's Recycled Water Project. EBMUD lists appropriate recycled water uses (such as toilet flushing, irrigation, etc.).

This comment refers to future housing and associated water uses within the DERWA and EBMUD's San Ramon Valley's Recycled Water Project area. As this comment does not describe any inadequacies of the DEIR, no changes to the DEIR are necessary.

- B-9 EBMUD requests that the County and project sponsors for individual projects within the Housing Element Update coordinate with EBMUD and provide an estimate of expected water demand for potential recycled water uses for each specific project.

This comment refers to future developers and specific individual projects that may be within the EBMUD service area. The DEIR is a programmatic EIR, therefore, project-level information is not known at this time, and it would be speculative to assume this information. However, Impact 5.17-2, on page 5.17-11 of the DEIR, states that the proposed project would increase future water demand by 10,536,186 gallons per day in

2. Response to Comments

2040. As this comment does not describe any inadequacies of the DEIR, no changes to the DEIR are necessary.

B-10 EBMUD requests that the County include in its conditions of approval a requirement that the project sponsor comply with Assembly Bill 325, “Model Water Efficient Landscape Ordinance.” EBMUD states that project sponsors should be aware that Section 31 of EBMUD’s Water Service Regulations requires that water service shall not be furnished for new or expanded service unless all applicable water-efficiency measures are installed at the project sponsor’s expense.

Future projects and developers would need to comply with state regulations as well as EBMUD’s Water Service Regulations. As this comment does not describe any inadequacies of the DEIR, no changes to the DEIR are necessary.

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2. Response to Comments

LETTER C – Delta Protection Commission (4 pages)

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Gavin Newsom, Governor

DELTA PROTECTION COMMISSION

2101 Stone Blvd., Suite 200
West Sacramento, CA 95691
(916) 375-4800
www.delta.ca.gov



March 20, 2023

Daniel Barrios
Contra Costa County
Department of Conservation and Development
30 Muir Road Martinez, CA 94553
Via email:

Re: Contra Costa County 6th Cycle Housing Element Update Draft Environmental Impact Report (SCH # 2022070481)

Dear Mr. Barrios,

Thank you for providing the Delta Protection Commission (Commission) the opportunity to comment on the Draft Environmental Impact Report (DEIR) for the proposed Contra Costa County 6th Cycle Housing Element Update (Project).

The Commission is a state agency charged with ensuring orderly, balanced conservation and development of Delta land resources and improved flood protection. Proposed local government projects within the primary zone of the Legal Delta must be consistent with the Commission's Land Use and Resource Management Plan (LURMP) (California Public Resources Code Sections 29700-29780). The Commission also submits comments under Public Resource Code Section 29770(d) which states that the Commission may comment on projects that impact the primary zone. The Project area lies within the boundary of both the primary and secondary zones.

In addition, we submit these comments pursuant to Public Resource Code Sections 5852-5855 (The Great California Delta Trail Act). This statute directs the Commission to develop and adopt a plan and implementation program for a continuous regional recreational corridor extending throughout the five Delta Counties linking the San Francisco Bay Trail system to the Sacramento River trails. The Commission recently approved the final Great California Delta Trail Master Plan (Master Plan).

The Project proposes to redesignate six sites in the Delta to meet regional housing needs. All six sites are located within the secondary zone and the County's Urban Limit Line (ULL). Three of these sites are residential with a proposed increase in allowable density. The remaining two are non-residential sites proposed to allow residential uses. Together, the sites would allow up to 1,375 residential units in the communities of Byron and Discovery Bay.

Diane Burgis, Chair
Contra Costa County Board of Supervisors

John Vasquez, Vice Chair
Solano County Board of Supervisors

Oscar Villegas
Yolo County Board of Supervisors

Patrick Hume
Sacramento County Board of Supervisors

Steven Ding
San Joaquin County Board of Supervisors

Ron Kott
Cities of Contra Costa and Solano Counties

Paul Steele
Cities of Sacramento and Yolo Counties

Alan Nakanishi
Cities of San Joaquin County

Jim Paroli
Central Delta Reclamation Districts

Tom Slater
North Delta Reclamation Districts

Nick Mussi
South Delta Reclamation Districts

Toks Omishakin
CA State Transportation Agency

Karen Ross
CA Department of Food and Agriculture

Wade Crowfoot
CA Natural Resources Agency

Brian Bugsch
CA State Lands Commission

Ex Officio Members

Honorable Susan Eggman
California State Senate

Honorable Carlos Villapudua
California State Assembly

C-1

C-2

2. Response to Comments

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The Commission is supportive of the County's continued use of the ULL to direct residential development outside the primary zone. The Project is consistent with the following LURMP policies which direct non-agriculturally land uses outside the primary zone and encourage programs, such as an ULL, to preserve agriculture:

Land Use Policy 2. Local government general plans, as defined in Government Code Section 65300 et seq., and zoning codes shall continue to promote and facilitate agriculture and agriculturally supporting commercial and industrial uses as the primary land uses in the Primary Zone; recreation and natural resources land uses shall be supported in appropriate locations and where conflicts with agricultural land uses or other beneficial uses can be minimized.

C-3

Agriculture Policy 2. Conversion of land to non-agriculturally-oriented uses should occur first where productivity and agricultural values are lowest.

Agriculture Policy 5. Local governments shall encourage implementation of the necessary plans and ordinances to: maximize agricultural parcel size; reduce subdivision of agricultural lands; protect agriculture and related activities; protect agricultural land from conversion to nonagriculturally-oriented uses. An optimum package of regulatory and incentive programs Delta Protection Commission Management Plan could include: (1) an urban limit line; (2) minimum parcel size consistent with local agricultural practices and needs; (3) strict subdivision regulations regarding subdivision of agricultural lands to ensure that subdivided lands will continue to contain agriculturally-oriented land uses; (4) require adequate buffers between agricultural and non-agricultural land uses particularly residential development outside but adjacent to the Primary Zone; (5) an agriculture element of the general plan; (6) a Right-to-Farm ordinance; and (7) a conservation easement program.

The Project is also consistent with the following LURMP policy to provide housing for agricultural workers:

Land Use Policy 13. Support the implementation of appropriately located agricultural labor camps and housing that serve agricultural operations, which are constructed and sited consistent with Sections 17021.5 and 17021.6 of the California Health and Safety Code and consistent with the requirements of local building codes.

C-4

We appreciate the County's commitment to keeping residential development in the secondary zone. However, the Commission is concerned about the Project's impacts on agricultural resources and transportation corridors in the Delta. We also encourage County staff to consider how new trails or trail segments could be integrated into new developments to meet increased recreation demands. Our specific comments on the Project and DEIR are provided below.

C-5

Impacts to Agriculture Resources

The Project would convert 22.86 acres of Prime Farmland and Farmland of Local Importance in the secondary zone to residential land use (DEIR p. 5.2-10). No parcels in the primary zone or parcels with Williamson Act contracts would be converted.

C-6

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Any farmland in the secondary zone converted to residential use should be mitigated to the fullest extent feasible. We also encourage the County to require buffers between residential and agricultural parcels when approving specific projects, consistent with the following LURMP policy:

Land Use Policy 3. New non-agriculturally oriented residential, recreational, commercial, habitat, restoration, or industrial development shall ensure that appropriate buffer areas are provided by those proposing new development to prevent conflicts between any proposed use and existing adjacent agricultural parcels. Buffers shall adequately protect integrity of land for existing and future agricultural uses and shall not include uses that conflict with agricultural operations on adjacent agricultural lands. Appropriate buffer setbacks shall be determined in consultation with local Agricultural Commissioners, and shall be based on applicable general plan policies and criteria included in Right-to-Farm Ordinances adopted by local jurisdictions.

C-6
cont'd

The DEIR states that water connections for new residential developments would be regulated by Section 4-14-4.2 of the County Ordinance Code (DERI p.5-2-11). The Code requires project proponents to submit tentative subdivision maps and building permit applications to the County health officer for him to review the availability of an approved water supply prior to recordation of final maps and issuance of building permits. Prior to issuing a project's final maps and building permits, County staff should consider and evaluate how the increase in consumptive water use will impact the availability of water for agricultural uses, particularly in dry years.

C-7

Impacts to Transportation

The DEIR states that growth patterns created by the additional housing sites would not increase vehicle miles traveled (VMT) per capita due to the Housing Element's focus on infill, increasing density, and promoting affordability (DEIR p. 5.15-17). The VMT modeling conducted for the DEIR shows that the Project will decrease VMT per capita by 2040 (DEIR p. 5.15-16).

C-8

However, we believe the transportation analysis in the DEIR has not fully considered how the Project will increase traffic along Highway 4 in both Contra Costa and San Joaquin Counties. The cumulative impacts to traffic and transportation should consider other specific developments in the County, such as the Cecchini Ranch development which would add 2,000 units in the Town of Discovery Bay along Highway 4 and could potentially impact primary zone resources in San Joaquin County.

Impacts to Recreation

The DEIR states that the increase in population in the County would result in an increase in demand for recreational facilities (pg. 5.15-34). In addition, almost all local parks and recreation providers in the County do not provide enough parks and recreation facilities to meet the County's four acres per 1,000 residents standard.

C-9

To meet the increased demand in recreation facilities, the Commission encourages County staff to consider how new trails or trail segments could be integrated into new developments, particularly in locations that could be designated as segments of the Great California Delta Trail (Delta Trail). An

2. Response to Comments

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enhanced trail system, particularly with enhanced bicycle traffic, could reduce vehicle trips in the primary zone. Trails can also provide additional park space for the new development.

C-9
cont'd

East Bay Regional Parks District has numerous Delta access trails planned throughout eastern Contra Costa County including a planned route to Discovery Bay, one of the communities included in the Project's Sites Inventory. Commission staff can work with the County on possible locations for trails for potential incorporation into the Great Delta Trail system, if desired.

C-10

Thank you for the opportunity to provide input. Please contact Kirsten Pringle, Senior Environmental Planner, at (530) 650-6327 for any questions regarding the comments provided.

Sincerely,


Bruce Blodgett
Executive Director

cc: Diane Burgis, Commission Chair, Contra Costa County Supervisor

2. Response to Comments

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2. Response to Comments

C **Response to Comments from Delta Protection Commission (Commission), dated March 20, 2023.**

C-1 The Commission summarizes their role as a state agency and states local government projects within the primary zone of the Legal Delta must be consistent with the Commission's Land Use and Resource Management Plan (LURMP). The Commission submits comments under Public Resource Code Section 29770(d) regarding primary zone and Public Resource Code Sections 5852-5855 regarding the Great California Delta Trail Act. The Commission states the Project Area lies within the boundary of the primary and secondary zone.

This comment serves as an introduction to the comments that follow. Please see response to comments C-2 through C-10.

C-2 The Commission states the Project proposes to redesignate six sites in the Delta, all of which are within the secondary zone and the County's Urban Limit Line (ULL). The Commission states three of the six sites are residential with a proposed increase in allowable density and two are non-residential sites proposed to allow residential uses. The Commission states the six sites would allow up to 1,375 residential units in the communities of Byron and Discovery Bay.

As shown in Table 3-3, *Residential Sites with Increasing Allowable Density*, on page 3-11 of the DEIR, there are two sites (APN: 003120008 and 003120009) in Byron and one in Discovery Bay (APN: 011230041) that would increase allowable density. Table 3-4, *Non-Residential Sites Proposed to Allow Residential Units*, on page 3-22 of the DEIR, states that there are three sites in Discovery Bay (APN: 0041182006, 008010039, 011220039) that are non-residential sites proposed to allow residential uses. The commenter is correct in saying that the six sites located in Byron and Discovery Bay would allow up to 1,375 residential units within the area.

C-3 The Commission supports the County's continued use of the ULL to direct residential development outside the primary zone. The Commission states the proposed project is consistent with LURMP's Land Use Policy 2, Agriculture Policy 2, and Agriculture Policy 5, which promotes agricultural uses, encourages the preservation of agriculture, and protects the conversion of agricultural land to non-agricultural land.

As this comment does not describe any inadequacies of the DEIR, no changes to the DEIR are necessary.

C-4 The Commission states the proposed project is also consistent with LURMP's Land Use Policy 13 which provides housing for agricultural workers.

See response to comment C-3.

2. Response to Comments

C-5 The Commission has some concerns about the proposed project's impact on agriculture resources and transportation corridors in the Delta. The Commission encourages County staff to consider how new trails or trail segments could be integrated into new developments to meet increased recreation demands.

See response to comments C-6 and C-7 regarding impacts on agricultural resources. See response to comment C-8 regarding impacts to transportation. See response to comment C-9 regarding impacts to recreation.

C-6 The Commission recommends that any farmland in the secondary zone that would be converted to residential uses should be fully mitigated to the extent feasible. The Commission encourages the County to require buffers between residential and agricultural parcels consistent with LURMP's Land Use Policy 3.

As mentioned in Impact 5.2-3, on page 5.2-11 of the DEIR, the General Plan includes Policy 8-34 which requires future urban development to establish effective buffers between the project and land planned for agricultural uses. Therefore, future development under the proposed project would need to comply with General Plan Policy 8-34, and therefore, would be consistent with LURMP's Land Use Policy 3.

C-7 The Commission summarizes Section 4-14-4.2 of the County Ordinance Code. The Commission recommends that prior to issuance of a project's final maps and building permits, the county staff should consider and evaluate how the increase in consumptive water use will impact the availability of water for agriculture uses particularly in dry years.

See response to comment C-3.

C-8 The Commission believes the transportation analysis in the DEIR has not fully considered how the proposed project will increase traffic along SR-4 in Contra Costa and San Joaquin Counties. The Commission suggests cumulative impacts to traffic and transportation should consider other specific developments in the County such as Cecchini Ranch development which would add 2,000 units in the Town of Discovery along SR-4 and could potentially impact primary zone resources in San Joaquin County.

See Master Response 3: Circulation Network and Traffic Issues. As stated in Chapter 2, *Introduction*, the DEIR fulfills the requirements for a Program EIR (programmatic) which is more conceptual than a Project EIR with a more general discussion of impacts. The use of a Program EIR gives the lead agency greater flexibility to address project-specific and cumulative environmental impacts on a comprehensive scale. As noted in Section 5.16.5, *Cumulative Impacts*, on page 5.16-19 of the DEIR, most impacts would require project-specific evaluation to determine whether individual project's design would create or increase roadway hazards.

2. Response to Comments

C-9 The Commission states that almost all local parks and recreation providers in the County do not provide enough parks and recreation facilities to meet the County's four acres per 1,000 residents standards. The Commission encourages County staff to consider integrating new trails or trail segments into new developments, particularly in locations that could be designated as segments of the Great California Delta Trail (Delta Trail).

The commenter is correct in saying that most local parks and recreation providers in the County do not provide enough parks and recreation facilities to meet the County's four acres per 1,000 residents standards as shown in Table 5.15-8, *Contra Costa County Parks and Recreation Services Summary*, on page 5.15-33 of the DEIR. As mentioned, Section 5.15.5.5, *Cumulative Impacts*, individual development projects would be subject to development impact fees to fund the provision of parks and recreation facilities. These fees and policy provisions would ensure that the parks districts, community service districts, and county service areas would adequately provide for park and recreation needs for residents, while environmental review of new development would mitigate any environmental impacts of park and recreation facilities.

As providing project-specific analyses in this DEIR (program-level EIR) would be speculative, the analyses in this DEIR are adequate. All potential future development that is subject to discretionary approval would be required to undergo environmental and design review prior to project approval, which would include project-specific analysis regarding park and recreation resources.

C-10 The Commission states that East Bay Regional Parks has numerous Delta access trails planned throughout eastern Contra Costa County including a planned route to Discovery Bay. Commission Staff can work with the County on possible locations for trails for potential incorporation into the Great Delta Trail system, if desired.

This comment does not address any inadequacies of the DEIR.

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2. Response to Comments

LETTER 1 – Karen Case (1 page)

From: [Karen Case](#)
To: [DCD Housing Element](#)
Subject: EIR housing element
Date: Saturday, February 4, 2023 6:53:02 PM

Please consider neglected infrastructure in the county, including inadequate sewage treatment, neglected road rebuilding, over-population, inability to maintain roads and highways including poor or no litter cleanup and lack of maintenance on landscaping, lack of water for new buildings, no changes to improve building codes to help with constant drought, and lack of mental health for uninsured homeless.
Sent from my iPhone

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1-2
1-3
1-4

2. Response to Comments

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2. Response to Comments

1. Response to Comments from Karen Case, dated February 4, 2023.

1-1 The commenter asks the County to consider neglected infrastructure in the county including inadequate sewage treatment.

As stated in Impact 5.17-1 on page 5.17-8 of the DEIR, all housing sites are within established wastewater and collection services, and that wastewater treatment and collection agencies will need to be evaluated for treatment capacity, ability to treat increased wastewater generation, and accordance with the Regional Water Quality Control Board's (RWQCB) objectives. Additionally, all future projects would be required to comply with the provisions of Chapter 420-2 of the County Municipal Code which states that developers must secure a permit from the board of supervisors. Prior to future development, project applicants must ensure wastewater systems are adequate to collect and treat wastewater from projects. Impact 5.17-1 was determined to be less than significant. No change to the DEIR is required.

1-2 The commenter asks the County to consider rebuilding neglected roads, overpopulation, and the inability to maintain roads and highways, including poor or no litter cleanup and lack of maintenance on landscaping.

See Master Response 3: Circulation Network and Traffic Issues. Contra Costa County must demonstrate through its Housing Element Update, its availability of adequate sites to accommodate its share of regional housing needs allocation (RHNA) over the 2023-2031 period. Section 5.14, *Population and Housing*, starting on page 5.14-7 of the DEIR, analyzes the growth that could occur if all sites proposed in the Housing Element Update are developed at 100 percent capacity. The estimated increase in population under the conservative approach would result in an increase in population and would exceed ABAG's population projects for 2040. However, as stated in Section 5.14 of the DEIR, due to the State's housing shortage, additional housing units are needed across the State to meet demands and in 2019, Governor Newsom signed several bills aimed to address the need for more housing, including the Housing Crisis Act of 2019 (Senate Bill 330).

1-3 The commenter states that the County should consider the lack of water for new buildings and no changes to improve building codes with constant drought.

As stated in Impact 5.17-2, on page 5.17-2 of the DEIR, although the proposed project would increase water demand, the proposed project would not require additional entitlements or a substantial expansion or alteration of water delivery systems. Future project developers would be required to comply with County Ordinance 81-56 § 1, which states that any person proposing any property needing water for domestic purposes must demonstrate an approved water supply approval from the health officer for the development and the policies in the Public Services and Facilities Element, such as Policy 7-16 which states water services shall require to meet regulatory standards for water delivery, storage, and emergency water supplies and Policy 7-21 sets requirement for new

2. Response to Comments

developments to demonstrate adequate water quantity and quality at the project approval stage. Impact 5.17-2 was determined to be less than significant. No change to the DEIR is required.

1-4 The commenter asks the County to consider mental health for uninsured homeless.

While this comment does not address any environmental concerns or the adequacy of the DEIR, it should be noted that the proposed Housing Element Update includes actions aimed at providing housing to the homeless population, such as Action HE-A3.3. Nonetheless, this comment will be forwarded to decision makers for their consideration.

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2. Response to Comments

LETTER 2 – Gary Branson (1 page)

From: [REDACTED]
To: [Will Nelson](#)
Subject: High density proposal in Discovery Bay.
Date: Monday, March 6, 2023 12:03:20 PM

I've resided in Discovery Bay for 17 years within The Lakes. Our community already suffers from a lack of police and fire protection. In addition our schools and roads are crowded. These high density projects will negatively affect our quality of life and home values. I am against these projects.

| 2-1
| 2-2
| 2-3

Gary Branson
[REDACTED]

2. Response to Comments

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2. Response to Comments

2. Response to Comments from Gary Branson, dated March 6, 2023.

2-1 The commenter is opposing the proposed project due to the existing lack of police and fire protection.

See Master Response 1: Emergency Services.

2-2 The commenter states that the schools and roads are crowded, and high-density projects will negatively affect quality of life and home values.

See Master response 5: Impacts to Schools and Master Response 3: Circulation Network and Traffic Issues.

2-2 The commenter states high-density projects will negatively affect quality of life and home values.

Quality of life and property values are not environmental issues analyzed under CEQA; this comment does not address the adequacy of the DEIR and will be forwarded to decision makers for their consideration.

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2. Response to Comments

LETTER 3 – William and Cindy Cooley (1 page)

From: [WILLIAM COOLEY](#)
To: [Will Nelson](#)
Subject: Discovery Bay
Date: Monday, March 6, 2023 11:24:52 AM

I have lived here for 32 years and with the lack of emergency services and public transportation there should be no new housing in Discovery Bay. As it is we have problems with lack of services and adding more housing will make the matters worse. Plus our water and sewer won't be able to handle it. There are no services out here for low income people to be able to go to. I'm saying no on new housing.

Cindy Cooley

[REDACTED]

[REDACTED]

3-1

3-2

2. Response to Comments

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2. Response to Comments

3. Response to Comments from William and Cindy Cooley, dated March 6, 2023.

3-1 The commenter states since there is a lack of emergency services and public transportation then there should be no new housing in Discovery Bay, and adding housing will worsen the lack of services.

See Master Response 1: Emergency Services and Master Response and Master Response 2: Public Transportation.

3-2 The commenter states water and sewer infrastructure would not be able to handle additional housing, and there are no services for low-income people.

See response to comment 1-3 regarding water infrastructure for new proposed housing sites. As stated in Impact 5.17-1, on page 5.17-8 of the DEIR, although the proposed project would increase the population in the county and thus can impact the wastewater treatment and collection's level of service, all the housing sites identified in the inventory are within established wastewater and collection services and be able to access water and wastewater service. In addition, depending on where the housing sites will be located, the level of service from a wastewater treatment and collection agencies will need to be evaluated for treatment capacity, ability to treat increased wastewater generation, and accordance with RWQB objectives. In regard to the comment about services for low-income individuals, this is not a CEQA issue; however, comments will be forwarded to decision-makers for consideration. No change to the DEIR is required.

2. Response to Comments

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2. Response to Comments

LETTER 4 – Laurie Nadelman (1 page)

From: [Laurie D](#)
To: [Will Nelson](#)
Cc: [REDACTED]
Subject: EIR Housing Element Program for Discovery Bay CA
Date: Monday, March 6, 2023 12:59:41 PM

Contra Costa Co.

As a Discovery Bay homeowner I would like to voice my strong concern against the 4 high density proposed housing developments in Discovery Bay. Two on Discovery Bay Blvd, another next to the Post Office and the last on Bixler and Point of Timber.

4-1

My concerns are:

Lack of public transportation

4-2

Limited emergency services, such as Sheriff and Fire.

4-3

Traffic issues, especially if there are no plans to widen Highway 4 or replace the two bridges on Hwy 4

4-4

Limited job availability in the immediate area

4-5

Stress on our Schools

4-6

Proposed developments may not match our current aesthetics.

4-7

Taking property away that is currently zoned Commercial could impact the Towns ability to incorporate

4-8

These projects will have a major impact on our community.

Thank you for your time,

Laurie Nadelman

2. Response to Comments

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2. Response to Comments

4. Response to Comments from Laurie Nadelman, dated March 6, 2023.

4-1 The commenter is a Discovery Bay homeowner and is against the four proposed high density housing development sites in Discovery Bay, two of which are on Discovery Bay Boulevard, one next to the Post Office, and the last on Bixler and Point Timber.

As shown in Table 3-3, *Residential Sites with Increasing Allowable Density*, on page 3-11 of the DEIR, there is one site in Discovery Bay (APN: 011230041) with an existing General Plan designation of Single-Family Residential High Density (SH) and is proposed to be redesignated to Residential Medium (RM). As shown in Table 3-4, *Non-Residential Sites Proposed to Allow Residential Units*, on page 3-22 of the DEIR there are three sites in Discovery Bay (APN: 0041182006, 008010039, 011220039) that are non-residential sites proposed for residential uses; two of these sites would be redesignated to mixed use and the third site would be redesignated to Residential Medium High Density. Mixed-use projects would include residential and non-residential uses. The commenter expresses opposition to developing these sites in Discovery Bay. As this comment does not address any inadequacies of the DEIR, no changes are required. This comment will be forwarded to decision makers for their consideration.

4-2 The commenter is concerned about the lack of public transportation.

See Master Response 2: Public Transportation.

4-3 The commenter is concerned about the limited emergency services such as Sherriff and Fire protection.

See Master Response 1: Emergency Services.

4-4 The commenter is concerned about traffic issues specifically no plan to widen SR-4 or replace two bridges on SR-4.

See Master Response 3: Circulation Network and Traffic Issues.

4-5 The commenter is concerned about the limited job availability in the immediate area.

See Master Response 4: Job Availability.

4-6 The commenter is concerned about the impacts on schools.

See Master Response 5: Impacts to Schools.

4-7 The commenter is concerned that future development may not be compatible with current aesthetics.

See Master Response 6: Aesthetics.

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4-8 The commenter states the proposed project would rezone commercial parcels to residential uses which can impact the Town.

See Master Response 7: Property Zoned as Commercial.

2. Response to Comments

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2. Response to Comments

LETTER 5 – Susan Hoster (2 pages)

From: [Susan Hoster](#)
To: [Will Nelson](#)
Subject: todbadmin@toddb.ca.gov
Date: Monday, March 6, 2023 1:18:00 PM

3/6/2023

Susan Hoster
[REDACTED]

Hello Will: I am a property owner and a concerned resident of Discovery Bay.

5-1

The four high density housing/retail projects that are being considered have no place in Discovery Bay.

DB is an isolated community that was developed as a weekend boating location. It's controlled growth has maintained the intended use and has been able to include full time residents. It's reached its limit in density and the emergency services that should go along with the number of residences are sorely lacking. I have had personal experience calling an ambulance for a young lady in distress: it took them 45 min to reach us, it's a good thing she wasn't in cardiac arrest. My husband drove himself to a hospital while having a heart attack. That's the only reason he is alive.

5-2

If it's change of shift, we see the few sheriffs that have a field office in the community and the fire first responders are a good 20 min away. This is not adequate for the community we have let alone the addition of high density housing.

5-3

High density housing usually brings the need for jobs nearby and or public transportation. We have neither. Very few businesses have been able to take root in Discovery bay and there flat out is no public transportation. I have seen 20+ businesses come and go, the majority do not take root.

5-4

Traffic on Highway 4 is already in sufferable especially during commute hours. I literally plan my travels around those hours. To my knowledge, the current bridge work does not include building extra lanes and there are no plans to widen Highway 4. Or schools are already at their class limits.

5-5

5-6

The proposed developments will not match our current aesthetics as a sleepy weekend based boating community and I understand that taking property away that is currently zoned Commercial could impact the Towns ability to incorporate. We need to incorporate to be able to fund the public services that are currently absent.

5-7

I know that developers are being given huge incentives by the state and Gov Newsom to build high density housing properties. There are places they make sense. The expansion in Dublin makes sense next to the train station with access throughout the Bay Area. A development makes sense in/adjacent to communities with large scale businesses. One, let alone four, developments are bad for an already underserved, stressed, isolated, unincorporated community.

5-8

Warmly,

2. Response to Comments

Susan Hoster



2. Response to Comments

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2. Response to Comments

5. Response to Comments from Susan Hoster, dated March 6, 2023.

- 5-1 The commenter is a Discovery Bay resident and is against the four proposed high density housing development sites in Discovery Bay.
- See response to comment 4-1.
- 5-2 The commenter states that the area has reached its limit in density and emergency services.
- See Master Response 1: Emergency Services.
- 5-3 The commenter states that the police services and facilities are not adequate for the existing community let alone for the addition of high-density housing.
- See Master Response 1: Emergency Services.
- 5-4 The commenter states that high density housing brings jobs or public transportation needs. The commenter states that very few businesses have been able to make roots in Discovery Bay and there is no public transportation.
- See Master Response 2: Public Transportation, Master Response 3: Circulation Network and Traffic Issues, and Master Response 4: Job Availability.
- 5-5 The commenter is concerned about traffic on SR-4 especially during commute hours. The commenter states that the current bridge work does not include extra lanes and there are no plans to widen SR-4.
- See Master Response 3: Circulation Network and Traffic Issues.
- 5-6 The commenter states that schools have already reached their capacity.
- See Master Response 5: Impacts to Schools.
- 5-7 The commenter states future development would not be consistent with the aesthetics of the Town and the rezoning commercial land to residential land could impact the Town's ability to incorporate.
- See Master Response 6: Aesthetics and Master Response 7: Property Zoned as Commercial.
- 5-8 The commenter states that developers are being given incentives by the State and Governor Newsom to build high density housing. The commenter states that some areas make sense for expansion such as Dublin which is next to a train station. The commenter also states that development in communities with large scale businesses makes sense. The commenter states that developing the four housing sites is a bad decision as the Town is already undeserved, stressed, isolated, and unincorporated.

2. Response to Comments

See Master Response 2: Public Transportation. As this comment is a conclusory paragraph, the commenter should refer responses in comments 5-1 through 5-8 where all issues raised are addressed.

2. Response to Comments

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2. Response to Comments

LETTER 6 – David Nadelman (1 page)

From: [Nadelman, David \(BELLE\)](#)
To: [Will Nelson](#)
Cc: tdbadmin@tdb.ca.gov
Subject: EIR Housing Element Program for Discovery Bay CA
Date: Monday, March 6, 2023 2:02:29 PM

Contra Costa Co.

As a Discovery Bay homeowner I would like to voice my strong concern against the 4 high density proposed housing developments in Discovery Bay. Two on Discovery Bay Blvd, another next to the Post Office and the last on Bixler and Point of Timber.

6-1

My concerns are:

Lack of public transportation

6-2

Limited emergency services, such as Sheriff and Fire.

6-3

Traffic issues, especially if there are no plans to widen Highway 4 or replace the two bridges on Hwy 4

6-4

Limited job availability in the immediate area

6-5

Stress on our Schools

6-6

Proposed developments may not match our current aesthetics.

Taking property away that is currently zoned Commercial could impact the Towns ability to incorporate

6-7

These projects will have a major impact on our community.

Thank you for your time,

David Nadelman

2. Response to Comments

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2. Response to Comments

6. Response to Comments from David Nadelman, dated March 6, 2023.

- 6-1 The commenter is a Discovery Bay homeowner and is against the four proposed high density housing development sites in Discovery Bay, two of which are on Discovery Bay Boulevard, one next to the Post Office, and the last on Bixler and Point Timber.
- See response to comment 4-1.
- 6-2 The commenter is concerned about the lack of public transportation
- See Master Response 2: Public Transportation.
- 6-3 The commenter is concerned about the limited emergency services such as Sherriff and Fire protection.
- See Master Response 1: Emergency Services.
- 6-4 The commenter is concerned about traffic issues specifically no plan to widen SRSR-4 or replace two bridges on SR-4.
- See Master Response 3: Circulation Network and Traffic Issues.
- 6-5 The commenter is concerned about the limited job availability in the immediate area.
- See Master Response 4: Job Availability.
- 6-6 The comment is concerned about the impacts on schools.
- See Master Response 5: Impacts to Schools.
- 6-7 The commenter is concerned that future development may not be compatible with current aesthetics.
- See Master Response 6: Aesthetics.
- 6-8 The commenter states the proposed project would rezone commercial parcels to residential uses which can impact the Town.
- See Master Response 7: Property Zoned as Commercial

2. Response to Comments

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2. Response to Comments

LETTER 7 – Dave Robbins (1 page)

From: [Dave Robbins](#)
To: [Will Nelson](#)
Cc: todbadmin@todb.ca.gov
Subject: Environmental Impact Report (EIR) Housing Element Program being proposed by the County
Date: Monday, March 6, 2023 3:33:57 PM

Dear Will,

With all due respect, I believe that development of high density housing on Discovery Bay Boulevard does not make sense. Further, a higher density population would lack services required for such a development and introduce or increase risks to the population in the event of emergency ingress / egress to or from the area. The people of this town already risk the impact of long response times for law enforcement and fire services. With the Pantages and other current developments already in process, adding several hundred more residences to the community and increasing the related demand of services and infrastructure, these additional projects do not seem rational or advised.

7-1

7-2

7-3

7-4

In addition to these concerns, please consider the following and address the solutions to all of these points specifically and individually, should these projects go forward.

- Emergency services and access constraints (as above)
- Mostly two lane roads, with little or no expansion capability (eg. DB Blvd) and many single ingress/egress points and old bridge infrastructure.
- School capacity - all levels
- Little/no public transportation (required for lower income and senior residents)
- Limited job opportunity in the immediate area - increasing load for commute traffic
- Re-zoning current commercial land could impact eventual incorporation of the town

7-5

7-6

7-7

7-8

7-9

7-10

Regards,

Dave Robbins


2. Response to Comments

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2. Response to Comments

7. Response to Comments from Dave Robbins, dated March 6, 2023.

7-1 The commenter is against the four proposed high density housing development sites in Discovery Bay on Discovery Bay Boulevard.

See response to comment 4-1.

7-2 The commenter states the population of high density developments would lack services required to service such development and would introduce or increase risk to the population in the event of an emergency evacuation.

See Master Response 1: Emergency Services in regard to lack of services. As mentioned under Impact 5.9-4 on page 5.9-27 of the DEIR, the proposed project would increase the number of people who may need to evacuate the Planning Area in the event of an emergency. However, following the Local Hazard Mitigation Plan (LHMP), Emergency Operation Plan (EOP), and Community Wildfire Protection Plan (CWPP) would address emergency response and wildfire mitigation planning. In addition, implementation of Mitigation Measure WILD-1, which requires a traffic control plan, would ensure new development would not cause a serve impairment of an evacuation route due to road closure during construction activities.

7-3 The commenter states the people of the Town already risk the impact of long response times for law enforcement and fire services.

See Master Response 1: Emergency Services.

7-4 The commenter states that with other developments already in process, adding several hundred more residences to the community and increasing the related demand of services and infrastructure, do not seem rational or advised.

The proposed project is a Housing Element Update which is a state mandated element in the General Plan and would facilitate housing throughout the County in the span of eight years. The Housing Element Update is a policy-level document and does not include any development proposals or development entitlements that would directly result in the construction or expansion of any new residential development yet. Future development under the Housing Element Update would be required to analyze impacts prior to development. See Master Response 1: Emergency Services in regard to the procedures required future developers to take prior to development of sites proposed under the Housing Element Update such as ensuring adequate services, paying development impact fees, and following local and state regulations regarding services.

7-5 The commenter asks to address the solutions to emergency services and access constraints

See response to comments 7-2 and 7-3.

2. Response to Comments

- 7-6 The commenter asks to address the solutions to the two lane roads with little or no expansion capacity (e.g, Discovery Bay Boulevard) and many single ingress/egress points and old bridge infrastructure.
- See Master Response 3: Circulation Network and Traffic Issues.
- 7-7 The commenter is concerned about the school capacity.
- See Master Response 5: Impacts to Schools.
- 7-8 The commenter states little to no public transportation (required for low income and senior residents).
- See Master Response 2: Public Transportation.
- 7-9 The commenter states that there are limited job opportunities in the immediate area which would increase commute traffic.
- See Master Response 4: Job Availability and Master Response 3: Circulation Network and Traffic Issues.
- 7-10 The commenter states rezoning current commercial land could impact eventual incorporation of the Town.
- See Master Response 7: Property Zoned as Commercial

2. Response to Comments

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2. Response to Comments

LETTER 8 – Chase Henri (1 page)

From: [Chase Henri](#)
To: [Will Nelson](#)
Subject: Shut down CCounty Discovery Bay Housing
Date: Monday, March 6, 2023 3:40:53 PM

This is just wrong. My wife and I both disagree with allowing this.

8-1

Discovery Bay was founded as being a small community. Contra Costa County is trying to displace individuals that have invested in high end home on the water with low income apartments. They are doing this without developing larger schools, freeways, treatment facility's, and all other supporting systems for higher density populated areas.

8-2

If they want to further develop the land available then the developers should have to invest and pay for deepening/dredging all bays, fixing the low flow water issues and green algae in the bays, weed control and other environmental sensitivity systems within our community.

8-3

The most recent Pantages Bay development has shown us all we need to see. It has hurt our waterways/silted up our bays due to poor storm water management and BMP, and the city of discovery bay is continuing to allow it.

8-4

There are plenty of other places to develop outside of Discovery Bay. Find another spot.

8-5

Sent from my iPhone

2. Response to Comments

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2. Response to Comments

8. Response to Comments from Chase Henri dated March 6, 2023.

8-1 The commenter is opposed to the proposed project and states that the Discovery Bay was founded as being a small community. The commenter states that the County is trying to displace individuals that have invested in high-end homes on the water with low-income apartments.

Impact 5.14-2 on page 5.14-9 of the DEIR discusses the potential impact the Housing Element Update can have with displacing people and housing. As stated in Impact 5.14-2, the Housing Element Update would not displace people or housing as it would contribute additional housing on sites that are vacant or increase housing density in residential zones. The proposed project includes policies aimed at preventing displaced people and homes as well as the provision of affordable housing options. For example, Policy HE-P1.4 calls for maintaining a condominium conversion ordinance aimed at mitigating the impacts to displaced tenants and ensuring the quality of the units being sold to homeowners. The policies and goals outlined in the Housing Element Update would help to prevent people and homes from being displaced with the implementation of new housing sites in Contra Costa County. No changes to the DEIR are required. The commenter's opposition to the proposed project will be forwarded to decision makers for their consideration.

8-2 The commenter states that the proposed project would be developed without expanding schools, freeways, treatment facilities, and other supporting infrastructure.

See Master Response 3: Circulation Network and Traffic Issues and Master Response 5: Impacts to Schools. See response to comment 1-1 regarding sewer treatment facilities.

8-3 The commenter states if developers want to further develop the land, then they should have to invest and pay for deepening/dredging the bay, fixing the low flow water issues, algae in the bay, and weed control.

As this comment does not describe any inadequacies of the DEIR, no changes to the DEIR are necessary. This comment will be forwarded to decision makers for their consideration.

8-4 The commenter states that the most recent Pantages Bay development has hurt waterways/silted up bays due to poor storm water management and BMP.

The proposed project does not propose any development and the specifics regarding fair share contribution, financing, scheduling, and implementation responsibilities of each individual project that is accommodated under the Housing Element is not yet know. As a programmatic analysis, this specific information cannot be fully provided during this stage of the environmental review. As stated in Impact 5.10-3 on page 5.10-31 of the DEIR, future development projects would be required to comply with the MS4 permit

2. Response to Comments

requirements and follow the Contra Costa County Water Program's *Stormwater C.3 Guidebook* when designing on-site stormwater treatment facilities. During the construction phase associated with the Housing Element Update would be required to prepare Stormwater Pollution Prevention Plan (SWPPPs) and during operation, projects must implement best management practices (BMPs) and low impact development (LID) measures thus minimizing the amount of stormwater runoff and associated pollutants. Implementing these control measures and complying with regulatory provisions, would not exceed the capacity of existing or planned storm drainage facilities from the proposed project. At the time future development is proposed, subsequent environmental review would analyze stormwater drainage issues and provide BMPs, as needed. of changes to the DEIR are necessary.

- 8-5 The commenter states that there are plenty of other places to develop outside of Discovery Bay.

Chapter 7, *Alternatives to the Proposed Project*, of the DEIR analyzed an Alternative Off-site Development Areas alternative which considered proposed development in an entirely different location. However, given the nature of the proposed project (adoption of a Housing Element for the entire unincorporated County), it is not possible to consider an offsite location. Additionally, the Housing Element includes a sites inventory analysis which considers the location of housing in relation to resources and opportunities to address disparities in housing needs. As this comment does not describe any inadequacies to the DEIR, no changes to the DEIR are necessary. This comment will be forwarded to decision makers for their consideration.

2. Response to Comments

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2. Response to Comments

LETTER 9 – Gary Branson (1 page)

From: [Gary Branson](#)
To: [Will Nelson](#)
Subject: High density projects in Discovery Bay
Date: Monday, March 6, 2023 3:53:04 PM

Our community in Discovery Bay already suffers from a lack of police and fire protection. In addition, our schools and roads are growing crowded and becoming worn. Most of the roads are single lanes in each direction developed for a farming community. These high density projects will negatively affect our quality of life and home values. High density anything mixed among a community of single family larger homes is never a good idea. Most of us moved in this area because there was no high density housing. Crime has been minimal but that will soon change with these projects. I spent a long career in law enforcement within a medium sized Bay Area city. I'm retired now but I can tell you high density apartments are problematic and a drain on resources. I've resided in Discovery Bay for 17 years. I am 100% against these projects."

Gary Branson
[REDACTED]

9-1
9-2
9-3
9-4
9-5

2. Response to Comments

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2. Response to Comments

9. Response to Comments from Gary Branson dated March 6, 2023.

9-1 The commenter states that Discovery Bay already suffers from a lack of police and fire protection services.

See Master Response 1: Emergency Services.

9-2 The commenter states that schools are getting crowded.

See Master Response 5: Impacts to Schools.

9-3 The commenter also states roads are getting crowded and becoming worn, and most of the roads are single lanes in each direction developed for a farming community.

See Master Response 3: Circulation Network and Traffic Issues.

9-4 The commenter states that high density projects will negatively affect quality of life and property values. The commenter states high density development with larger single-family homes is not a good idea, and most people moved to the area because there is no high-density housing.

The commenter expresses opposition to the high-density housing sites proposed for Discovery Bay. As this comment does not reveal any inadequacies of the DEIR, no changes are required. This comment will be forwarded to decision makers for their consideration.

9-5 The commenter states that the proposed project would increase crime. The commenter states that they used to work in law enforcement and that high density apartments are problematic and drain resources. The commenter has been a Discovery Bay resident for 17 years and is opposed to high density projects.

See Master Response 1: Emergency Services. The commenter's opposition will be forwarded to decision makers for their consideration.

2. Response to Comments

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2. Response to Comments

LETTER 10 – Martha Nickless (2 pages)

From: [REDACTED]
To: [Will Nelson](mailto:Will.Nelson)
Cc: todbadmin@todb.ca.gov
Subject: 4 Proposed High Density Projects Planned For Discovery Bay
Date: Monday, March 6, 2023 7:03:52 PM

3/6/2023

Martha Nickless
[REDACTED]

Hello Will: I am a property owner and a concerned resident of Discovery Bay.

10-1

The four high density housing/retail projects that are being considered have no place in Discovery Bay.

DB is an isolated community that was developed as a weekend boating location. It's controlled growth has maintained the intended use and has been able to include full time residents. It's reached its limit in density and the emergency services that should go along with the number of residences are sorely lacking. I have had personal experience calling an ambulance for a young lady in distress: it took them 45 min to reach us, it's a good thing she wasn't in cardiac arrest. My husband drove himself to a hospital while having a heart attack. That's the only reason he is alive.

10-2

If it's change of shift, we see the few sheriffs that have a field office in the community and the fire first responders are a good 20 min away. This is not adequate for the community we have let alone the addition of high density housing.

10-3

High density housing usually brings the need for jobs nearby and or public transportation. We have neither. Very few businesses have been able to take root in Discovery bay and there flat out is no public transportation. I have seen 20+ businesses come and go, the majority do not take root.

10-4

Traffic on Highway 4 is already in sufferable especially during commute hours. I literally plan my travels around those hours. To my knowledge, the current bridge work does not include building extra lanes and there are no plans to widen Highway 4.

10-5

Or schools are already at their class limits.

10-6

The proposed developments will not match our current aesthetics as a sleepy weekend based boating community and I understand that taking property away that is currently zoned Commercial could impact the Towns ability to incorporate. We need to incorporate to be able to fund the public services that are currently absent.

10-7

I know that developers are being given huge incentives by the state and Gov Newsom to build high density housing properties. There are places they make sense. The expansion in Dublin makes sense next to the train station with access throughout the Bay Area. A development makes sense in/adjacent to communities with large scale businesses. One, let alone four, developments are bad for an already underserved, stressed, isolated, unincorporated

10-8

2. Response to Comments

community.

Martha Nickless

[REDACTED]

[REDACTED]

2. Response to Comments

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2. Response to Comments

10. Response to Comments from Martha Nickless dated March 6, 2023.

- 10-1 The commenter is a property owner and resident of Discovery Bay and is against the four proposed high density housing development sites in Discovery Bay. The commenter states the area is an isolated community, a weekend boating location, and has been able to include fulltime residents.
- See response to comment 4-1.
- 10-2 The commenter states the area has reached its limit in density and emergency services. The commenter encounters a personal experience when calling an ambulance.
- See Master Response 1: Emergency Services.
- 10-3 The commenter states the police services and facilities are not adequate for the existing community let alone for the addition of high-density housing.
- See Master Response 1: Emergency Services.
- 10-4 The commenter states that high density housing brings jobs and public transportation needs. The commenter states that very few businesses have been able to take root in Discovery Bay and there is no public transportation.
- See Master Response 2: Public Transportation and Master Response 4: Job Availability.
- 10-5 The commenter is concerned about traffic on SR-4, especially during commute hours. The commenter states the current bridge work does not include extra lanes and there are no plans to widen SR-4.
- See Master Response 3: Circulation Network and Traffic Issues.
- 10-6 The commenter states schools are already at their class limits.
- See Master Response 5: Impacts to Schools.
- 10-7 The commenter states that the site is taking property away that is currently zoned as commercial which could impact the Town's ability to incorporate and be able to fund the public services that are absent.
- Master Response 7: Property Zoned as Commercial.
- 10-8 The commenter states that developers are being given incentives by the State and Governor Newsom to build high density housing. The commenter states that some areas make sense for expansion such as Dublin which is next to a train station. The commenter also states that development in communities with large scale businesses makes sense. The

2. Response to Comments

commenter states that developing the four housing sites is a bad decision as the Town is already undeserved, stressed, isolated, and unincorporated.

See response to comment 5-8.

2. Response to Comments

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2. Response to Comments

LETTER 11 – Christina & Keith Koenig (1 page)

From: [Tina Koenig](#)
To: [Will Nelson](#); tdbadmin@todb.ca.gov
Subject: Discovery Bay high density housing developments
Date: Tuesday, March 7, 2023 8:56:31 AM

Christina & Keith Koenig

[REDACTED]
*Home owners for over 15 years

11-1

Please reconsider more housing of any kind in Discovery Bay ESPECIALLY apartments or condo's

Our concerns are:

*A lack of public transportation

11-2

*Limited emergency services, such as Sheriff and Fire

11-3

*Traffic issues, especially if there are no plans to widen Highway 4 or replace the two bridges on Highway 4

11-4

*Limited job availability in the immediate area. Commute hour traffic is already horrific on Hwy 4

11-5

*Stress on our Schools (Discovery Bay only has one middle school and NO high school)

11-6

*Discovery Bay is a boating community and inundated during the summer with boaters. The amount of people with new housing on top of that would be overwhelming.

11-7

*Taking property away that is currently zoned Commercial could impact the Towns ability to incorporate

11-8

*Water availability - our water lines cannot handle more housing. We have already had our water shut off three times to do major repairs this year.

11-9

Thank you for your time.

2. Response to Comments

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2. Response to Comments

11. Response to Comments from Christina & Keith Koenig dated March 7, 2023.

11-1 The commenters have been homeowners for over 15 years. The commenters ask to reconsider more housing of any kind in Discovery Bay, especially apartments or condominiums.

While the three sites in Discovery Bay proposed for residential uses (APN: 0041182006, 008010039, 011220039) have the potential to introduce apartments or condominiums, at this time, no specific project, development, or builder has been proposed at any of these sites. This comment is about opposition to the proposed project and comments will be forwarded to decision makers for their consideration.

11-2 The commenters are concerned about the lack of public transportation.

See Master Response 2: Public Transportation.

11-3 The commenters are concerned about the limited services such as sheriff and fire protection.

See Master Response 1: Emergency Services.

11-4 The commenters are concerned about traffic issues, especially if there are no plans to widen SR-4 or replace the two bridges on SR-4.

See Master Response 2: Circulation and Traffic Issues.

11-5 The commenters are concerned about limited job availability in the immediate area and the commute hour traffic on SR-4.

See Master Response 4: Job Availability and Master Response 3: Circulation Network and Traffic Issues.

11-6 The commenters are concerned about impacts to schools since Discovery Bay only has one middle school and no high school.

See Master Response 5: Impacts to Schools.

11-6 The commenters state schools are already at their class limits.

See Master Response 5: Impacts to Schools.

11-7 The commenters describe Discovery Bay as a boating community and the number of people with new housing would be overwhelming.

Table 5.14-7, *Housing Element Update Proposed Maximum Units*, on page 5.14-8 of the DEIR, shows the growth that could occur if all sites in the Housing Element inventory are developed to 100 percent capacity. In Discovery Bay, the net total population growth

2. Response to Comments

would be 5,906 new persons. It is important to note that this is a conservative estimate which assumes that all residents are new residents to the County, though some of these residents may be existing city residents who decide to relocate to the future project sites.

- 11-8 The commenters state that the proposed project would take property away that is currently zoned as commercial and could impact the Town's ability to incorporate.

Master Response 7: Property Zoned as Commercial.

- 11-9 The commenters are concerned about water availability, and state that water lines cannot handle more housing. The commenters state that they had their water shut off three times this year to do major repairs.

See response to comment 1-3 regarding water supply.

2. Response to Comments

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2. Response to Comments

LETTER 12 – Todd Scruggs (1 page)

From: [Todd Scruggs](#)
To: [Will Nelson](#)
Cc: toadmin@todb.ca.gov
Subject: Discovery Bay Building Plans - I am against the plan
Date: Tuesday, March 7, 2023 9:41:53 AM

To Contra Costa officials or anybody else thinking about building in Discovery Bay, CA.

We lack the infrastructure to support further expansion in discovery bay.. Adding in high density units would put a further drain on our existing wells. We don't have enough water for apartments. 12-1

The response time for fire dept is 15 minutes. Somebody sold our fire station. Very bad idea. What were they thinking? 12-2

We have no public transportation. 12-3

We have Limited emergency services, such as Sheriff and Fire. 12-4

We already have Traffic issues which adding apartments will make worse, especially if there are no plans to widen Highway 4 or replace the two bridges on Highway 4. 12-5

There is very limited job availability in the immediate area. 12-6

This will be added stress on our Schools. We lack enough teachers already in our 3 schools. 12-7

The proposed developments DO NOT match our current aesthetics. 12-8

Taking property away that is currently zoned Commercial could impact the Towns ability to incorporate. 12-9

High density housing in discovery bay would change the environment and atmosphere people moved here for. People moved here because there is NO high density housing. We don't want this in our community. People moved to discovery bay from the cities to escape that type of environment. 12-10

Horrible idea your building plan is.

How would this plan benefit the residents of Discovery Bay?

Todd Scruggs



2. Response to Comments

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2. Response to Comments

12. Response to Comments from Todd Scruggs dated March 7, 2023

- 12-1 The commenter states that the Town lacks infrastructure to support further expansion in Discovery Bay and adding high density development would further strain existing wells and water supplies for apartments.
- See response to comment 1-3 in regard to water supply. Impact 5.10-2 on page 5.10-30 of the DEIR discusses the potential impacts additional housing units proposed by the Housing Element Update can have on groundwater use. As stated in Impact 5.10-2, Discovery Bay relies on a small community system for groundwater and although these additional housing units would not substantially impact groundwater supplies in the area, the new units would need to comply with Contra Costa County Ordinance 81-56 § 1 which requires property needing water for domestic purposes to demonstrate an approved water supply and obtain written approval from the health officer for such development. No changes to the DEIR are required.
- 12-2 The commenter states that the response time for the fire department is 15 minutes
- See Master Response 1: Emergency Services.
- 12-3 The commenter states that the Town has no public transportation.
- See Master Response 2: Public Transportation.
- 12-4 The commenter states there is limited emergency services such as sheriff and fire protection.
- See Master Response 1: Emergency Services
- 12-5 The commenter is concerned about traffic issues especially if there are no plans to widen SR-4 or replace the two bridges on SR-4.
- See Master Response 3: Circulation and Traffic Issues.
- 12-6 The commenter states that there is very limited job availability in the immediate area.
- See Master Response 4: Job Availability.
- 12-7 The commenter is concerned about the stress on schools and lack of teachers.
- See Master Response 5: Impacts to Schools.
- 12-8 The commenter states that the proposed development does not match current aesthetics.
- See Master Response 6: Aesthetics.

2. Response to Comments

12-9 The commenter states that the site is taking property away that is currently zoned as commercial and could impact the Town's ability to incorporate.

Master Response 7: Property Zoned as Commercial.

12-10 The commenter states that the high density in Discovery Bay would change the environment and atmosphere and that people moved to the area because there was no high-density housing. The commenter states people does not want this in their community and asks how high density development would benefit residents in Discovery Bay.

This commenter is opposed to the proposed project. As this comment does not describe any inadequacies to the DEIR, no changes to the DEIR are necessary. This comment will be forwarded to decision makers for their consideration.

2. Response to Comments

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2. Response to Comments

LETTER 13 – Todd Scruggs (2 pages)

From: [Todd Scruggs](#)
To: [Will Nelson](#)
Cc: todbadmin@todb.ca.gov
Subject: Re: Discovery Bay Building Plans - I am against the plan
Date: Tuesday, March 7, 2023 9:45:22 AM

Todd Scruggs
[REDACTED]

Hello Will: I am a property owner and a concerned resident of Discovery Bay.

The four high density housing/retail projects that are being considered have no place in Discovery Bay.

13-1

DB is an isolated community that was developed as a weekend boating location. It's controlled growth has maintained the intended use and has been able to include full time residents. It's reached its limit in density and the emergency services that should go along with the number of residences are sorely lacking. I have had personal experience calling an ambulance for a young lady in distress: it took them 45 min to reach us, it's a good thing she wasn't in cardiac arrest. My husband drove himself to a hospital while having a heart attack. That's the only reason he is alive.

13-2

If it's change of shift, we see the few sheriffs that have a field office in the community and the fire first responders are a good 20 min away. This is not adequate for the community we have let alone the addition of high density housing.

13-3

High density housing usually brings the need for jobs nearby and or public transportation. We have neither. Very few businesses have been able to take root in Discovery bay and there flat out is no public transportation. I have seen 20+ businesses come and go, the majority do not take root.

13-4

Traffic on Highway 4 is already in sufferable especially during commute hours. I literally plan my travels around those hours. To my knowledge, the current bridge work does not include building extra lanes and there are no plans to widen Highway 4.

13-5

Or schools are already at their class limits.

13-6

The proposed developments will not match our current aesthetics as a sleepy weekend based boating community and I understand that taking property away that is currently zoned Commercial could impact the Towns ability to incorporate. We need to incorporate to be able to fund the public services that are currently absent.

13-7

I know that developers are being given huge incentives by the state and Gov Newsom to build high density housing properties. There are places they make sense. The expansion in Dublin makes sense next to the train station with access throughout the Bay Area. A development makes sense in/adjacent to communities with large scale businesses. One, let alone four, developments are bad for an already underserved,

13-8

2. Response to Comments

stressed, isolated, unincorporated community.

We lack the infrastructure to support further expansion in discovery bay..
Adding in high density units would put a further drain on our existing wells. We don't have enough water for apartments.
The response time for fire dept is 15 minutes. Somebody sold our fire station. Very bad idea. What were they thinking?
We have no public transportation.
We have Limited emergency services, such as Sheriff and Fire.
We already have Traffic issues which adding apartments will make worse, especially if there are no plans to widen Highway 4 or replace the two bridges on Highway 4.

There is very limited job availability in the immediate area.
This will be added stress on our Schools. We lack enough teachers already in our 3 schools.

The proposed developments DO NOT match our current aesthetics.

Taking property away that is currently zoned Commercial could impact the Towns ability to incorporate.

High density housing in discovery bay would change the environment and atmosphere people moved here for. People moved here because there is NO high density housing. We don't want this in our community. People moved to discovery bay from the cities to escape that type of environment.
Horrible idea your building plan is.
How would this plan benefit the residents of Discovery Bay?

Todd Scruggs

[REDACTED]

13-9

2. Response to Comments

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2. Response to Comments

13. Response to Comments from Todd Scruggs dated March 7, 2023

- 13-1 The commenter is a property owner and resident of Discovery Bay and against the four proposed high density housing development sites in Discovery Bay. The commenter states that the area is an isolated community, a weekend boating location, and has been to include full time residents.
- See response to comment 4-1.
- 13-2 The commenter states that the area has reached its limit in density and emergency services.
- See Master Response 1: Emergency Services.
- 13-3 The commenter states the police services and facilities are not adequate for the existing community let alone for the addition of high-density housing.
- See Master Response 1: Emergency Services.
- 13-4 The commenter states that high density housing brings job and public transportation needs. The commenter states that very few businesses have been able to take root in Discovery Bay and there is no public transportation.
- See Master Response 2: Public Transportation and Master Response 4: Job Availability.
- 13-5 The commenter is concerned about traffic on SR-4 especially during commute hours. The commenter states the current bridge work does not include extra lanes and there are no plans to widen SR-4.
- See Master Response 3: Circulation Network and Traffic Issues.
- 13-6 The commenter states that schools are already at their class limits.
- See Master Response 5: Impacts to Schools.
- 13-7 The commenter states that the proposed project is taking property away land that is currently zoned as commercial which could impact the Town's ability to incorporate and be able to fund the public services that are absent.
- Master Response 7: Property Zoned as Commercial.
- 13-8 The commenter states that developers are being given incentives by the State and Governor Newsom to build high density housing. The commenter states that some areas make sense for expansion such as Dublin which is next to a train station. The commenter also states that development in communities with large scale businesses makes sense. The

2. Response to Comments

commenter states that the four development sites are bad for an already undeserved, stressed, isolated, and unincorporated community.

See response to comment 5-8.

13-9 The commenter reiterates comments from Letter 12.

See response to comment 12-1 through 12-10.

2. Response to Comments

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2. Response to Comments

LETTER 14 – Todd Scruggs (2 pages)

From: [Todd Scruggs](#)
To: [Will Nelson](#)
Cc: todbadmin@todb.ca.gov
Subject: Re: Discovery Bay Building Plans - STOP THE DEVELOPMENT
Date: Tuesday, March 7, 2023 9:55:52 AM

Hello Will Nelson,

I am a discovery bay resident. [REDACTED]

In addition to what I have already written, here is more. 14-1
Our utilities cannot handle the load. Our sewer system is at capacity and our water lines are severely overloaded. We would also need to recalculate the water resources in the town well based on that many more folks.

California currently does not have enough water (even with this years rain) and it is not going to get better. 14-2

This plan for apartments would be eye sore for discovery bay. Do you see anything like that currently in the area? NO, because we moved here to get away from that. 14-3

How is this going to benefit me / us residents of Discovery Bay? Follow the money. This will only help realtors and developers. Take it somewhere else. 14-4

Todd Scruggs
[REDACTED]

On Tue, Mar 7, 2023 at 9:44 AM Todd Scruggs [REDACTED] > wrote:

>

> Todd Scruggs

> [REDACTED]

>

> Hello Will: I am a property owner and a concerned resident of Discovery Bay.

>

> The four high density housing/retail projects that are being considered have no place in Discovery Bay.

>

> DB is an isolated community that was developed as a weekend boating location. It's controlled growth has maintained the intended use and has been able to include full time residents. It's reached its limit in density and the emergency services that should go along with the number of residences are sorely lacking. I have had personal experience calling an ambulance for a young lady in distress: it took them 45 min to reach us, it's a good thing she wasn't in cardiac arrest. My husband drove himself to a hospital while having a heart attack. That's the only reason he is alive. 14-5

>

> If it's change of shift, we see the few sheriffs that have a field office in the community and the fire first responders are a good 20 min away. This is not adequate for the community we have let alone the addition of high density housing.

>

> High density housing usually brings the need for jobs nearby and or

2. Response to Comments

> public transportation. We have neither. Very few businesses have been
> able to take root in Discovery bay and there flat out is no public
> transportation. I have seen 20+ businesses come and go, the majority
> do not take root.
>
> Traffic on Highway 4 is already in sufferable especially during
> commute hours. I literally plan my travels around those hours. To my
> knowledge, the current bridge work does not include building extra
> lanes and there are no plans to widen Highway 4.
>
> Or schools are already at their class limits.
>
> The proposed developments will not match our current aesthetics as a
> sleepy weekend based boating community and I understand that taking
> property away that is currently zoned Commercial could impact the
> Towns ability to incorporate. We need to incorporate to be able to
> fund the public services that are currently absent.
>
> I know that developers are being given huge incentives by the state
> and Gov Newsom to build high density housing properties. There are
> places they make sense. The expansion in Dublin makes sense next to
> the train station with access throughout the Bay Area. A development
> makes sense in/adjacent to communities with large scale businesses.
> One, let alone four, developments are bad for an already underserved,
> stressed, isolated, unincorporated community.
>
> We lack the infrastructure to support further expansion in discovery bay..
> Adding in high density units would put a further drain on our existing
> wells. We don't have enough water for apartments.
> The response time for fire dept is 15 minutes. Somebody sold our fire
> station. Very bad idea. What were they thinking?
> We have no public transportation.
> We have Limited emergency services, such as Sheriff and Fire.
> We already have Traffic issues which adding apartments will make
> worse, especially if there are no plans to widen Highway 4 or replace
> the two bridges on Highway 4.
>
> There is very limited job availability in the immediate area.
> This will be added stress on our Schools. We lack enough teachers
> already in our 3 schools.
>
> The proposed developments DO NOT match our current aesthetics.
>
> Taking property away that is currently zoned Commercial could impact
> the Towns ability to incorporate.
>
> High density housing in discovery bay would change the environment and
> atmosphere people moved here for. People moved here because there is
> NO high density housing. We don't want this in our community. People
> moved to discovery bay from the cities to escape that type of
> environment.
> Horrible idea your building plan is.
> How would this plan benefit the residents of Discovery Bay?
>
> Todd Scruggs
> [REDACTED]

14-5
cont'd

2. Response to Comments

14. Response to Comments from Todd Scruggs dated March 7, 2023.

14-1 The commenter is a Discovery Bay resident. The commenter states that the sewer system is at capacity and water lines are severely overloaded. The commenter recommends recalculating water resources in the Town's well based on additional residents.

See response to comment 1-1 regarding sewer systems and 1-3 for water supply.

14-2 The commenter states that California currently does not have enough water even with this year's rain.

See response to comment 1-3 regarding water supply.

14-3 The commenter states that the plan for apartments would be an eyesore for Discovery Bay, as there are no high-density residential uses in the Town. The commenter states people moved to the Town to get away from high-density residential.

See Master Response 6: Aesthetics in regard to the four proposed housing sites within the Discovery Bay area and its potential visual impact to the area. At this time, no specific project, development, or builder has been proposed at any of these sites. Therefore, it would be speculative to include such information regarding the type of residential development of these sites. This expresses opposition to the proposed project and comments will be forwarded to decision makers for their consideration.

14-4 The commenter asks how future high-density development will benefit Discovery Bay residents.

As this comment does not describe any inadequacies of the DEIR, no changes to the DEIR are necessary. This comment will be forwarded to decision makers for their consideration.

14-5 The commenter reiterates comments from Letter 12 and Letter 13.

See response to comments 12-1 through 12-10, and 13-1 through 13-8.

2. Response to Comments

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2. Response to Comments

LETTER 15 – Jo Hill (1 page)

From: [Jo Hill](#)
To: [Will Nelson](#)
Cc: todbadmin@todb.ca.gov
Subject: EIR Discovery Bay
Date: Tuesday, March 7, 2023 10:37:54 AM

I am opposed to this construction. The crowding will only create more need for the local law enforcements to deal with. Currently, they are already inundated with crimes surrounding Brentwood and Discovery Bay, as well as surrounding area.

15-1

Thank you.

Jo-Ann Hill
Discovery Bay

"Everyday is a gift..."

2. Response to Comments

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2. Response to Comments

15. Response to Comments from Jo Hill dated March 7, 2023

15-1 The commenter is opposed to the future high density development. The commenter states crowding would only create more need for local law enforcement. The commenter states there is a lot of crime surrounding Brentwood, Discovery Bay, and surrounding area.

See Master Response 1: Emergency Services. The commenter's opposition to the proposed project will be forwarded to decision makers for their consideration.

2. Response to Comments

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2. Response to Comments

LETTER 16 – Michael and Jules Guzzardo (2 pages)

From: [Michael Guzzardo](#)
To: [Will Nelson](#)
Cc: [Todd Admin](#); [Jules Guzzardo](#)
Subject: Proposed Development in Discovery Bay
Date: Tuesday, March 7, 2023 10:49:57 AM
Attachments: [image003.png](#)

Will,

We attended the recent town hall meeting and sincerely appreciate the time you spent presenting and answering questions but have some serious concerns.

16-1

We are strongly against the high-density housing designation for the 4 Discovery Bay parcels as was recently discussed at the Town Meeting.

Among our concerns are:

- We don't have enough public transportation, which we would need if our town continues to experience growth.
- Our Emergency Services are strained already (Fire, Ambulance, and Sheriff).
- It will worsen our already heavy Traffic issues, especially if there are no plans to widen Highway 4 or replace the two bridges on Highway 4.
- There are no local jobs available to support it, we really need more commercial development (retail stores, businesses).
- Stress on our Schools.
- Proposed developments may not match our current aesthetics (there is talk of a 2-3 story structure at the main intersection of our town. We don't currently have any structures more than 2 stories). Our beautiful town needs development that fits our area. This is not a city with multiple story commercial structures.
- Taking property away that is currently zoned Commercial could impact the Towns ability to incorporate in the future.

16-2

16-3

16-4

16-5

16-6

16-7

16-8

We understand the need for housing more than most people, we're Realtors.

But we think most people would agree that creating live and works spaces that enhance the beauty of an area is important.

16-9

It appears to us that the County is opening the door for the state to do whatever they want without consideration of that community's ability to support the growth or the negative effects.

Thanks for taking our comments into consideration.

Mike & Jules

2. Response to Comments



CORCORAN ICON PROPERTIES - 3 Local Offices to Serve You

- Streets of Brentwood
- Downtown Brentwood
- Downtown Discovery Bay

Corcoran Icon Properties - Discovery Bay Office is located at -



"Reminder: email is not secure or confidential. Corcoran IP will never request that you send funds or nonpublic personal information, such as credit card or debit card numbers or bank account and/or routing numbers, by email. If you receive an email message concerning any transaction involving Corcoran IP and the email requests that you send funds or provide nonpublic personal information, do not respond to the email and immediately contact Corcoran IP"

2. Response to Comments

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2. Response to Comments

16. Response to Comments from Michael and Jules Guzzardo dated March 7, 2023.

- 16-1 The commenters are against the four proposed high-density housing development sites in Discovery Bay.
- The commenters express opposition to the housing sites in the Housing Element Update. As this comment does not reveal any inadequacies of the DEIR, no changes are required. This comment will be forwarded to decision makers for their consideration.
- 16-2 The commenters state that there is not enough public transportation.
- See Master Response 2: Public Transportation.
- 16-3 The commenters state that emergency services are strained such as fire, ambulance, and sheriff.
- See Master Response 1: Emergency Services.
- 16-4 The commenters state that there are traffic issues, especially if there are no plans to widen SR-4 or replace the two bridges on SRSR-4.
- See Master Response 3: Circulation Network and Traffic Issues.
- 16-5 The commenters states that there are no local jobs available.
- See Master Response 4: Job Availability.
- 16-6 The commenters are concerned about the impacts on schools.
- See Master Response 5: Impacts to Schools.
- 16-7 The commenter states the proposed developments may not match current aesthetics specifically they are concerned about a two to three story structure at the main intersection of the town. The commenter states that there are no structures larger than two stories and the city does not have commercial structures with multiple stories.
- See Master Response 6: Aesthetics. Therefore, it would be speculative to include such information regarding the type of residential development of these sites.
- 16-8 The commenters are concerned about taking property away that is currently zoned commercial, as this could impact the Town's ability to incorporate in the future.
- See Master Response 7: Property Zoned as Commercial.

2. Response to Comments

16-9 The commenters state that creating places to live and work that enhance aesthetics is important, and that the County is opening the door for the state to do whatever it wants without considering the community's ability to support growth and the negative impacts.

The Housing Element and RHNA are state mandated. As part of RHNA, the California Department of Housing and Community Development (HCD) determines the total number of new homes the City needs to build—and how affordable those homes need to be—in order to meet the housing needs of people at all income levels. In preparation of the Housing Element, opportunities were provided for the public to help shape the County's housing goals, policies, and strategies. The <https://envisioncontracosta2040.org/> website is one of the main channels for sharing information with the public about the Housing Element Update and General Plan Update. In August through October 2021, five consultations were conducted with stakeholders to offer opportunities for each of them to provide one-on-one input and receive targeted input from those who work on providing services for those most in need of housing or with special housing needs. In addition, per CEQA Guidelines Section 15082, a Notice of Preparation (NOP) for the proposed project was circulated for public and agency review from July 27, 2022, through August 26, 2022. A public scoping meeting for the Housing Element Update EIR was held on Monday, August 15, 2022, via Zoom to receive comments from the public. The NOP was re-issued from December 19, 2022, through January 18, 2023, because of substantial changes to the County's Housing Sites Inventory. All comments submitted in response to the original and revised NOP are on record and considered. Furthermore, the DEIR was circulated for public review and comment for 45 days, between February 2 and March 21, 2023.

2. Response to Comments

LETTER 17 – Jeff Zanardi (2 pages)

From: [jeff.zanardi](#)
To: [Will Nelson](#)
Cc: todbadmin@todb.ca.gov
Subject: Environmental Impact Report impact on Discovery Bay
Date: Tuesday, March 7, 2023 12:00:53 PM

Will,

As I can imagine you are receiving quite a few comments on the EIR. Issues such as these are very perplexing and not easily solved.

The need for housing for all is very challenging given the imbalance in economic diversity amongst our citizens. Where, what and how seems to be again the simple issues that are extremely hard to define.

I am all for providing the proper assistance allowing “low income” individuals the ability to live in safe, secure housing. Housing that given their economic situation would normally be out of their ability to obtain. We have county and state programs that allow for this to occur and many living in neighborhoods in contra costa county would not be able to live there without the assistance these programs provide. These programs result in individuals with varied economic means to live together productively in existing neighborhoods that were built with “master plans” for the neighborhood and surrounding community. The major result is that neighborhoods remain the neighborhoods they were intended to be while allowing for the ability to provide housing for those in need.

17-1

I am not suggesting that this scenario solves the problem. Far from it I understand. But it does provide one path to housing without “radically altering” the intended plan for the neighborhood.

There are areas in the county that were developed with the intent of being for single family homes and neighborhoods and areas that were planned for higher density more “city” living communities.

The necessity of high density housing is a reality. However, where and how they are built is paramount. High density housing areas require a few things in order for the residents to thrive.

17-2

Access to basic necessities.. stores, public services, public transportation and medical services are just a few that come to mind. Most if not all of these “necessities” are not available in areas that have historically been built as bedroom communities and single family neighborhoods. Why would we provide high density housing so we can house more people, but put them in an area where their basic requirements will not be met.

OK land might be available to build on, but has anyone calculated the cost of providing additional services for the increase in residents? How much will it cost to increase public services, to extend public transit? By eliminating commercial zoned land to build high density housing where will the residents shop? Go to the Doctor? and how will they get there?

17-3

So, rather than bring high density housing to areas where it was not intended with no plan to provide the basics that are required, why don't we continue to build high density projects in the areas that they have been planned for? We have areas that have been planned for high density (whether low income or high income) that provide all the basic necessities for those residents that choose to live there. Many have chosen to live “away” from these areas and give up the advantage of these services at their doorstep. But they know the trade offs. Why put people in housing in an area where we know they will suffer from a lack of required infrastructure?

17-4

For the same reasons a 2-3-or-4 story office building would never be approved on Discovery Bay Blvd... Traffic congestion, lack of services for the office workers (food, shops etc), parking, increased requirement for police and fire services, and most importantly because an office building is not consistent with the neighborhood, why would we allow a 2-3 or 4 story high density housing project to be built there? Again, why not build this type of building where we have planned for the associated required services....

17-5

If they would like to build low income housing on any of the proposed vacant lots... Great! But have it be consistent

17-6

2. Response to Comments

with the neighborhood... I know the economics won't make sense to build low income low density housing. If that is the case then one should question whether it is the right place to build and rather than change the makeup of an area to include high density housing... find a different area!

17-6
cont'd

Look at the situation and scenario and do the right thing! That might be hard because I really doubt anyone has read this far!

Jeff Zanardi



2. Response to Comments

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2. Response to Comments

17. Response to Comments from Jeff Zanardi dated March 7, 2023.

17-1 The commenter understands that the need for housing is challenging and suggests that low-income individuals live in existing neighborhoods that were built with master plans to avoid altering the intended plan for a neighborhood.

The commenter expresses opposition to the housing sites in the Housing Element Update. As this comment does not reveal any inadequacies of the DEIR, no changes are required. This comment will be forwarded to decision makers for their consideration.

17-2 The commenter states there are areas in the County that were developed with the intent of being for single-family homes and others with plans for higher density living. The commenter states that high density housing areas need access to stores, public services, public transportation, and medical services which are not available in single-family neighborhoods. The commenter asks why high-density housing is being proposed in areas where their basic needs are not going to be met.

See Master Response 1: Emergency Services and Master Response 2: Public Transportation. See response to comment 20-10 in regard to fair housing.

17-3 The commenter asks about the financial cost of providing additional services for increasing residents such as public services and public transportation.

See Master Response 1: Emergency Services, Master Response 2: Public Transportation and Master Response 7: Property Zoned as Commercial.

17-4 The commenter suggests that rather than building high density housing in areas with no plans to provide basic necessities, build in areas that have been planned for it. The commenter asks why place people and housing in areas where there is a lack of infrastructure.

See response to comment 17-2. Additionally, the Housing Element includes a sites inventory analysis which considers the location of housing in relation to resources and opportunities to address disparities in housing needs. As this comment does not describe any inadequacies to the DEIR, no changes to the DEIR are necessary. This comment will be forwarded to decision makers for their consideration.

17-5 The commenter states that a two to four story office building would never be approved in Discovery Bay because of traffic congestion, lack of services, parking, increase in police and fire services, and would not be compatible with the neighborhood. The commenter asks the County to build in areas with these services.

See Master Response 1: Emergency Services, Master Response 2: Public Transportation, and Master Response 6: Aesthetics. Parking is not an environmental issue analyzed under

2. Response to Comments

CEQA; this comment does not address the adequacy of the DEIR and will be forwarded to decision makers for their consideration.

17-6 The commenter states that if low-income housing will be built in Discovery Bay, then it should be compatible with the low-density nature of Discovery Bay.

See Master Response 6: Aesthetics.

2. Response to Comments

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2. Response to Comments

LETTER 18 – Michelle Paxton (1 page)

From: [MICHELLE PAXTON](#)
To: [Will Nelson](#)
Cc: [MICHELLE PAXTON](#)
Subject: homeowner in db rejecting proposal for apartments
Date: Tuesday, March 7, 2023 1:03:37 PM

This proposal includes the building of four high density housing developments in Discovery Bay. Two on Discovery Bay Blvd, another next to the Post Office and the last on Bixler and Point of Timber. The developments could include single family homes, **2 to 3 story apartments**, etc. A map of the proposed locations is posted.

18-1

My Concerns that have been voiced are: *A lack of public transportation
*Limited emergency services, such as Sheriff and local Fire Department *Traffic issues, especially if there are no plans to widen Highway 4 or replace the two bridges on Highway 4 *Limited job availability in the immediate area *Stress on our Schools *Proposed developments may not match our current aesthetics
*Taking property away that is currently zoned Commercial could impact the Towns ability to incorporate.

18-2

18-3

18-4

18-5

18-6

18-7

thank you in advance for your consideration. I'm in the mortgage industry and this area can not sustain not with these roads and structure

18-8

Michelle Paxton

[REDACTED]

[REDACTED]

2. Response to Comments

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2. Response to Comments

18. Response to comment from Michelle Paxton, dated March 7, 2023

- 18-1 The commenter is against the four proposed high density housing development sites in Discovery Bay, two of which are on Discovery Bay Boulevard, one next to the Post Office, and the last on Bixler and Point of Timber. The commenter states that developments could include single-family homes or 2- to 3-story apartments.
- See response to comment 4-1.
- 18-2 The commenter is concerned about the lack of public transportation.
- See Master Response 2: Public Transportation.
- 18-3 The commenter is concerned about the limited emergency services such as Sherriff and Fire protection.
- See Master Response 1: Emergency Services.
- 18-4 The commenter is concerned about traffic issues, specifically if there are no plans to widen SR-4 or replace two bridges on SR-4.
- See Master Response 3: Circulation Network and Traffic Issues.
- 18-5 The commenter is concerned about the limited job availability in the immediate area and stress on schools.
- See Master Response 4: Job Availability and Master Response 5: Impacts to Schools.
- 18-6 The commenter is concerned that the proposed development may not match current aesthetics.
- See Master Response 6: Aesthetics.
- 18-7 The commenter states that the proposed project would take property away that is zoned as commercial which could impact the Town's ability to incorporate.
- See Master Response 7: Property Zoned as Commercial.
- 18-8 The commenter states that the area cannot be sustained with the current roads and structures.
- See Master Response 3: Circulation Network and Traffic Issues.

2. Response to Comments

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2. Response to Comments

LETTER 19 – Kim Scott (1 page)

From: [Kim Scott](#)
To: [Will Nelson](#)
Cc: tdbadmin@tdb.ca.gov
Subject: High density housing proposal in Discovery Bay
Date: Tuesday, March 7, 2023 1:13:29 PM

Will,

We are strongly against the high-density housing designation for the 4 Discovery Bay parcels as was recently discussed at the Town Meeting.

19-1

Among our concerns are:

- We don't have enough public transportation, which we would need if our town continues to experience growth.
- Our Emergency Services are strained already (Fire, Ambulance, and Sheriff).
- It will worsen our already heavy Traffic issues, especially if there are no plans to widen Highway 4 or replace the two bridges on Highway 4.
- There are no local jobs available to support it, we really need more commercial development (retail stores, businesses).
- Stress on our Schools.
- Proposed developments may not match our current aesthetics (there is talk of a 2-3 story structure at the main intersection of our town. We don't currently have any structures more than 2 stories). Our beautiful town needs development that fits our area. This is not a city with multiple story commercial structures.
- Taking property away that is currently zoned Commercial could impact the Towns ability to incorporate in the future.

19-2

19-3

19-4

19-5

19-6

19-7

19-8

It appears to us that the County is opening the door for the state to do whatever they want without consideration of that community's ability to support the growth or the negative effects.

19-9

Thanks for taking our comments into consideration.

Respectfully,

Kim & Rob Scott

2. Response to Comments

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2. Response to Comments

19. Response to comment from Kim Scott, dated March 7, 2023

- 19-1 The commenter is against the four proposed high-density housing development sites in Discovery Bay.
- The commenter expresses opposition to the housing sites in the Housing Element Update. As this comment does not reveal any inadequacies of the DEIR, no changes are required. This comment will be forwarded to decision makers for their consideration.
- 19-2 The commenter states that there is not enough public transportation.
- See Master Response 2: Public Transportation.
- 19-3 The commenter states that emergency services such as fire, ambulance, and sheriff protection services, are strained.
- See Master Response 1: Emergency Services.
- 19-4 The commenter states there are traffic issues which would worsen if there are no plans to widen SR-4 or replace the two bridges on SR-4.
- See Master Response 3: Circulation Network and Traffic Issues.
- 19-5 The commenter states that there are no local jobs available.
- See Master Response 4: Job Availability.
- 19-6 The commenter is concerned about the stress on schools.
- See Master Response 5: Impacts to Schools.
- 19-7 The commenter states the proposed developments may not match current aesthetics specifically they are concerned about a two to three story structure at the main intersection of the town. The commenter states that there are no structures larger than two stories and the city does not have commercial structures with multiple stories.
- See response to comment 14-3.
- 19-8 The commenter is concerned about taking property away that is currently zoned commercial which could impact the Town's ability to incorporate in the future.
- See Master Response 7: Property Zoned as Commercial.
- 19-9 The commenter states that the County is allowing the state to do whatever it wants without considering the community's ability to support growth and the negative impacts.
- See response to comment 16-9.

2. Response to Comments

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2. Response to Comments

LETTER 20 – Craig Payne (2 pages)

From: [Craig Payne](#)
To: [Will Nelson](#)
Cc: todbadmin@todb.ca.gov
Subject: Comments on EIR (Central Discovery Bay and the Bixler/Point-of-Timber intersection)
Date: Tuesday, March 7, 2023 6:10:01 PM

Hi Will,

I'm a bit dismayed at what appears to be a lack of forethought here about these 4 projects. I don't know if you've been out here, but it's very rural. Even the "shopping center" in the center of Discovery Bay @Discovery Bay Blvd & Sand Point Rd can't keep store fronts rented with businesses. A few reasonably successful ones have been there a long time, but the rest of the spaces seem to only occasionally be rented. It's not an area that has experienced much growth since I've been here (moved into my home in May '05). It's been pretty much the same business in both the downtown shopping area, and the "Safeway" shopping center at Bixler Rd and Rt 4.

20-1

There is already significant traffic on Route 4 headed past Discovery Bay. Traffic backs up, especially east bound due to the narrow bridges between here and Stockton.

20-2

There are no significant number of jobs anywhere nearby - Brentwood is miles away, and it's the closest real population center. And bus service (which could be increased - easily?) is very infrequent here.

20-3
20-4

In the time I've been here, the county has closed the main "downtown" Discovery Bay fire station (and apparently sold it to a new business, which doesn't appear to be open yet). The Sheriff's office has a remote office in the shopping center - but I challenge you to find someone IN it. I don't think I've *ever* seen anyone there. And if the fire department has been sold - will there need to be another, with this influx of homes?

20-5

I'm also aware of what recent development "plans" such as this one have done in neighboring Knightsen, such as the enormous influx of new students to their schools, pushing classroom sizes into the 50's.

20-6

And I'm concerned about these projects, if approved, making it even harder for Discovery Bay to incorporate, and have some real self-government.

20-7

A dump of low income homes isn't going to help Discovery Bay grow. It's going to hurt it.

20-8

I'm also concerned about the impact to the Delta waterways. Do you believe that some of these folks are NOT going to have boats that add to the boat traffic and damage to the Delta's levies? I think they will have them...

20-9

If the county/state *really* wants to help out lower income families and individuals, then put those projects where they can be affordable and livable for them - near populated areas, with services, transportation and jobs nearby - not out here in the boonies at the farthest edge of civilization.

20-10

I think your review needs to look substantially more deeply, not just at the demographics of the entire county, but specifically of those of this small area. This area is practically unique within not just Contra Costa, but the entire Delta. The Developer Focus Group of just *10*

20-11

2. Response to Comments

organizations? How many were from Discovery Bay, proper? How many “Organizations” of similar size and composition exist within Contra Costa, and within Discovery Bay. Seems like an exceedingly small sample.

20-11
cont'd

Please reconsider the placement of these units where they’ll do more good.

20-12

Craig Payne

https://envisioncontracosta2040.org/wp-content/uploads/2023/01/Contra-Costa-County_2023-31-Housing-Element_HCD-Draft_Jan-2023_Clean.pdf

2. Response to Comments

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2. Response to Comments

20. Response to comment from Craig Payne, dated March 7, 2023

20-1 The commenter states that the four proposed high-density housing development sites would occur in a rural area, and that none of the businesses in the area have stayed in operation for long periods of time. Commenter states the area has not experienced much growth since they moved into in May '05 and it has been the same business in both the downtown shopping area, and the “Safeway” shopping center at Bixler Rd and Rt 4

Section 5.14, *Population and Housing*, starting on page 5.14-1 of the DEIR provides information regarding population growth in the unincorporated areas of the County. Table 5.14-1, *Contra Costa County Population and Growth Rate (2010 and 2020)*, on page 5.14-3 of the DEIR shows Contra Costa’s incorporated and unincorporated population and growth rate based on the 2020 U.S. Census. Table 5.14-4, *Unincorporated Contra Costa County Employment Status (5-Year Increment)*, of page 5.15-4 of the DEIR shows employment estimates and percent changes in the unincorporated communities of Contra Costa County from 2010 to 2020. Table 5.14-5, *Unincorporated Contra Costa County; Industry by Occupation (2010 and 2020)*, on page 5.14-5 of the DEIR shows the unincorporated portion of Contra Costa County total employed civilian workforce (16 years and older) for the year 2010 and 2020. As this comment does not describe any inadequacies to the DEIR, no changes to the DEIR are necessary.

20-2 The commenter states that there is already significant traffic on SR-4 headed past Discovery Bay, and that the traffic backs up especially east bound due to narrow bridges between the Discovery Bay and Stockton.

See Master Response 3: Circulation Network and Traffic Issues.

20-3 The commenter states that there are not a lot of jobs anywhere nearby and Brentwood is miles away and is the closest real population center.

See Master Response 4: Job Availability.

20-4 The commenter states that the bus service could be increased and is very infrequent in the area.

See Master Response 2: Public Transportation and Master Response 3: Circulation Network and Traffic Issues.

20-5 The commenter states that the County has closed the main “downtown” Discovery Bay fire station and the Sheriff’s office has a remote office in the shopping center which is never occupied. The commenter asks if there will need to be another fire station to accommodate the additional homes under the Housing Element Update, given that the existing station has been sold.

See Master Response 2: Emergency Services.

2. Response to Comments

- 20-6 The commenter states that they are aware of what recent development plans like this one has done in the neighboring Knightsen community, such as increasing classroom sizes to 50 students.
- See Master Response 5: Impacts to Schools. As a policy document, the Housing Element does not result in physical changes to the environment.
- 20-7 The commenter is concerned about these projects, if approved, as it would make it harder for Discovery Bay to incorporate.
- Incorporation of an area is a separate process that would need to go through the Local Agency Formation Commission of the County. As this comment does not reveal any inadequacies of the DEIR, no changes are required.
- 20-8 The commenter states that adding low-income housing to the area will not help Discovery Bay grow.
- The commenter expresses opposition to the housing sites in the Housing Element Update. As this comment does not reveal any inadequacies of the DEIR, no changes are required. This comment will be forwarded to decision makers for their consideration.
- 20-9 The commenter is concerned about the impact on the Delta waterways from new residents who might add to the boar traffic and damage the Delta's levees.
- Impact 5.10-1 on page 5.10-28 of the DEIR analyzes the potential impact of future development on water quality. As noted in Impact 5.10-1, during the construction phases of future projects under the Housing Element Update, housing sites that disturb one acre or more of land would be required to comply with the Construction General Permit (CGP) Water Quality 2009-0009-DWQ which includes the preparation and implementation of a Stormwater Pollution Prevention Plan and best management practices. In addition, the operation phase of future projects facilitated by the Housing Element Update would be subject to the Municipal Regional Stormwater NPDES Permit issued by the San Francisco Bay RWQCB. Project applicants would also need to comply with the requirements outlined in the Contra Costa County Water Program's *Stormwater C.3 Guidebook*. Therefore, the implementation of these states and local requirements in addition to complying with the Contra Costa County General Plan policies, would reduce water quality impacts to the Delta. The commenter's concern about boat traffic will be forwarded to decision makers for their consideration.
- 20-10 The commenter states that the County and state should create affordable housing in areas with services, transportation, and jobs nearby, not within Discovery Bay which is far away from these services.

2. Response to Comments

See Master Response 2: Public Transportation. In addition, while not a CEQA consideration necessarily, this Housing Element Update cycle is required to demonstrate that new housing sites affirmatively further fair housing. The intent of this requirement is to avoid concentrating housing in one or two areas of the County. Consistent with the state requirement, the County has worked to provide housing sites that are distributed throughout the geographic area of the County rather than in one or two locations.

20-11 The commenter states that the DEIR needs to focus not only on the demographics of the County, but specifically within Discovery Bay. The commenter asks how many representatives from the Developer Focus Group were from Discovery Bay.

As the proposed project is a County-wide Housing Element Update, analyzing demographics within the unincorporated portion of the County is appropriate. As this comment does not reveal any inadequacies of the DEIR, no changes are required.

20-12 The commenter asks decision makers to reconsider the placement of the future high-density residential units in an area where they will be more successful.

See response to comment 20-10.

2. Response to Comments

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2. Response to Comments

LETTER 21 – Indy Sysive (1 page)

From: [Indy Sysive](#)
To: [Will Nelson](#)
Subject: New developments
Date: Tuesday, March 7, 2023 6:05:05 PM

We cannot support more people out here in far eastern contra costa. This is basically a rural area and doesn't have the infrastructure, public transportation or traffic capacity to support more homes, let alone high density housing. These apartments should go in Brentwood or Oakley, both cities with more services and reasonable access to public transportation.

21-1

21-2

2. Response to Comments

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2. Response to Comments

21. Response to comment from Indy Sysive, dated March 7, 2023

21-1 The commenter states that Discovery Bay cannot accommodate more residents as it is a rural area and does not have the infrastructure, public transportation, or traffic capacity to support additional homes, especially not high-density development.

See Master Response 2: Public Transportation and Master Response 3: Circulation Network and Traffic Issues.

21-2 The commenter states that the future high-density development should be sited in Brentwood or Oakley, which have more services and access to public transportation.

See Master Response 2: Public Transportation in regard to placing all housing near transit systems. In addition, as mentioned in Section 7.2.3, *Transit-Oriented Sites Alternative*, of the DEIR, the Housing Element Update is required to demonstrate that new housing sites affirmatively further fair housing. The intent of this requirement is to avoid concentrating housing in one or two areas of the County. Therefore, consistent with the state requirement, the County has worked to provide housing sites that are distributed throughout the geographic area of the County rather than in one or two locations. Placing all the potential housing units in one or two locations would not be consistent with this state mandate.

2. Response to Comments

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2. Response to Comments

LETTER 22 – Denise Wynne (1 page)

From: [DENISE WYNNE](#)
To: [Will Nelson](#)
Cc: tdbadmin@tdb.ca.gov
Subject: EIR Housing
Date: Wednesday, March 8, 2023 10:36:33 AM

Good morning,

I am writing to vehemently voice my objections to ANY multifamily/high density developments in the town of Discovery Bay. This town doesn't have the emergency services to handle the people we have now much less adding more. We have lack of transportation, no infrastructure for the amount of traffic that currently flows through our area on any given day. There are weekly wrecks, many with fatalities on ALL roads leading to and from Discovery Bay. It's a TWO lane road in and out of our town! Yet, we deal with ALL trucks whether they be farming, delivering, etc on our roads which aside from the accidents, it's also the damage to our roads from the weight. We have one lane traffic because one bridge is closed now. Have you sat in that line of cars, trucks waiting to get through? What if you're in an accident on that road? Your wife, your mother, your daughter???

We don't have a designated police department and rely on the Sheriff for everything. The sheriffs are covering a very large area as you well know!

If you live in Discovery Bay, and you work, 90% of you will have to commute on these same roads you are considering adding tens of thousands of vehicles to.

We lack adequate schools. Jobs. Roads. Emergency services. Medical services. Bottom line, we can't take care of and handle the amount of people we have in town now. This is NOT a high density area and was never intended to be.

PLEASE STOP COLLECTING MONEY FROM DEVLEOPERS AT THE EXPENSE OF US TAXPAYERS THAT LIVE HERE NOW!

22-1

22-2

22-3

22-4

22-5

22-6

Denise Wynne

2. Response to Comments

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2. Response to Comments

22. Response to comment from Denise Wynne, dated March 8, 2023

22-1 The commenter does not support any multifamily/high density developments in the Town of Discovery Bay. Commenter states that the Town does not have the emergency services to handle the existing and future population.

See Master Response 1: Emergency Services.

22-2 The commenter states that the area lacks transportation and infrastructure to support the amount of current traffic. The commenter states that there are weekly accidents and fatalities on all roads leading from and to Discovery Bay.

See Master Response 3: Circulation Network and Traffic Issues.

22-3 The commenter states that the area does not have a designated police department and relies on the Sheriff for everything, and that the Sheriff's department covers a large area.

See Master Response 1: Emergency Services.

22-4 The commenter states that residents living in Discovery Bay who work will have to commute on these roads which the proposed project would add more vehicles to.

As this comment does not describe any inadequacies of the DEIR, no changes to the DEIR are necessary. This comment will be forwarded to decision makers for their consideration.

22-5 The commenter states that the Discovery Bay lacks adequate schools, jobs, roads, and emergency services.

See Master Response 1: Emergency Services, Master Response 3: Circulation Network and Traffic Issues, Master Response 4: Job Availability, and Master Response 5: Impact to Schools.

22-6 The commenter states that Discovery Bay is not a high-density area and was never intended to be and asks the County to stop collecting money from developers at the expense of taxpayers.

As this comment does not describe any inadequacies of the DEIR, no changes to the DEIR are necessary. This comment will be forwarded to decision makers for their consideration.

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2. Response to Comments

LETTER 23 – David Aguirre (1 page)

From: [David Aguirre](#)
To: [Will Nelson](#)
Subject: Subject Housing Element - County of Contra Cost
Date: Wednesday, March 8, 2023 6:34:29 AM

Good Morning Mr. Nelson,

I am writing concerning the proposal of four high density housing developments in Discovery Bay, CA. I understand the pressure you must be getting from the governors office to build these high density housing developments; but here in Discovery Bay it's not just about complying to what is being asked.

23-1

The concerns are lack of public transportation; less public transportation means more cars on an already congested speed way highway 4.

23-2

The already stressed and limited emergency services provided to this community today; adding to the problem with additional housing is not going to help our Fire, EMT's or Sheriff's department. Our schools are barely getting buy; budgets so low the families of families are helping to contribute to the school supplies for these children; now with higher density housing and additional families; what is the plan to help the schools?

23-3

23-4

I understand the high density housing will take away from our currently zoned Commercial property; what about the overall growth of our community with businesses that can bring income; jobs to those that already live here and struggle with employment concerns.

23-5

Please reconsider building high density housing here in Discovery Bay; it just does not seem to fit the aesthetics of our community; the current needs of our community today with what we already have let alone adding 2 to 3 story apartment buildings; single family homes.

23-6

Respectfully,

The Aguirre Family

Sent from [Mail](#) for Windows

2. Response to Comments

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2. Response to Comments

23. Response to comment from David Aguirre, dated March 8, 2023

23-1 The commenter is concerned about the four proposed high-density housing development sites in Discovery Bay.

This comment will be forwarded to decision makers for their consideration.

23-2 The commenter states that the lack of public transportation would result in more cars on SR-4.

See Master Response 3: Circulation Network and Traffic Issues.

23-3 The commenter states that Discovery Bay has limited emergency services and adding additional housing will worsen these impacts.

See Master Response 1: Emergency Services.

23-4 The commenter states that school budgets are low, and that with the addition of high-density housing and additional families, impacts to schools would worsen.

See Master Response 5: Impacts to Schools.

23-5 The commenter states that future high-density housing will take away from currently zoned commercial property and asks about the overall growth in the community from businesses that generate income and provide jobs.

See Master Response 4: Job Availability and Master Response 7: Property Zoned as Commercial.

23-6 The commenter asks decision makers to reconsider building high density housing in Discovery Bay as it does not fit the aesthetics of the community and meet the current needs.

See Master Response 6: Aesthetics.

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2. Response to Comments

LETTER 24 – Mark Buckman (1 page)

From: [Mark Buckman](#)
To: [Will Nelson](#)
Subject: Discovery Bay Development
Date: Wednesday, March 8, 2023 6:55:37 AM

Discovery Bay is a small community with limited access routes and will be seriously impacted if all 4 sites are developed. We should do our part to provide housing, but this is too much. Brentwood is a much larger area but I do not see any proposed development there. Some of the 4 sites should be in Brentwood, not all in the tiny community of Discovery Bay.

24-1

24-2

Mark A Buckman

Get [Outlook for iOS](#)

2. Response to Comments

24. Response to comment from Mark Buckman, dated March 8, 2023

24-1 The commenter states that Discovery Bay is a small community with limited access routes and will be impacted if all four sites are developed. The commenter states that the proposed project would provide too much housing.

See Master Response 3: Circulation Network and Traffic Issues. Section 5.14, *Population and Housing*, starting on page 5.14-7 analyzes the growth that could occur if all sites proposed in the Housing Element Update are developed at 100 percent capacity. Under this conservative approach, the Housing Element Update would result in a total of 2,087 maximum units. In addition, as stated in Impact 5.14-1 on page 5.14-7 of the DEIR, due to the State's housing shortage, additional housing units are needed across the State to meet demands and in 2019, Governor Newsom signed several bills aimed to address the need for more housing, including the Housing Crisis Act of 2019 (Senate Bill 330).

24-2 The commenter states that the proposed four housing sites should be located placed in Brentwood since it is a larger area.

The DEIR analyzes the list of potential housing sites to meet the regional housing needs allocation (RHNA) for the unincorporated portion of Contra Costa County. Since Brentwood is an incorporated city with their own RHNA, then this is not a feasible alternative for the project. As this comment does not describe any inadequacies to the DEIR, no changes to the DEIR are necessary. This comment will be forwarded to decision makers for their consideration.

2. Response to Comments

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2. Response to Comments

LETTER 25 – Mark Buckman (1 page)

From: [Craig McClearen](#)
To: [Will Nelson](#)
Cc: todbadmin@todb.ca.gov
Subject: Re: High Density Housing Development in Discovery Bay
Date: Thursday, March 9, 2023 11:40:40 AM

Dear Sir,

We would like to express our concern with the plans to build these projects in Discovery Bay.

*A lack of public transportation | 25-1
*Limited emergency services, such as Sheriff and Fire | 25-2
*Traffic issues, especially if there are no plans to widen Highway 4 or replace the two | 25-3
bridges on Highway 4 *Limited job availability in the immediate area *Stress on our Schools | 25-3
*Proposed developments may not match our current aesthetics *Taking property away that | 25-4
is currently zoned Commercial could impact the Towns ability to incorporate

There are plenty of more favorable locations in Contra Costa County. | 25-5
It would be greatly appreciated if these projects are reconsidered.

Best Regards,

Craig McClearen
Broker/Owner
The McClearen Group
Mortgage Loan Officer
BC Financial Group



2. Response to Comments

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2. Response to Comments

25. Response to comment from Craig McClearen, dated March 9, 2023

25-1 The commenter is concerned about the lack of public transportation and limited emergency services such as Sherriff and Fire protection.

See Master Response 2: Public Transportation and Master Response 1: Emergency Services.

25-2 The commenter is concerned about traffic issues specifically if there are no plans to widen SR-4 or replace the two bridges on SR-4.

See Master Response 3: Circulation Network and Traffic Issues.

25-3 The commenter is concerned about limited job availability in the immediate area and stress on schools.

See Master Response 4: Job Availability and Master Response 5: Impacts to Schools.

25-4 The commenter is concerned that future development may not match current aesthetics and taking property away that is currently zoned commercial could impact the Town's ability to incorporate.

See Master Response 6: Aesthetics and Master Response 7: Property Zoned as Commercial.

25-5 The commenter states there are plenty of more favorable location in Contra Costa County and would appreciate if these projects are reconsidered

The comment is opposed to the four proposed Housing Element Update sites in Discovery Bay. See response to comment 8-5, in regard to considering other areas for the new housing proposed under the Housing Element Update. As this comment does not describe any inadequacies of the DEIR, no changes to the DEIR are necessary. This comment will be forwarded to decision makers for their consideration.

2. Response to Comments

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2. Response to Comments

LETTER 26 – David DiVecchio (1 page)

From: [REDACTED]
To: [Will Nelson](#)
Cc: tdbadmin@tdb.ca.gov; "hdivecchio"
Subject: Public Comment on (EIR) Housing Element Program being proposed (Discovery Bay)
Date: Friday, March 10, 2023 11:58:33 AM

Hello Mr. Nelson,

I am a property owner and concerned resident of Discovery Bay. The four high density housing and retail projects that are being considered in Discovery Bay cannot be supported based on the following reasons.

- Limited emergency services, such as Police and Fire
- Overwhelmed utilities and infrastructure
- Takes currently zoned commercial property needed for future town to incorporation
- Stress on our Schools
- Traffic issues on Highway 4 and surrounding side roads
- A lack of public transportation
- Limited job availability in the immediate area

Discovery Bay has already exceeded its limit in density and emergency services are already lacking for its current population. Our community does not have the resources or infrastructure to support the addition of high density housing. We already have constant power, water and supply issues. Traffic on Highway 4 is already a gridlock especially during commute hours. Residents must plan their travels around those hours just to get by. Or schools are at their class limits.

Please deny these proposed high density housing projects in Discovery Bay.

Sincerely,

David DiVecchio

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

26-1

26-2

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26-11

26-12

26-13

2. Response to Comments

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2. Response to Comments

26. Response to comment from David DiVecchio, dated March 9, 2023

- 26-1 The commenter is a property owner and resident of Discovery Bay and is concerned about the four proposed high-density housing and retail development sites.
- See response to comment 4-1. There are no retail projects proposed under the Housing Element Update.
- 26-2 The commenter is concerned about limited emergency services such as police and fire protection.
- See Master Response 1: Emergency Services.
- 26-3 The commenter is concerned about overwhelmed utilities and infrastructure.
- The DEIR includes Section 5.17, *Utilities and Services Systems*, which describes the services and utilities that would serve the buildout of the proposed project. The section also provides an examination of wastewater treatment and collection, water supply and distribution systems, and solid waste services. See response to comment 1-1 in regard to wastewater and collection services. See response to comment 1-3 in regard to water supply.
- 26-4 The commenter is concerned that the site is taking property away that is currently zoned commercial which could impact the Town's ability to incorporate.
- See Master Response 7: Property Zoned as Commercial.
- 26-5 The commenter is concerned about impacts on schools.
- See Master Response 4: Impact to Schools.
- 26-6 The commenter is concerned about traffic issues on SR-4 and surrounding side roads.
- See Master Response 3: Circulation Network and Traffic Issues.
- 26-7 The commenter is concerned about a lack of public transportation.
- See Master Response 2: Public Transportation.
- 26-8 The commenter is concerned about the limited job availability in the immediate area.
- See Master Response 4: Job Availability.
- 26-9 The commenter states that Discovery Bay has already exceed its limit in density and emergency services
- See Master Response 1: Emergency Services.

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- 26-10 The commenter states Discovery Bay does not have the resources or infrastructure to support the addition of high-density housing as there is constant power, water, and supply issues.
- See response to comment 1-3 regarding water supply. Impact 5.6-1 on page 5.6-12 of the DEIR analyzes the long-term impacts during operation of the proposed project for non-transportation energy. Impact 5.6-1 indicated that while the electricity and natural gas demand for the County would increase compared to existing conditions, developments under the proposed project would be required to comply with the current and future updates to the Building Energy Efficiency Standards and CALGreen, which would contribute to reducing energy demands. Therefore, new developments proposed under the proposed project would not significantly impact energy and water sources. No changes to the DEIR are required.
- 26-11 The commenter is concerned about traffic on SR-4, especially during commute hours.
- See Master Response 2: Circulation and Traffic Issues.
- 26-12 The commenter states that schools are at their class limits.
- See Master Response 4: Impact to Schools.
- 26-13 The commenter asks for decision makers to deny the proposed high-density housing development sites in Discovery Bay.
- The commenter expresses opposition to the housing sites in the Housing Element Update. As this comment does not reveal any inadequacies of the DEIR, no changes are required. This comment will be forwarded to decision makers for their consideration.

2. Response to Comments

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2. Response to Comments

LETTER 27 – David DiVecchio (1 page)

From: [REDACTED]
To: [Will Nelson](#)
Cc: "hdivecchio"; todbadmin@todb.ca.gov
Subject: Public Comment on (EIR) Housing Element Program being proposed (Discovery Bay)
Date: Friday, March 10, 2023 12:02:48 PM

Hello Mr. Nelson,

I am a property owner and concerned resident of Discovery Bay. The four high density housing and retail projects that are being considered in Discovery Bay cannot be supported based on the following reasons.

- Limited emergency services, such as Police and Fire
- Overwhelmed utilities and infrastructure
- Takes currently zoned commercial property needed for future town to incorporation
- Stress on our Schools
- Traffic issues on Highway 4 and surrounding side roads
- A lack of public transportation
- Limited job availability in the immediate area

Discovery Bay has already exceeded its limit in density and emergency services are already lacking for its current population. Our community does not have the resources or infrastructure to support the addition of high density housing. We already have constant power, water and supply issues. Traffic on Highway 4 is already a gridlock especially during commute hours. Residents must plan there travels around those hours just to get by. Or schools are at their class limits.

Please deny these proposed high density housing projects in Discovery Bay.

Sincerely,

David DiVecchio

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

27-1

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2. Response to Comments

27. **Response to comment from David DiVecchio, dated March 10, 2023**

27-1 The commenter reiterates comments from Letter 26.

See response to comment 26-1 through 26-13.

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2. Response to Comments

LETTER 28 – Darlynn Hall (2 pages)

From: [Darlynn Hall](#)
To: [Will Nelson](#)
Cc: toadbadmin@rodb.ca.gov
Subject: Planned developments in Discovery Bay, CA
Date: Sunday, March 12, 2023 5:39:37 PM

Darlynn Hall
[REDACTED]

Hello Will,

I am a property owner and a concerned resident of Discovery Bay.

The four high density housing/retail projects that are being considered in Discovery Bay are not a good fit for our community. Please read further to understand why.

28-1

Discovery Bay is an isolated community that was originally developed as a weekend recreation location. So far, its controlled growth has maintained the intended use and has been able to include full-time residents.

It was apparent that the Discovery Bay community reached its limit in density, as soon as the emergency services that should go along with the number of residences became an ongoing issue. I have witnessed this since we moved here in 2013.

28-2

Our police and fire services are sorely lacking at the present time, yet you are considering adding to the number of houses and residents that will surely need those services. This is an egregious situation to say the least!!

If a call goes in during a change of shift, we see the few sheriffs that have a field office in the community, fire fighters, and other first responders are a good 20 min away. This is not adequate for the community we have, let alone with the addition of more high-density housing.

High density housing usually brings the need for jobs nearby and or public transportation. We have neither. Very few businesses have been able to take root in Discovery Bay and there is no public transportation available. I have seen many new businesses come and go, but the majority do not stay.

28-3

Traffic on Highway 4 is already insufferable especially during commute hours. My husband and I literally have to plan our appointments to avoid those hours of congested traffic. To my knowledge, the current bridge work does not include building extra lanes and there are no plans to widen Highway 4 to accommodate more cars or trucks.

28-4

Our schools are already at their class limits and will not be able to accommodate higher growth.

28-5

The proposed developments will definitely create a traffic congestion problem here, considering that Discovery Bay Boulevard is the one street that most of our residents use to drop their children off at school, and travel daily in order to get to their jobs.

28-6

In addition, I understand that building on the land that is currently zoned Commercial could impact the town's ability to incorporate. We need to incorporate to be able to fund the public services that are currently needed and lacking.

28-7

I know that developers are being given huge incentives by the state to build high-density housing properties. The expansion in Dublin makes sense, because it has a BART station with access throughout the Bay Area. Further, development makes sense in communities that are in close proximity to large scale businesses. However, building multiple developments are a bad decision for an already underserved, stressed, isolated, unincorporated community such as Discovery Bay!


28-8

Please reconsider rejecting these proposed developments, and consider moving them to an area that will be able to

2. Response to Comments

handle the increase in population and county services.

Thank you for considering and seeing the existing community's needs over big developers' profits.

Darlynn Hall


Sent from Yahoo Mail on Android

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2. Response to Comments

28. Response to comment from Darlyne Hall, dated March 12, 2023

28-1 The commenter states the four proposed high-density housing/retail projects that are being considered in Discovery Bay are not a good fit for the community. The commenter states the area is an isolated community, a weekend boating location, and includes full-time residents.

There are no retail projects proposed under the Housing Element Update. The commenter's opposition to the project will be forwarded to decision makers for their consideration.

28-2 The commenter states the area has reached its limit in density and emergency services. The commenter states police and fire services are currently lacking and would worsen with the addition of houses and residents. The commenter states there are limited emergency services staff. The commenter states services are not adequate for the community, let alone with the addition of more high-density housing.

See Master Response 1: Emergency Services.

28-3 The commenter states that high density housing brings jobs and public transportation needs. The commenter states that very few businesses have been able to take root in Discovery Bay and there is no public transportation.

See Master Response 2: Public Transportation and Master Response 4: Job Availability.

28-4 The commenter is concerned about traffic on SR-4, especially during commute hours. The commenter states the current bridge work does not include extra lanes and there are no plans to widen SR-4.

See Master Response 3: Circulation Network and Traffic Issues.

28-5 The commenter states schools are already at their class limits and would not be able to accommodate more growth.

See Master Response 5: Impacts to School.

28-6 The commenter states that the proposed development would create traffic congestion problems since most residents use Discovery Bay Boulevard to drop-off their children at school, and travel daily for work.

See Master Response 3: Circulation Network and Traffic Issues.

28-7 The commenter is concerned about taking property away that is currently zoned commercial as that could impact the Town's ability to incorporate and be able to fund the public services that are currently lacking.

2. Response to Comments

See Master Response 7: Property Zoned as Commercial.

28-8 The commenter states that developers are being given incentives by the State and Governor Newsom to build high density housing. The commenter states that some areas make sense for expansion such as Dublin which is next to a train station. The commenter also states that development in communities with large scale businesses makes sense. The commenter states that the future development proposed for the four sites are bad decisions in an already undeserved, stressed, isolated, and unincorporated community. The commenter asks decision makers to reconsider these proposed developments and to move them to an area that will be able to serve them.

See response to comment 5-8. The commenter's opposition to the proposed project will be forwarded to decision makers for their consideration.

2. Response to Comments

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2. Response to Comments

LETTER 29 – Bonnie Clawson (1 page)

From: [Bonnie Clawson](#)
To: [Will Nelson](#)
Subject: High density housing developments in Discovery Bay
Date: Monday, March 13, 2023 10:27:00 AM

I want to express my nay vote for the proposal to build high density housing here in Discovery Bay.

29-1

The following are some of the reasons for these projects not to move forward:

29-2

A lack of public transportation - There are no buses or access to any nearby public transportation.

Traffic issues - There is only one road in and out of Discovery Bay proper (Discovery Bay Blvd.) and only Highway 4 and Bixler Road for other access which is not adequate for additional traffic.

29-3

Limited emergency service such as Sheriff and local Fire Department

29-4

Limited job availability in the immediate area and only Vasco Road to get into and out of the area.

29-5

*Stress on our Schools

29-6

*Taking property away that is currently zoned Commercial could impact the Towns ability to incorporate

29-7

Bonnie Clawson

2. Response to Comments

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2. Response to Comments

29. Response to comment from Bonnie Clawson, dated March 13, 2023

- 29-1 The commenter is against the proposal to build high density housing in Discovery Bay.
- The commenter's opposition to the proposed project will be forwarded to decision makers for their consideration.
- 29-2 The commenter is concerned about the lack of public transportation and states there are no buses or access to any nearby public transportation.
- See Master Response 2: Public Transportation.
- 29-3 The commenter states there are traffic issues and only one road in and out of Discovery Bay, as well as SR-4 and Bixler Road for other access which are not adequate for additional traffic.
- See Master Response 3: Circulation Network and Traffic Issues.
- 29-4 The commenter states that there are limited emergency services such as Sheriff and local Fire protection.
- See Master Response 1: Emergency Services.
- 29-5 The commenter states that there is limited job availability in the immediate area and only Vasco Road to get into and out of the area.
- See Master Response 4: Job Availability and Master Response 3: Circulation Network and Traffic Issues.
- 29-6 The commenter is concerned about stress on schools.
- See Master Response 5: Impacts to Schools.
- 29-7 The commenter is concerned about taking property away that is currently zoned commercial which could impact the Town's ability to incorporate.
- See Master Response 7: Property Zoned as Commercial.

2. Response to Comments

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2. Response to Comments

LETTER 30 – Tara and Daniel Burmann (2 pages)

From: [Tara & Daniel Burmann](#)
To: [Will Nelson; todbadmin@todb.ca.gov](mailto:Will.Nelson@dcd.cccounty.us)
Subject: Public Comments for EIR Housing in Contra Costa
Date: Monday, March 13, 2023 11:06:35 AM
Attachments: [Letter to County.docx](#)

Will.Nelson@dcd.cccounty.us

CC: todbadmin@todb.ca.gov

30 Muir Road Martinez, CA 94553

Tara Burmann


Hello,

I am a property owner and a concerned resident of Discovery Bay. The four high density housing/retail projects that are being considered have no place in Discovery Bay. DB is an isolated community that was developed as a weekend boating location. It's controlled growth has maintained the intended use and has been able to include full time residents. It's reached its limit in density and the emergency services that should go along with the number of residences are sorely lacking.

30-1

30-2

If it's change of shift, we see the few sheriffs that have a field office in the community and the fire first responders are a good 20 min away. This is not adequate for the community we have let alone the addition of high density housing.

30-3

High density housing usually brings the need for jobs nearby and or public transportation. We have neither. Very few businesses have been able to take root in Discovery bay and there flat out is no public transportation.

30-4

Our sewer system is at capacity and our water lines are severely overloaded. We would also need to recalculate the water resources in the town well based on that many more folks

30-5

Traffic on Highway 4 is already in sufferable especially during commute hours. I literally plan my travels around those hours. To my knowledge, the current bridge work does not include building extra lanes and there are no plans to widen Highway 4. We have one road in/out of the heart of town, which poses a safety concern as is. We

30-6

Or schools are already at their class limits.

30-7

The proposed developments will not match our current aesthetics as a sleepy weekend based boating community and I understand that taking property away that is currently zoned Commercial could impact the Towns ability to incorporate. We need to incorporate to

30-8

30-9

2. Response to Comments

be able to fund the public services that are currently absent.

30-9
cont'd

I know that developers are being given huge incentives by the state and Gov Newsom to build high density housing properties. Focus on the decrepit already dense houses, and redevelop and make them taller, etc. No need to take over new land. These developments are bad for an already underserved, stressed, isolated, unincorporated community. Californias population has seen a steady decline over the past two years as well. Why force cramming more housing with that trend?

30-10

Please look elsewhere for land to develop for high density homes. Discovery Bay is not the place, thank you for your understanding.

30-11

Tara & Daniel Burmann
[REDACTED]

2. Response to Comments

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2. Response to Comments

30. Response to comment from Tara and Daniel Burmann, dated March 13, 2023

30-1 The commenters are property owners and residents of Discovery Bay and are against the four proposed high density housing development sites in Discovery Bay. The commenters state that the area is an isolated community, a weekend boating location, and includes full time residents.

See response to comment 4-1.

30-2 The commenters state that the area has reached its limit in density and emergency services.

See Master Response 1: Emergency Services.

30-3 The commenters state that police and fire services are currently lacking and would worsen with the addition of houses and residents.

See Master Response 1: Emergency Services.

30-4 The commenters state that high density housing brings jobs and public transportation needs. The commenters state that very few businesses have been able to take roots in Discovery Bay and there is no public transportation.

See Master Response 2: Public Transportation and Master Response 4: Job Availability.

30-5 The commenters state that the sewer system is at capacity and water lines are overloaded. The commenters state that there is a need to recalculate the water resources in the Town for more people.

See response to comment 1-1 regarding water supply. See response to comment 1-3 in regard to sewer systems.

30-6 The commenters are concerned about traffic on SR-4, especially during commute hours. The commenter states the current bridge work does not include extra lanes and there are no plans to widen SR-4. The commenters state there is one road which provides access into and out of the Town, which poses safety concerns.

See Master Response 3: Circulation Network and Traffic Issues. See response to comments 7-2 in regard to emergency access.

30-7 The commenters state that schools are already at their class limits.

See Master Response 5: Impacts to Schools.

30-8 The commenters state that the proposed developments will not match current aesthetics.

See Master Response 6: Aesthetics.

2. Response to Comments

30-9 The commenters state that the proposed project would take property away that is currently zoned as commercial which could impact the Town's ability to incorporate and be able to fund the public services that are absent.

Master Response 7: Property Zoned as Commercial.

30-10 The commenters state that developers are being given incentives by the State and Governor Newsom to build high density housing. The commenter suggest focusing on redeveloping older dense housing rather than taking over new land.. The commenters state that the four sites are bad decisions in an already undeserved, stressed, isolated, and unincorporated community.

.As mentioned in Appendix A, Sites Inventory, of the Housing Element Update these sites are vacant, with the exception of one site on Discovery Bay Boulevard (APN: 004182006) which is mostly vacant land and includes a paved parking lot with two existing commercial structures. The commenter's opposition to the proposed project will be forwarded to decision makers for their consideration.

30-11 The commenters ask that decision makers look elsewhere for land to develop high density homes, as Discovery Bay is not the place for it.

As this comment does not describe any inadequacies of the DEIR, no changes to the DEIR are necessary. This comment will be forwarded to decision makers for their consideration.

2. Response to Comments

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2. Response to Comments

LETTER 31 – Loran Dodge (2 pages)

From: [LORAN DODGE](#)
To: [Will Nelson](#)
Subject: Low income housing
Date: Monday, March 13, 2023 11:38:50 AM

[REDACTED]

Hello,

I am a property owner and a concerned resident of Discovery Bay. The four high density housing/retail projects that are being considered have no place in Discovery Bay. DB is an isolated community that was developed as a weekend boating location. It's controlled growth has maintained the intended use and has been able to include full time residents. It's reached its limit in density and the emergency services that should go along with the number of residences are sorely lacking.

31-1
31-2

If it's change of shift, we see the few sheriffs that have a field office in the community and the fire first responders are a good 20 min away. This is not adequate for the community we have let alone the addition of high density housing.

31-3

High density housing usually brings the need for jobs nearby and or public transportation. We have neither. Very few businesses have been able to take root in Discovery bay and there flat out is no public transportation.

31-4

Our sewer system is at capacity and our water lines are severely overloaded. We would also need to recalculate the water resources in the town well based on that many more folks

31-5

Traffic on Highway 4 is already in sufferable especially during commute hours. I literally plan my travels around those hours. To my knowledge, the current bridge work does not include building extra lanes and there are no plans to widen Highway 4. We have one road in/out of the heart of town, which poses a safety concern as is. We

31-6

Or schools are already at their class limits.

31-7

The proposed developments will not match our current aesthetics as a sleepy weekend based boating community and I understand that taking property away that is currently zoned Commercial could impact the Towns ability to incorporate. We need to incorporate to be able to fund the public services that are currently absent.

31-8
31-9

I know that developers are being given huge incentives by the state and Gov Newsom to build high density housing properties. Focus on the decrepit already dense houses, and redevelop and make them taller, etc. No need to take over new land. These developments are bad for an already underserved, stressed, isolated, unincorporated community.

31-10

2. Response to Comments

Californias population has seen a steady decline over the past two years as well. Why force cramming more housing with that trend?

31-11

Please look elsewhere for land to develop for high density homes. Discovery Bay is not the place, thank you for your understanding.

31-12

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2. Response to Comments

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2. Response to Comments

31. Response to comment from Loran Dodge, dated March 13, 2023

31-1 The commenter is a property owner and resident of Discovery Bay and is against the four proposed high density housing development sites in Discovery Bay. The commenter states the area is an isolated community, a weekend boating location, and includes full time residents.

See response to comment 4-1.

31-2 The commenter states that the area has reached its limit in density and emergency services.

See Master Response 1: Emergency Services.

31-3 The commenter states police and fire services are currently lacking and would worsen with the addition of houses and residents.

See Master Response 1: Emergency Services.

31-4 The commenter states that high density housing brings jobs and public transportation needs. The commenter states that very few businesses have been able to take roots in Discovery Bay and there is no public transportation.

See Master Response 2: Public Transportation and Master Response 4: Job Availability.

31-5 The commenter states that the sewer system is at capacity and water lines are overloaded. The commenter states that there is a need to recalculate the water resources in the Town for more people.

See response to comment 1-1 regarding sewer systems and 1-3 for water supply.

31-6 The commenter is concerned about traffic on SR-4, especially during commute hours. The commenter states that the current bridge work does not include extra lanes and there are no plans to widen SR-4. The commenter states that there is one road which provides access into and out of the Town, which poses safety concerns.

See Master Response 3: Circulation Network and Traffic Issues. See response to comments 7-2 in regard to emergency access.

31-7 The commenter states that schools are already at their class limits.

See Master Response 5: Impacts to Schools.

31-8 The commenter states that the proposed developments will not match current aesthetics.

See Master Response 6: Aesthetics.

2. Response to Comments

31-9 The commenter states that the proposed project is taking property away that is currently zoned as commercial which could impact the Town's ability to incorporate and be able to fund the public services that are absent.

Master Response 7: Property Zoned as Commercial.

31-10 The commenter states that developers are being given incentives by the State and Governor Newsom to build high density housing. The commenter suggest focusing on redeveloping older dense housing rather than taking over new land. The commenter states that the four sites are bad decisions in an already undeserved, stressed, isolated, and unincorporated community.

See response to comment 30-10.

31-11 The commenter states that California's population has seen a steady decline over the past two years and asks why more housing is needed.

Section 5.14, *Population and Housing*, of the DEIR provides information regarding population growth in the unincorporated areas of the County. Table 5.14-1 *Contra Costa County Population Growth Rate (2010 and 2020)* on page 5.14-3 of the DEIR shows that population in the County is increasing for the unincorporated and incorporated portions of the County. In addition, as stated in Section 5.14 of the DEIR, due to the State's housing shortage, additional housing units are needed across the State to meet demands and in 2019, Governor Newsom signed several bills aimed to address the need for more housing, including the Housing Crisis Act of 2019 (Senate Bill 330). Furthermore, the California Government Code Section 65584 requires that each city and county plan to accommodate a fair share of the region's housing construction needs. The proposed sites in the Housing Element Update would allow for the county to meet its RHNA obligations.

31-12 The commenter asks that decision makers look elsewhere for land to develop high density homes, as Discovery Bay is not the place for it.

As this comment does not describe any inadequacies of the DEIR, no changes to the DEIR are necessary. This comment will be forwarded to decision makers for their consideration.

2. Response to Comments

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2. Response to Comments

LETTER 32 – Tina Duncan (1 page)

From: [Tina Duncan](#)
To: [Will Nelson; tcdbadmin@todb.ca.gov](mailto:tcdbadmin@todb.ca.gov)
Subject: Comment on EIR for CCC Housing Element
Date: Monday, March 13, 2023 3:26:14 PM

After reviewing the Housing Element public draft January 2023, I would like to voice my comments with regard to the development areas proposed in Discovery Bay.

1. First, any public/county infrastructure or support required by additional housing/population must be PAID FOR BY DEVELOPERS of projects, NOT residents of the area, purchasers of said housing, etc. NO MELLO ROOS type of payment structure! No new taxes on our property! 32-1

2. There are already significant traffic issues in the areas surrounding Discovery Bay, much of which are exacerbated by there being little or no alternative routes. Major accidents and road closures can require traffic to be routed 10, 20, 30 miles around because Discovery Bay is bounded by the Delta on 2 sides, and infused with water ways. There is only one way in and out of the main part of Discovery Bay, designed to be a "vacation community" it never was designed to accommodate the population and traffic proposed without endangering ALL the citizens of the community. 32-2

3. Emergency services have become more limited, not improved over the 25 years I have resided in Discovery Bay as a full time resident. More population requires SIGNIFICANT increases in Sheriff and Fire services. Not to mention how far we are from any medical services... Again Discovery Bay was designed as a "vacation community" not a "bedroom community". 32-3

4. Our School facilities have a maximum space, there is not room to build additional schools and that does not seem to be a wise choice anyway as eventually the population will age away. Any housing proposal, especially high-density that would attract young families, must consider whether the local school system has the capacity to accommodate such growth. With the cost of housing in the bay area, it would be wrong to assume these units would not be attractive to young families. Would developers pay for remodeling/refurbishing current schools to accommodate increased students? 32-4

What does Discovery Bay need? NOT population growth. It needs better county services or the ability to incorporate. It needs better access to medical services. Rather than high density housing, how about a Senior Living/Assisted Living facility? There seems to be more need for that and it would not have the traffic/school/infrastructure impacts that high density housing requires. All of the housing element sites would be excellent locations for this type of housing. A nursing care facility and medical offices near the Safeway. Senior Living/Assisted Living on Discovery Bay Blvd or near Lakeshore development. These would add greatly to our town, offer a place for residents to move as they age while staying near familiar faces, or a place for residents to move family members who need better care. 32-5

Finally we already have a housing development under construction (Pantages) that is adding to the crushing demands on infrastructure. We need smart development or none at all. 32-6

Thank you for your consideration,
Tina Duncan

2. Response to Comments

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2. Response to Comments

32. Response to comment from Tina Duncan, dated March 13, 2023

32-1 The commenter states that any public or county infrastructure needed to support additional housing or population must be paid for by developers of the projects and not residents of the area or purchasers of future housing.

As this comment does not describe any inadequacies of the DEIR, no changes to the DEIR are necessary. This comment will be forwarded to decision makers for their consideration.

32-2 The commenter states that there are already significant traffic issues in the areas surrounding Discovery Bay which are exacerbated due to the lack of alternative routes. The commenter states there are major accidents and road closures which cause traffic to be routed to 10-30 miles around Discovery Bay. The commenter states there is only one way in and out of the main part of Discovery Bay because the area was never designated to accommodate the population and traffic proposed.

See Master Response 3: Circulation Network and Traffic Issues.

32-3 The commenter states emergency services have become more limited and not improved over the past 25 years. The commenter states that more population requires significant increases in sheriff and fire services, and the Town is far away from medical services.

See Master Response 1: Emergency Services.

32-4 The commenter states that school facilities have a maximum capacity, and no space to build additional schools. The commenter asks if developers would pay for remodeling/refurbishing current schools to accommodate increase students.

See Master Response 5: Impact to Schools.

32-5 The commenter states that Discovery Bay does not need population growth and instead needs better county services or ability to incorporate and medical services. The commenter suggest that rather than proposing high density housing, there should be senior living/assisted living facility. The commenter suggests a nursing care facility and medical offices near the Safeway and senior living/assisted living on Discovery Bay Boulevard. or near Lakeshore development.

The commenter asks specifically about medical services, which is not analyzed under CEQA. The commenter expresses opposition to the housing sites in the Housing Element Update and suggests senior living/assisted living facilities. As this comment does not reveal any inadequacies of the DEIR, no changes are required. This comment will be forwarded to decision makers for their consideration.

2. Response to Comments

32-6 The commenter states that the Pantages project, which is under construction, is increasing demands on infrastructure.

See response to comment 1-1 regarding sewer systems and 1-3 for water supply.

2. Response to Comments

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2. Response to Comments

LETTER 33 – Jason Martin (2 pages)

From: [Jason Martin](#)
To: [Will Nelson; tcdadmin@tcd.ca.gov](mailto:will.nelson@tcdadmin@tcd.ca.gov)
Subject: Discovery Bay
Date: Tuesday, March 14, 2023 12:03:28 PM

Will,

I am a property owner and a concerned resident of Discovery Bay. The four high density housing/retail projects that are being considered have no place in Discovery Bay. DB is an isolated community that was developed as a weekend boating location. It's controlled growth has maintained the intended use and has been able to include full time residents. It's reached its limit in density and the emergency services that should go along with the number of residences are sorely lacking.

33-1

33-2

If it's change of shift, we see the few sheriffs that have a field office in the community and the fire first responders are a good 20 min away. This is not adequate for the community we have let alone the addition of high density housing.

33-3

High density housing usually brings the need for jobs nearby and or public transportation. We have neither. Very few businesses have been able to take root in Discovery bay and there flat out is no public transportation.

33-4

Our sewer system is at capacity and our water lines are severely overloaded. We would also need to recalculate the water resources in the town well based on that many more folks

33-5

Traffic on Highway 4 is already in sufferable especially during commute hours. I literally plan my travels around those hours. To my knowledge, the current bridge work does not include building extra lanes and there are no plans to widen Highway 4. We have one road in/out of the heart of town, which poses a safety concern as is. We

33-6

Or schools are already at their class limits.

33-7

The proposed developments will not match our current aesthetics as a sleepy weekend based boating community and I understand that taking property away that is currently zoned Commercial could impact the Towns ability to incorporate. We need to incorporate to be able to fund the public services that are currently absent.

33-8

33-9

I know that developers are being given huge incentives by the state and Gov Newsom to build high density housing properties. Focus on the decrepit already dense houses, and redevelop and make them taller, etc. No need to

33-10

2. Response to Comments

take over new land. These developments are bad for an already underserved, stressed, isolated, unincorporated community. Californias population has seen a steady decline over the past two years as well. Why force cramming more housing with that trend?

33-10 cont'd

33-11

Please look elsewhere for land to develop for high density homes. Discovery Bay is not the place, thank you for your understanding.

33-12

Jason Martin


2. Response to Comments

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2. Response to Comments

33. Response to comment from Jason Martin, dated March 14, 2023

33-1 The commenter is a property owner and resident of Discovery Bay and is against the four proposed high density housing development sites in Discovery Bay. The commenter states that the area is an isolated community, a weekend boating location, and includes full-time residents.

See response to comment 4-1.

33-2 The commenter states that the area has reached its limit in density and emergency services.

See Master Response 1: Emergency Services.

33-3 The commenters state that police and fire services are currently lacking and would worsen with the addition of houses and residents.

See Master Response 1: Emergency Services.

33-4 The commenter states that high density housing brings jobs and public transportation needs. The commenters state that very few businesses have been able to take roots in Discovery Bay and there is no public transportation.

See Master Response 2: Public Transportation and Master Response 4: Job Availability.

33-5 The commenter states that the sewer system is at capacity and water lines are overloaded. The commenter states that there is a need to recalculate the water resources in the Town for more people.

See response to comment 1-1 regarding sewer systems and 1-3 for water supply.

33-6 The commenter is concerned about traffic on SR-4, especially during commute hours. The commenter states that the current bridge work does not include extra lanes and there are no plans to widen SR-4. The commenter states that there is one road which provides access into and out of the Town, which poses safety concerns.

See Master Response 3: Circulation Network and Traffic Issues. See response to comments 7-2 in regard to emergency access.

33-7 The commenter states that schools are already at their class limits.

See Master Response 5: Impacts to Schools.

33-8 The commenter states that the proposed developments will not match current aesthetics.

See Master Response 6: Aesthetics.

2. Response to Comments

33-9 The commenter states that the proposed project is taking property away that is currently zoned as commercial which could impact the Town's ability to incorporate and be able to fund the public services that are absent.

Master Response 7: Property Zoned as Commercial.

33-10 The commenter states that developers are being given incentives by the State and Governor Newsom to build high density housing. The commenter suggest focusing on redeveloping older dense housing rather than taking over new land. The commenter states that the four sites are bad decisions in an already undeserved, stressed, isolated, and unincorporated community.

See response to comment 30-10.

33-11 The commenter states that California's population has seen a steady decline over the past two years and asks why more housing is needed.

See response to comment 31-11.

33-12 The commenter asks that decision makers look elsewhere for land to develop high density homes, as Discovery Bay is not the place for it.

As this comment does not describe any inadequacies of the DEIR, no changes to the DEIR are necessary. This comment will be forwarded to decision makers for their consideration.

2. Response to Comments

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2. Response to Comments

LETTER 34 – Brooke Russell (2 pages)

From: [Brooke Russell](#)
To: [Will Nelson](#)
Cc: tdbadmin@tdb.ca.gov
Subject: Public comment for EIR Housing in Discovery Bay
Date: Tuesday, March 14, 2023 2:35:48 PM

Brooke Russell
[REDACTED]

Hello,

I am a property owner and a concerned resident of Discovery Bay. The four high density housing/retail projects that are being considered have no place in Discovery Bay. DB is an isolated community that was developed as a weekend boating location. It's controlled growth has maintained the intended use and has been able to include full time residents. It's reached its limit in density and the emergency services that should go along with the number of residences are sorely lacking.

34-1

34-2

If it's change of shift, we see the few sheriffs that have a field office in the community and the fire first responders are a good 20 min away. This is not adequate for the community we have let alone the addition of high density housing.

34-3

High density housing usually brings the need for jobs nearby and or public transportation. We have neither. Very few businesses have been able to take root in Discovery bay and there flat out is no public transportation.

34-4

Our sewer system is at capacity and our water lines are severely overloaded. We would also need to recalculate the water resources in the town well based on that many more folks.

34-5

Traffic on Highway 4 is already in sufferable especially during commute hours. I literally plan my travels around those hours. To my knowledge, the current bridge work does not include building extra lanes and there are no plans to widen Highway 4. We have one road in/out of the heart of town, which poses a safety concern as is.

34-6

Our schools are already at their class limits and our only private elementary school already has a waitlist for the 2023-2024 school year.

34-7

The proposed developments will not match our current aesthetics as a sleepy weekend based boating community and I understand that taking property away that is currently zoned Commercial could impact the Towns ability to incorporate. We need to incorporate to be able to fund the public services that are currently absent.

34-8

34-9

I know that developers are being given huge incentives by the state and Gov Newsom to build high density housing properties. Focus on the decrepit already dense houses, and redevelop and make them taller, etc. No need to take over new land. These developments

34-10

2. Response to Comments

are bad for an already underserved, stressed, isolated, unincorporated community. Californias population has seen a steady decline over the past two years as well. Why force cramming more housing with that trend?

34-10
cont'd

34-11

Please look elsewhere for land to develop for high density homes. Discovery Bay is not the place, thank you for your understanding.

34-12

Brooke Russell



2. Response to Comments

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2. Response to Comments

34. Response to comment from Brooke Russell, dated March 14, 2023

34-1 The commenter is a property owner and resident of Discovery Bay and is against the four proposed high density housing development sites in Discovery Bay. The commenter states the area is an isolated community, a weekend boating location, and includes full time residents.

See response to comment 4-1.

34-2 The commenter states that the area has reached its limit in density and emergency services.

See Master Response 1: Emergency Services.

34-3 The commenter states police and fire services are currently lacking and would worsen with the addition of houses and residents.

See Master Response 1: Emergency Services.

34-4 The commenter states that high density housing brings jobs and public transportation needs. The commenter states that very few businesses have been able to take roots in Discovery Bay and there is no public transportation.

See Master Response 2: Public Transportation and Master Response 4: Job Availability.

34-5 The commenter states the sewer system is at capacity and water lines are overloaded. The commenter states that there is a need to recalculate the water resources in the Town for more people.

See response to comment 1-1 regarding sewer systems and 1-3 for water supply.

34-6 The commenter is concerned about traffic on SR-4, especially during commute hours. The commenter states that the current bridge work does not include extra lanes and there are no plans to widen SR-4. The commenter states there is one road which provides access into and out of the Town, which possess safety concerns.

See Master Response 3: Circulation Network and Traffic Issues. See response to comments 7-2 in regard to emergency access.

34-7 The commenter states that schools are already at their class limits.

See Master Response 5: Impacts to Schools.

34-8 The commenter states that the proposed developments will not match current aesthetics.

See Master Response 6: Aesthetics.

2. Response to Comments

34-9 The commenter states that the proposed project is taking property away that is currently zoned as commercial which could impact the Town's ability to incorporate and be able to fund the public services that are absent.

Master Response 7: Property Zoned as Commercial.

34-10 The commenter states that developers are being given incentives by the State and Governor Newsom to build high density housing. The commenter suggest focusing on redeveloping older dense housing rather than taking over new land.. The commenter states that the four sites are bad decisions in an already undeserved, stressed, isolated, and unincorporated community.

See response to comment 30-10.

34-11 The commenter states that California's population has seen a steady decline over the past two years and asks why more housing is needed.

See response to comment 31-11.

34-12 The commenter asks that decision makers look elsewhere for land to develop high density homes, as Discovery Bay is not the place for it.

As this comment does not describe any inadequacies of the DEIR, no changes to the DEIR are necessary. This comment will be forwarded to decision makers for their consideration.


2. Response to Comments

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2. Response to Comments

LETTER 35 – Landon and Nicolle Bura (2 pages)

From: landon.bura
To: [Will Nelson](mailto:Will.Nelson)
Cc: todbadmin@todb.ca.gov
Subject: Public comment for EIR Housing in Disco Bay
Date: Tuesday, March 14, 2023 3:05:34 PM

Landon Bura


Hello,

I am a property owner and a concerned resident of Discovery Bay. The four high density housing/retail projects that are being considered have no place in Discovery Bay. Discovery Bay is an isolated community that was developed as a weekend boating location. It's controlled growth has maintained the intended use and has been able to include full time residents. It's reached its limit in density and the emergency services that should go along with the number of residences are already sorely lacking.

35-1

35-2

If it's change of shift, we see the few sheriffs that have a field office in the community and the fire first responders are a good 30 min away. This is not adequate for the community we have let alone the addition of high density housing.

35-3

High density housing usually brings the need for jobs nearby and or public transportation. We have neither. Very few businesses have been able to take root in Discovery bay and there flat out is no public transportation.

35-4

Our sewer system is at capacity and our water lines are severely overloaded. We would also need to recalculate the water resources in the town well based on that many more proposed residents.

35-5

Traffic on Highway 4 is already in sufferable especially during commute hours. I literally plan my travels around those hours. To my knowledge, the current bridge work does not include building extra lanes and there are no plans to widen Highway 4. We have one road in/out of the heart of town, which poses a safety concern as is.

35-6

Our schools are already at their class limits and school resources are already stretched thin in our community to support an additional large influx of residents.

35-7

The proposed developments will not match our current aesthetics as a sleepy weekend based boating community and I understand that taking property away that is currently zoned Commercial could impact the Towns ability to incorporate. We need to incorporate to be able to fund the public services that are currently absent.

35-8

35-9

I know that developers are being given huge incentives by the state and Gov. Newsom to

35-10

2. Response to Comments

build high density housing properties. Focus on the decrepit already dense houses, and redevelop and make them taller, etc. No need to take over new land. These developments are bad for an already underserved, stressed, isolated, unincorporated community. Californias population has seen a steady decline over the past two years as well. Why force cramming more housing with that trend?

35-10
cont'd

35-11

Discovery Bay was not originally developed to support density at this scale and is not the right the place to build. Adding the proposed developments would not only bring hardships to the current residents, it would also bring hardships to the future residents the proposed developments would be intended for. Please look elsewhere for land to develop for high density home/retail projects. Thank you for your understanding.

35-12

Landon & Nicolle Bura
[REDACTED]

2. Response to Comments

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2. Response to Comments

35. Response to comment from Landon and Nicolle Bura, dated March 14, 2023

35-1 The commenters are property owner and residents of Discovery Bay and is against the four proposed high density housing development sites in Discovery Bay. The commenter states the area is an isolated community, a weekend boating location, and includes full-time residents.

See response to comment 4-1.

35-2 The commenters state that the area has reached its limit in density and emergency services.

See Master Response 1: Emergency Services.

35-3 The commenters state that the police and fire services are currently lacking and would worsen with the addition of houses and residents.

See Master Response 1: Emergency Services.

35-4 The commenters state that high density housing brings jobs and public transportation needs. The commenter states that very few businesses have been able to take roots in Discovery Bay and there is no public transportation.

See Master Response 2: Public Transportation and Master Response 4: Job Availability.

35-5 The commenters state that the sewer system is at capacity and water lines are overloaded. The commenter states that there is a need to recalculate the water resources in the Town for more people.

See response to comment 1-1 regarding sewer systems and 1-3 for water supply.

35-6 The commenters are concerned about traffic on SR-4, especially during commute hours. The commenter states that the current bridge work does not include extra lanes and there are no plans to widen SR-4.4. The commenter states that there is one road which provides access into and out of the Town, which poses safety concerns.

See Master Response 3: Circulation Network and Traffic Issues. See response to comments 7-2 in regard to emergency access.

35-7 The commenters state that schools are already at their class limits.

See Master Response 5: Impacts to Schools.

35-8 The commenters state that the proposed developments will not match current aesthetics.

See Master Response 6: Aesthetics.

2. Response to Comments

- 35-9 The commenters state that the proposed project is taking property away that is currently zoned as commercial which could impact the Town's ability to incorporate and be able to fund the public services that are absent.
- Master Response 7: Property Zoned as Commercial.
- 35-10 The commenters state that the developers are being given incentives by the State and Governor Newsom to build high density housing. The commenter suggest focusing on redeveloping older dense housing rather than taking over new land. The commenter states that the four sites are bad decisions in an already undeserved, stressed, isolated, and unincorporated community.
- See response to comment 30-10.
- 35-11 The commenters state that California's population has seen a steady decline over the past two years and asks why more housing is needed.
- See response to comment 31-11.
- 35-12 The commenters state that adding the proposed development would bring hardships to current and future residents. The commenter asks that decision makers look elsewhere for land to develop high density homes, as Discovery Bay is not the place for it.
- As this comment does not describe any inadequacies to the DEIR, no changes to the DEIR are necessary. This comment will be forwarded to decision makers for their consideration.

2. Response to Comments

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2. Response to Comments

LETTER 36 – Michael Davis (2 pages)

From: [M Davis](#)
To: [Will Nelson](#)
Cc: tdbadmin@todb.ca.gov
Subject: Discovery Bay housing project
Date: Tuesday, March 14, 2023 5:18:49 PM
Attachments: [Letter to County.docx](#)
[Letter to County.docx](#)

Michael Davis
[REDACTED]

Discovery Bay, CA 94505

Hello,

I am a property owner and a concerned resident of Discovery Bay. The four high density housing/retail projects that are being considered have no place in Discovery Bay. DB is an isolated community that was developed as a weekend boating location. It's controlled growth has maintained the intended use and has been able to include full time residents. It's reached its limit in density and the emergency services that should go along with the number of residences are sorely lacking.

36-1

36-2

If it's change of shift, we see the few sheriffs that have a field office in the community and the fire first responders are a good 20 min away. This is not adequate for the community we have let alone the addition of high density housing.

36-3

High density housing usually brings the need for jobs nearby and or public transportation. We have neither. Very few businesses have been able to take root in Discovery bay and there flat out is no public transportation.

36-4

Our sewer system is at capacity and our water lines are severely overloaded. We would also need to recalculate the water resources in the town well based on that many more folks

36-5

Traffic on Highway 4 is already in sufferable especially during commute hours. I literally plan my travels around those hours. To my knowledge, the current bridge work does not include building extra lanes and there are no plans to widen Highway 4. We have one road in/out of the heart of town, which poses a safety concern as is. We

36-6

Or schools are already at their class limits.

36-7

Along with building right next to the schools this will be endangering our children with a high traffic area which already is very unregulated.

36-8

2. Response to Comments

The proposed developments will not match our current aesthetics as a sleepy weekend based boating community and I understand that taking property away that is currently zoned Commercial could impact the Towns ability to incorporate. We need to incorporate to be able to fund the public services that are currently absent.

36-9

36-10

I know that developers are being given huge incentives by the state and Gov Newsom to build high density housing properties. Focus on the decrepit already dense houses, and redevelop and make them taller, etc. No need to take over new land. These developments are bad for an already underserved, stressed, isolated, unincorporated community. Californias population has seen a steady decline over the past two years as well. Why force cramming more housing with that trend?

36-11

36-12

Please look elsewhere for land to develop for high density homes. Discovery Bay is not the place, thank you for your understanding.

36-13

Michael Davis



2. Response to Comments

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2. Response to Comments

36. Response to comment from Michael Davis, dated March 14, 2023

36-1 The commenter is a property owner and resident of Discovery Bay and is against the four proposed high density housing development in Discovery Bay. The commenter states the area is an isolated community, a weekend boating location, and includes full time residents.

See response to comment 4-1.

36-2 The commenter states that the area has reached its limit in density and emergency services.

See Master Response 1: Emergency Services.

36-3 The commenter states police and fire services are currently lacking and would worsen with the addition of houses and residents.

See Master Response 1: Emergency Services.

36-4 The commenter states that high density housing brings jobs and public transportation needs. The commenter states that very few businesses have been able to take root in Discovery Bay and there is no public transportation.

See Master Response 2: Public Transportation and Master Response 4: Job Availability.

36-5 The commenter states that the sewer system is at capacity and water lines are overloaded. The commenter states that there is a need to recalculate the water resources in the Town for more people.

See response to comment 1-1 regarding sewer systems and 1-3 for water supply.

36-6 The commenter is concerned about traffic on SR-4, especially during commute hours. The commenter states that the current bridge work does not include extra lanes and there are no plans to widen SR-4. The commenter states that there is one road which provides access into and out of the Town, which poses safety concerns.

See Master Response 3: Circulation Network and Traffic Issues. See response to comments 7-2 in regard to emergency access.

36-7 The commenter states that schools are already at their class limits.

See Master Response 5: Impacts to Schools.

36-8 The commenter states that placing high density buildings near schools endangers children due to the traffic which is already unregulated.

See Master Response 3: Circulation Network and Traffic Issues.

36-9 The commenter states the proposed developments will not match current aesthetics.

2. Response to Comments

See Master Response 6: Aesthetics.

- 36-10 The commenter states that the proposed project is taking property away that is currently zoned as commercial which could impact the Town's ability to incorporate and be able to fund the public services that are absent.

Master Response 7: Property Zoned as Commercial.

- 36-11 The commenter states that developers are being given incentives by the State and Governor Newsom to build high density housing. The commenter suggests focusing on redeveloping older dense housing rather than taking over new land. The commenter states that the four sites are bad decisions in an already undeserved, stressed, isolated, and unincorporated community.

See response to comment 30-10.

- 36-12 The commenter states that California's population has seen a steady decline over the past two years and asks why to force more housing with that trend.

See response to comment 31-11.

- 36-13 The commenter asks that decision makers look elsewhere for land to develop high density homes, as Discovery Bay is not the place for it.

As this comment does not describe any inadequacies to the DEIR, no changes to the DEIR are necessary. This comment will be forwarded to decision makers for their consideration.

2. Response to Comments

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2. Response to Comments

LETTER 37 – Mary Anne Loyd (1 page)

From: [Ed Loyd](#)
To: [Will Nelson](#)
Cc: tdbadmin@tdb.ca.gov
Subject: Potential upcoming Apartments in Discovery Bay
Date: Monday, March 13, 2023 11:36:03 PM

Mr. Nelson,

I'm writing to you regarding the potential upcoming apartments or homes that may be built in Discovery Bay.

My concerns are as follows:

1. There is a lack of public transportation in Discovery Bay.
2. There are limited emergency services such as a Sheriff and a local Fire Department.
3. Stress on our schools.
4. Traffic issues.
5. Limited job availability in the immediate area.
6. Taking property away that is currently zoned Commercial could impact the towns ability to incorporate.
7. Proposed developments may not match our current aesthetics.

37-1
37-2
37-3
37-4
37-5
37-6
37-7

I do not think putting in 2 to 3 story apartments or homes on Discovery Bay Blvd., putting apartments or homes next to the Post Office or putting apartments/homes on Bixler and Timber Point will help Discovery Bay. These projects will have a MAJOR IMPACT on our community.

37-8

Please do not allow these projects to happen.

Thank You.
Mary Anne Loyd
Discovery Bay Resident

Sent from my iPhone

2. Response to Comments

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2. Response to Comments

37. Response to Comments from Mary Anne Loyd, dated March 13, 2023.

- 37-1 The commenter is concerned about the lack of public transportation in Discovery Bay.
See Master Response 2: Public Transportation.
- 37-2 The commenter is concerned about the limited emergency services such as sheriff and fire protection.
See Master Response 1: Emergency Services.
- 37-3 The comment is concerned about the impacts on schools.
See Master Response 5: Impacts to Schools.
- 37-4 The commenter is concerned about traffic issues.
See Master Response 3: Circulation Network and Traffic Issues.
- 37-5 The commenter is concerned about the limited job availability in the immediate area.
See Master Response 4: Job Availability.
- 37-6 The commenter states the proposed project would rezone commercial parcels to residential uses which can impact the Town.
See Master Response 7: Property Zoned as Commercial
- 37-7 The commenter is concerned that future development may not be compatible with current aesthetics.
See Master Response 6: Aesthetics.
- 37-8 The commenter thinks putting two- to three- story apartments or homes on Discovery Bay Boulevard, one next to the Post Office, and the last on Bixler and Timber Point will have major impact to the community.
See response to comment 11-1.

2. Response to Comments

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2. Response to Comments

LETTER 38 – Bento and Ariele Teran (2 pages)

From: [Ariele Teran](#)
To: [Will Nelson](#)
Cc: tdbadmin@tdb.ca.gov
Subject: Re: Discovery Bay Proposed Development
Date: Wednesday, March 15, 2023 8:37:38 AM

Bento & Ariele Teran



Hello,

I am a property owner and a concerned resident of Discovery Bay. The four high density housing/retail projects that are being considered have no place in Discovery Bay. Discovery Bay is an isolated community that was developed as a weekend boating location - which is why so many people have decided to make it their quiet place of living. Its controlled growth has maintained the intended use and has been able to include full time residents. It's reached its limit in density and the emergency services that should go along with the number of residences are sorely lacking.

38-1

38-2

If it's a change of shift, we see the few sheriffs that have a field office in the community and the fire first responders are a good 20 min away. This is not adequate for the community we have let alone the addition of high density housing.

38-3

High density housing usually brings the need for jobs nearby and or public transportation. We have neither. Very few businesses have been able to take root in Discovery bay and there flat out is no public transportation.

38-4

Our sewer system is at capacity and our water lines are severely overloaded. We would also need to recalculate the water resources in the town well based on that many more folks

38-5

Traffic on Highway 4 is already insufferable especially during commute hours. I literally plan my travels around those hours. To my knowledge, the current bridge work does not include building extra lanes and there are no plans to widen Highway 4. We have one road in/out of the heart of town, which poses a safety concern as is.

38-6

Our schools are already at their class limits as well as school pick-up and drop-off already a challenging event. Our class sizes just got brought down to a healthy number in our 2023 school year. Adding more to the community will directly have a negative effect on local students and teachers, and putting an unnecessary stress on local resources.

38-7

It also has been statistically proven that with growth of cities, other things increase as well - such as crime. Our local Safeway and stores close to Highway 4 already deal with mass amounts of crime and theft. We are not looking to increase that activity in our small town. Overall, with the impact this will have on local businesses, schools, traffic, etc., we will

38-8

38-9
cont'd

2. Response to Comments

lower the quality of life of current residents and decrease our property values in the long run. | 38-9
cont'd

The proposed developments will not match our current aesthetics as a sleepy weekend based boating community, and I understand that taking property away that is currently zoned Commercial could impact the Towns ability to incorporate in the future. We need to incorporate to be able to fund the public services that are currently absent. This comes before growth of residents, not overwhelming an already strained local system. | 38-10
38-11

I know that developers are being given huge incentives by the state and Governor Newsom to build high density housing properties. Focus on the decrepit already dense houses, and redevelop and make them taller, etc. No need to take over new land. These developments are bad for an already underserved, stressed, isolated, unincorporated community. Californias population has seen a steady decline over the past two years as well. Why force cramming more housing with that trend? | 38-12
38-13

Please look elsewhere for land to develop for high density homes. Discovery Bay is not the place, thank you for your understanding. | 38-14

Bento and Ariele Teran



2. Response to Comments

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2. Response to Comments

38. Response to comment from Bento and Ariele Teran, dated March 15, 2023

- 38-1 The commenters are property owners and residents of Discovery Bay and are against the four proposed high density housing development sites in Discovery Bay. The commenters state that the area is an isolated community, a weekend boating location, and includes full time residents.
- See response to comment 4-1.
- 38-2 The commenters state that the area has reached its limit in density and emergency services.
- See Master Response 1: Emergency Services.
- 38-3 The commenters state that police and fire services are currently lacking and would worsen with the addition of houses and residents.
- See Master Response 1: Emergency Services.
- 38-4 The commenters state that high density housing brings jobs and public transportation needs. The commenters state that very few businesses have been able to take roots in Discovery Bay and there is no public transportation.
- See Master Response 2: Public Transportation and Master Response 4: Job Availability.
- 38-5 The commenters state that the sewer system is at capacity and water lines are overloaded. The commenters state that there is a need to recalculate the water resources in the Town for more people.
- See response to comment 1-1 regarding sewer systems and 1-3 for water supply.
- 38-6 The commenters are concerned about traffic on SR-4, especially during commute hours. The commenter states the current bridge work does not include extra lanes and there are no plans to widen SR-4. The commenters state there is one road which provides access into and out of the Town, which poses safety concerns.
- See Master Response 3: Circulation Network and Traffic Issues. See response to comments 7-2 in regard to emergency access.
- 38-7 The commenters state that schools are already at their class limits and schools and adding more students to the community will have a negative direct effect on local students and teachers.
- See Master Response 5: Impacts to Schools.
- 38-8 The commenters state growth in cities increases crime. The commenters state that local stores near SR-4 already deal with mass amount of crime and theft.

2. Response to Comments

- See Master Response 1: Emergency Services.
- 38-9 The commenters state that there will be impacts to local businesses, schools, traffic, etc. thus lowering the quality of life for current residents and overall property values.
- See Master Response 5: Impacts to Schools, Master Response 3: Circulation Network and Traffic Issues, and Master Response 4: Job Availability.
- 38-10 The commenters state that the proposed developments will not match current aesthetics.
- See Master Response 6: Aesthetics.
- 38-11 The commenters state that the proposed project would take property away that is currently zoned as commercial which could impact the Town's ability to incorporate and be able to fund the public services that are absent.
- Master Response 7: Property Zoned as Commercial.
- 38-12 The commenter states that developers are being given incentives by the State and Governor Newsom to build high density housing. The commenter suggests focusing on redeveloping older dense housing rather than taking over new land. The commenters state that the four sites are bad decisions in an already undeserved, stressed, isolated, and unincorporated community.
- See response to comment 30-10.
- 38-13 The commenters state that California's population has seen a steady decline over the past two years and asks why more housing is needed.
- See response to comment 31-11.
- 38-14 The commenter asks that decision makers look elsewhere for land to develop high density homes, as Discovery Bay is not the place for it.
- As this comment does not describe any inadequacies of the DEIR, no changes to the DEIR are necessary. This comment will be forwarded to decision makers for their consideration.

2. Response to Comments

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2. Response to Comments

LETTER 39 – William Vance (1 page)

From: [Billy Martini](#)
To: [Will Nelson](#)
Subject: Envision 2040 and Port Costa ULL
Date: Thursday, March 16, 2023 1:46:48 PM

Hello Will,

I am a homeowner in Port Costa, across the street from the Port Costa School. I was looking at the Envision 2040 website, and noticed that the land around the lake, above the school is designated as open space on the "Current Land Use" map, and the school property is labeled "Parks & Recreation". On the "proposed land use map", both the school property and the property around the lake are labeled "TBD".

Have zoning changes become effective, and if so, how are they zoned now? Or is it something that is being considered under the new General Plan? If it has been changed, how did that occur, and when were the public hearings? Are there plans to have any further community involvement? I see that the last meeting with Port Costa residents was in 2019. I'm not sure if Covid affected the status of meetings or of updating the General Plan?

Many citizens in Port Costa are very interested in what is happening both at the school, and at the lake property. Any information you can give me would be greatly appreciated.

Thank you for your time,
William Vance

[REDACTED]

39-1

39-2

39-3

2. Response to Comments

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2. Response to Comments

39. Response to comment from William Vance, dated March 16, 2023

39-1 The commenter is a homeowner in Port Costa. The commenter states that based on the Envision 2040 website, the commenter notices the land around the lake, above the Port Costa School is designated as open space on the “Current Land Use” map and the school property is labeled “Parks and Recreation,” but the proposed land use map has both these sites labeled at “TBD.” The commenter asks if zoning changes have become effective and if so, how.

These comments are directed at the General Plan Update, not the Housing Element Update (proposed project). Most of the sites in this Housing Element are proposed to receive a change in land use designation and allowed density as part of the comprehensive General Plan update currently underway. As this comment does not pertain to the proposed project or describe any inadequacies of the DEIR, no changes to the DEIR are necessary.

39-2 The commenter asks if the zoning has been changed, how it occurred, and when the public hearings were held. The commenter asks if there are plans to have any further community involvement.

See response to comment 39-1.

39-3 The commenter states the last meeting with Port Costa residents was in 2019 and is not sure if the COVID-19 pandemic affected the status of meetings or of updating the General Plan. The commenter states many citizens in Port Costa are interested in what is happening at the school and lake property, and any information that can be given would be greatly appreciated.

See response to comment 39-1.

2. Response to Comments

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2. Response to Comments

LETTER 40 – Anthony Steller (2 pages)

From: [tsteller](#)
To: [Will Nelson](#)
Cc: [CAROLYN GRAHAM](#); tcdbadmin@todb.ca.gov
Subject: Proposed high density housing for Discovery Bay.
Date: Friday, March 17, 2023 3:32:10 PM
Importance: High

Mr Nelson.

I am hereby requesting to informed via Email of any further hearings actions taken on the above proposal.

I have lived here in Discovery Bay full time for 37 years.

40-1

The proposed developments would completely change the character of our community.

DB is the last community in Contra Costa county.

We do not have any of the infrastructure needed to support large numbers of working age , young families.

40-2

No schools, no jobs, no police and fire protection no utilities no parks.

These new residents would have to be commuting into Concord Livermore Pleasanton Antioch in order to find employment.

40-4

Commute into Livermore Dublin, Pleasanton is an average of 35 to 40 miles one way. .All on aging 2 lane roads.

The average daily commute would be + or - 40 miles.

The roads out of Discovery Bay are a mix of 2 lane and some 4 lane roads. Beginning at Borden Junction, the roads become poor two lane rads that are unsafe even today.

40-5

In order to get to Brentwood, commuters would be traveling 16 miles one way on two lane roads.

The nearest medical facility is 14 miles from here

40-6

Hwy 4 between Discovery bay and Borden junction would have to be made 4 lanes and 2 bridges would need to be widened from 2 to 4 lanes.

40-7

Camino Diablo and Vasco roads are unsafe any time of the day.

40-8

Our utilities are underground and the electrical, and gas utilities would require a major upgrade.

40-9

We would need at least one if not 2 new schools, Parks etc. to accommodate the young families.

40-10

Discovery Bay Blvd cannot be upgraded.

40-11

2. Response to Comments

Some of the soil around Discovery Bay is peat land. It will not support the weight of high rise apartments.

40-12

We have already experienced major slides on Drakes drive as well as on River lake road. Stabilizing these areas proved to be a very costly expanse.

Contra Costa County has countless areas of Open space. Building the proposed high density housing would require the kind of infrastructure upgrades that would be far more costly than building a new community someplace closer to the available jobs. Taking something onto the existing facilities is not an option.

40-13

Upgrading our roads and other facilities would far more costly than starting a new community closer to where the jobs are.

Submitted by Anthony Steller



2. Response to Comments

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2. Response to Comments

40. Response to comment from Anthony Steller, dated March 17, 2023

40-1 The commenter has lived in Discovery Bay for 37 years. The commenter states that the proposed developments would completely change the character of the community. The commenter states that Discovery Bay is the last community in Contra Costa County.

See Master Response 6: Aesthetics.

40-2 The commenter states that Discovery Bay does not have any of the infrastructure needed to support large number of working age and young families. The commenter states that there are no schools, jobs, police and fire protection, utilities, n parks.

See response to comment 26-3 regarding utilities. Table 5.15-5, *Schools 0.5 Mile from Housing Element Sites*, on page 5.15-20 of the DEIR lists schools that are located within 0.5-mile of the sites that are included in the County's Housing Element Update Sites Inventory including three elementary schools near sites in Discovery Bay. See Master Response 5: Impact to Schools for more information in regard to impacts to schools. See Master Response 4: Job Availability in regard to short term jobs from the proposed project. Page 5.15-13 of the DEIR states the Contra Costa County Office of the Sheriff provides uniformed law enforcement services to the unincorporated areas of the County including Discovery Bay. As stated on page 5.15-4 of the DEIR, the Contra Costa County Fire Protection District provides fire protection and emergency medical response services for approximately 628,200 people within Contra Costa County. See Master Response 1: Emergency Services for more information regarding how services would be impacted from the proposed project. As shown in Table 5.15-8, *Contra Costa County Parks and Recreation Services Summary* on page 5.15-33 of the DEIR, the majority of a park districts, Community Service District (CSD), or County Service Ares (CSA) do not meet their current Municipal Service Review standards for parks and recreation; the Discovery Bay CSD is deficient by 31 acres. However, Impact 5.15-5 on page 5.15-34 of the DEIR states that all new projects would need to comply with the County Code Division 720, Ordinance No. 2007-17, which collects impact fees from new development to fund the County's parks and recreation services.

40-4 The commenter states that new residents would have to commute into Concord, Livermore, Pleasanton, or Antioch in order to find employment. The commenter states that the commute into Livermore, Dublin, Pleasanton is an average of 35 to 40 miles one way, on two-lane roads, and that the average daily commute would be approximately 40 miles.

At this time, it is unknown where/how future residents would be commuting. See Master Response 3: Circulation Network and Traffic Issues. As this comment does not describe any inadequacies of the DEIR, no changes to the DEIR are necessary.

2. Response to Comments

- 40-5 The commenter states that the roads out of Discovery Bay are a mix of two- and four-lane roads, and beginning at the Norden Junction, the roads are poor two-lane roads that are unsafe. The commenter states that to get to Brentwood, commuters would be traveling 16 miles one way on a two-lane road.
- See response to comment 40-4.
- 40-6 The commenter states that the nearest facility from Discovery Bay is approximately 14 miles.
- The commenter asks specifically about medical services, which is not analyzed under CEQA. As this comment does not reveal any inadequacies of the DEIR, no changes are required.
- 40-7 The commenter states that SR-4 between Discovery Bay and Borden Junction would have to be made into four lanes, and two bridges would need to be widened from two to four lanes.
- See Master Response 3: Circulation Network and Traffic Issues.
- 40-8 The commenter states that Camino Diablo and Vasco roads are unsafe anytime of the day.
- As this comment does not describe any inadequacies of the DEIR, no changes to the DEIR are necessary. This comment will be forwarded to decision makers for their consideration.
- 40-9 The commenter states that utilities are underground, and electrical and gas utilities would require a major upgrade.
- See response to comment 1-1 regarding utilities. See response to comment 26-10 regarding energy and natural gas.
- 40-10 The commenter states that at least one if not two new schools and parks would be needed to accommodate young families.
- See Master Response 5: Impacts to Schools See response to comment 40-4 regarding adequate parkland.
- 40-11 The commenter states that Discovery Bay Boulevard cannot be upgraded.
- See Master Response 3: Circulation Network and Traffic Issue.
- 40-12 The commenter states that some of the soil around Discovery Bay is peat land and will not support the weight of high-rise apartments. The commenter states that there have

2. Response to Comments

been major slides on Drakes Drive and River Lake Road and stabilizing these areas is costly.

Impact 5.7-3 on page 5.7-21 of the DEIR analyzes the development of the proposed project and there potential to expose people and structures to hazards from unstable soil conditions. Impact 5.7-3 states that compliance with the California Building Code; General Plan's Safety Element Policies; and County Ordinance Code Section 94-4.420, which requires the preparation of a preliminary soil report and soil investigation for all development, would ensure site-specific geologic and soils conditions are addressed. Additionally, Housing Element Policy HE-P8.3 calls for locating market-rate housing developments outside of mapped hazard zones. Therefore, the impact related to the proposed project exposing people and structures from unstable soil conditions would be less than significant. No changes to the DEIR are required.

40-13 The commenter states that Contra Costa has countless areas of open space and building the proposed high-density housing would require infrastructure upgrades that would be more costly than building a new community someplace close to the available jobs.

The Housing Element includes a sites inventory analysis which considers the location of housing in relation to resources and opportunities to address disparities in housing needs. The commenter expresses opposition to the housing sites in the Housing Element Update, as this comment does not reveal any inadequacies within the DEIR, no changes are required.

2. Response to Comments

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2. Response to Comments

LETTER 41 – Becca Stuart (2 pages)

From: [Becca Stuart](#)
To: [Will Nelson](#)
Cc: todbadmin@todb.ca.gov
Subject: Public Comment for EIR Housing in Discovery Bay
Date: Friday, March 17, 2023 3:54:48 PM

Will Nelson
30 Muir Road
Martinez, CA 94553

Hello,

I am a concerned resident of Discovery Bay. The four proposed high-density housing/retail projects do not belong in Discovery Bay. We are an isolated community, and our infrastructure is not built for high-density housing. We have one road in and out of the heart of town, which poses a safety concern as well. Discovery Bay has reached its population limit and the emergency services that go along with the number of residences are already sorely lacking.

41-1

41-2

We have a few sheriffs in the community and the fire and ambulance first responders are 20+ minutes away. This is not acceptable for the community we have, let alone the addition of high-density housing.

41-3

High-density housing brings the need for nearby jobs and public transportation, and we have neither. Very few businesses have been able to take root in Discovery Bay to provide jobs, and we have 0 public transportation.

41-4

Our sewer system is at capacity and our water lines are severely overloaded. We would also need to recalculate the water resources in the town well based on the population.

41-5

Traffic on Highway 4 is already awful, especially during commute hours. Adding more residences is only going to make the traffic worse. Also, to my knowledge, the current bridge work does not include building extra lanes and there are no plans to widen Highway 4.

41-6

It's also important to remember, our schools are already at their class limits.

41-7

To my understanding, changing property that is currently zoned commercial could affect the town's ability to incorporate. Incorporating could help us fund the public services that are currently absent.

41-8

I know developers are being given enormous incentives by the state to build high-density housing

41-9

2. Response to Comments

properties. I think it's best we focus on the high-density housing that is decrepit and redevelop them into nice places to live again. There is no need to take over new land. The new housing would be terrible for an already underserved, stressed, isolated, unincorporated community. California's population has seen a steady decline over the past two years as well. Why force more housing with that trend?

41-9
cont'd

41-10

Please look elsewhere for land to develop high-density homes. Discovery Bay is not the place.
Thank you for your time and your understanding.

41-11

Becca Hernandez
[REDACTED]
[REDACTED]

2. Response to Comments

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2. Response to Comments

41. Response to comment from Becca Stuart, dated March 17, 2023

41-1 The commenter is a property owner and resident of Discovery Bay and is against the four proposed high density housing development sites in Discovery Bay. The commenter states the area is an isolated community, a weekend boating location, and has been to include full time residents.

See response to comment 4-1.

41-2 The commenter states the area has reached its limit in density and emergency services.

See Master Response 1: Emergency Services.

41-3 The commenter states there are limited emergency services staff. The commenter states services are not adequate for the community let alone with the addition of more high-density housing.

See Master Response 1: Emergency Services.

41-4 The commenter states that high density housing brings jobs and public transportation needs. The commenter states that very few businesses have been able to take roots in Discovery Bay and there is no public transportation.

See Master Response 2: Public Transportation and Master Response 4: Job Availability.

41-5 The commenter states the sewer system is at capacity and water lines are overloaded. The commenter states need to recalculate the water resources in the town for more people.

See response to comment 1-1 regarding sewer systems and 1-3 for water supply.

41-6 The commenter is concerned about traffic on SR-4, especially during commute hours. The commenter states the current bridge work does not include extra lanes and there are no plans to widen SR-4.

See Master Response 3: Circulation Network and Traffic Issues.

41-7 The commenter states schools are already at their class limits.

See Master Response 5: Impacts to Schools.

41-8 The commenter states that the site is taking property away that is currently zoned as commercial as that could impact the Towns' ability to incorporate and be able to fund the public services that are absent.

Master Response 7: Property Zoned as Commercial.

2. Response to Comments

41-9 The commenter states that developers are being given incentives by the State and Governor Newsom to build high density housing. The commenter suggest focusing on redeveloping older dense housing rather than taking over new land. The commenter states that the four developments are bad decisions in an already undeserved, stressed, isolated, and unincorporated community.

See response to comment 30-10.

41-10 The commenter states that California's population has seen a steady decline over the past two years and asks why more housing is needed.

See response to comment 31-11.

41-11 The commenter asks that decision makers look elsewhere for land to develop high density homes, as Discovery Bay is not the place for it.

As this comment does not describe any inadequacies of the DEIR, no changes to the DEIR are necessary. This comment will be forwarded to decision makers for their consideration.

2. Response to Comments

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2. Response to Comments

LETTER 42 – Stephen Hernandez (2 pages)

From: [Stephen Hernandez](#)
To: [Will Nelson](#)
Cc: todbadmin@todb.ca.gov
Subject: Public Comment for EIR Housing in Discovery Bay
Date: Friday, March 17, 2023 5:11:33 PM

Will Nelson
30 Muir Road
Martinez, CA 94553

Hello,

I am a concerned resident of Discovery Bay. The four proposed high-density housing/retail projects do not belong in Discovery Bay. We are an isolated community, and our infrastructure is not built for high-density housing. We have one road in and out of the heart of town, which poses a safety concern as well. Discovery Bay has reached its population limit and the emergency services that go along with the number of residences are already sorely lacking.

42-1

42-2

We have a few sheriffs in the community and the fire and ambulance first responders are 20+ minutes away. This is not acceptable for the community we have, let alone the addition of high-density housing.

42-3

High-density housing brings the need for nearby jobs and public transportation, and we have neither. Very few businesses have been able to take root in Discovery Bay to provide jobs, and we have 0 public transportation.

42-4

Our sewer system is at capacity and our water lines are severely overloaded. We would also need to recalculate the water resources in the town well based on the population.

42-5

Traffic on Highway 4 is already awful, especially during commute hours. Adding more residences is only going to make the traffic worse. Also, to my knowledge, the current bridge work does not include building extra lanes and there are no plans to widen Highway 4.

42-6

It's also important to remember, our schools are already at their class limits.

42-7

To my understanding, changing property that is currently zoned commercial could affect the town's ability to incorporate. Incorporating could help us fund the public services that are currently absent.

42-8

I know developers are being given enormous incentives by the state to build high-density housing

42-9

2. Response to Comments

properties. I think it's best we focus on the high-density housing that is decrepit and redevelop them into nice places to live again. There is no need to take over new land. The new housing would be terrible for an already underserved, stressed, isolated, unincorporated community. California's population has seen a steady decline over the past two years as well. Why force more housing with that trend?

42-9
cont'd

42-10

Please look elsewhere for land to develop high-density homes. Discovery Bay is not the place.
Thank you for your time and your understanding.

42-11

Stephen Hernandez
[REDACTED]
[REDACTED]

2. Response to Comments

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2. Response to Comments

42. Response to comment from Stephen Hernandez, dated March 17, 2023

42-1 The commenter is a property owner and resident of Discovery Bay and is against the four proposed high density housing development sites in Discovery Bay. The commenter states the area is an isolated community, a weekend boating location, and includes full-time residents.

See response to comment 4-1.

42-2 The commenter states that the area has reached its limit in density and emergency services.

See Master Response 1: Emergency Services.

42-3 The commenter states there are limited emergency services staff. The commenter states services are not adequate for the community let alone with the addition of more high-density housing.

See Master Response 1: Emergency Services.

42-4 The commenter states that high density housing brings job and public transportation needs. The commenter states that very few businesses have been able to take root in Discovery Bay and there is no public transportation.

See Master Response 2: Public Transportation and Master Response 4: Job Availability.

42-5 The commenter states the sewer system is at capacity and water lines are overloaded. The commenter states need to recalculate the water resources in the town for more people.

See response to comment 1-1 regarding sewer systems and 1-3 for water supply.

42-6 The commenter is concerned about traffic on SR-4, especially during commute hours. The commenter states the current bridge work does not include extra lanes and there are no plans to widen SR-4.

See Master Response 3: Circulation Network and Traffic Issues.

42-7 The commenter states schools are already at their class limits.

See Master Response 5: Impacts to Schools.

42-8 The commenter states that the site is taking property away that is currently zoned as commercial which could impact the Towns ability to incorporate and be able to fund the public services that are absent.

Master Response 7: Property Zoned as Commercial.

2. Response to Comments

42-9 The commenter states that developers are being given incentives by the State and Governor Newsom to build high density housing. The commenter suggests focusing on redeveloping older dense housing rather than taking over new land. The commenter states that the four developments are bad decisions in an already undeserved, stressed, isolated, and unincorporated community.

See response to comment 30-10.

42-10 The commenter states that California's population has seen a steady decline over the past two years and asks why more housing is needed.

See response to comment 31-11.

42-11 The commenter asks that decision makers look elsewhere for land to develop high density homes, as Discovery Bay is not the place for it.

As this comment does not describe any inadequacies of the DEIR, no changes to the DEIR are necessary. This comment will be forwarded to decision makers for their consideration.

2. Response to Comments

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2. Response to Comments

LETTER 43 – Linda Ferrante (1 page)

From: [AT&T](#)
To: [Will Nelson](#)
Subject: Response to Proposed EIR & Housing in and around Discovery Bay
Date: Saturday, March 18, 2023 4:32:55 PM

After reading what I could find about the possibility of adding two-three story housing development in and around D.B... prompts me to write in with my concerns.

1. TRAFFIC. - I surely hope someone from the county comes out to our area to review the traffic situation ... lots of traffic exiting the area every morning, early afternoon when school lets out and after work Highway 4 gets crazy (single lane adds to more road rage). With all the number of cars and crazy drivers, I personally do not leave my house until I know that it is safe. So looking at the big picture, adding more homes will impact to our overly crowded road, this is just crazy!

43-1

2. EMERGENCY NEEDS - POLICE & MEDICAL - This has been a problem for years ... response time out here is not good. I think you will find studies have been conducted but because of budget constraints, the county has not added emergency service to our area. (Always lack of funds). So now, you want to add more people, how's that going to work? This also includes the Sheriff's Department. Personally, I and others are worried about the possibility of increasing robbery's not to mention the increasing gun problems, Again, crazy!

43-2

3. SCHOOLS - Has anybody done an enrollment check on our schools? I bet not! I have no idea how many children would be moving in if these four units are built I know for sure, we will be short instructors, buses, ESL instructors (English as a Second Language), where is the money coming from to fund the expansion?

43-3

I could keep going and going, my thoughts would be the same the impact of all these people moving in to our small area just won't work. ... we don't have any transportation (buses, taxi's) for those who do not drive, and only one grocery store.... Crazy!!

43-4

Thank you for hearing me out, please re-think the county plans Let's not make it all about what the county will receive in revenue, think about how many retirees that have worked many years and want to continue our quiet life in D.B.

43-5

Linda Ferrante
[REDACTED]

2. Response to Comments

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2. Response to Comments

43. Response to comment from Linda Ferrante, dated March 18, 2023

43-1 The commenter states that there is a lot of traffic, especially during commute hours. The commenter states that SR-4, which is a single-lane, adds more stress onto motorists. The commenter states that adding more people will exacerbate these conditions.

See Master Response 3: Circulation Network and Traffic Issues.

43-2 The commenter states that response times are not good, and that because of budget constraints the County has not added emergency services to the area. The commenter asks how emergency services will be affected with the addition of more residents. The commenter states that this issue includes the Sheriff's Department, and residents are worried about the increase in robbery and gun problems.

See Master Response 1: Emergency Services.

43-3 The commenter states that with the addition of school-aged children to the area, there will be a shortage of resources (buses, instructors, etc.). The commenter asks where the money would come from to fund the expansion.

See Master Response 5: Impacts to Schools.

43-4 The commenter states that the impact of people moving into the small area will not work and Discovery Bay does not have any transportation for those who do not drive.

See Master Response 2: Public Transportation.

43-5 The commenter asks that the County rethink these plans, and not make it about what the County will receive in revenue. The commenter asks the County to think about how many retirees have worked for many years and want to continue their quiet life in Discovery Bay

As this comment does not describe any inadequacies of the DEIR, no changes to the DEIR are necessary. This comment will be forwarded to decision makers for their consideration.

2. Response to Comments

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2. Response to Comments

LETTER 44 – Ken and Eve Ferrante (1 page)

From: [Eve Ferrante](#)
To: [Will Nelson](#)
Subject: Environmental Impact Report impact on Discovery Bay
Date: Monday, March 20, 2023 4:10:15 PM

Good afternoon Will,

I hope this note find its way to you on the last day for comments & concerns regarding the upcoming potential high density housing units here in Discovery Bay~

After living here for 20 years, I believe our biggest concerns lies in the infrastructure or lack there of. I'm a avid cyclist, and can't begin to count the number of times I've come close to being hit on the streets here, once even being shoved into the curb by a motorist - I now ride my bike in the very early hours- We had a health emergency with my elderly parent and took far longer than a safe time line for the emergency crews to arrive as they were on other calls - if the house was on fire, it surely would have burned to a total loss. We no longer have emergency personnel here to support the residents we currently have. In addition to that, we are limited to general services; public transportation, bike lanes, medical offices, places for kids to go, our parks are not even close to these proposed sites- and many other services that would be in walking or cycling distance.

44-1

44-2

44-3

I get that we have a tough situation on our hands with our housing crisis, homelessness, mental health challenges, etc, but I wonder why you would select a neighborhood with zero apartments as part of the overall community look and feel, and in an area with no public assistance and services.

44-4

In closing, and without a proper way to voice this without sounding like a terrible person, but... I've worked hard my entire life, I started in the Southbay renting, then with a 1 bedroom condo I purchased in a short sale, I then sold years later and moved up to a 2.5 bedroom townhome, and then to a single family home, all the while saving, and working a ton- Finally I was able to move here, to this amazing beautiful community on the water, and now I'm faced with having a low income 3 story housing complex 1 block away from the house I was planning to retire in and live out my years. I know, I know, everyone says, "not in my neighborhood" but then what motivates people to work hard, save their money for a better life, move into a nice neighborhood they can feel safe in and feel proud of, raise their kids in and enjoy the standard of living they have worked for and continue to maintain?

44-5

For so many reasons we just can not bring another 178 housing x 3 average occupants 500+ people, potentially 250 more cars, etc...

44-6

*A lack of public transportation *No emergency services, such as Sheriff and Fire *Traffic issues, already HWY 4 is solid traffic morning and afternoons and I see no plans to widen Highway 4 or replace the two bridges on Highway 4 *No jobs in our immediate area except for restaurant business *Over crowded elementary Schools *Proposed developments would not match our current aesthetics *Taking property away that is currently zoned Commercial could impact the Towns ability to incorporate down the road

44-7

Ken and Eve Ferrante

[Redacted signature]

2. Response to Comments

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2. Response to Comments

44. Response to comment from Ken and Eve Ferrante, dated March 20, 2023

44-1 The commenters are residents of Discovery Bay and state that their biggest concerns lie in the infrastructure or lack thereof. The commenters are avid cyclists and have encountered almost being hit on streets many times.

See Master Response 3: Circulation Network and Traffic Issues.

44-2 The commenters have state that emergency services response times are too long, and that the area does not have the emergency personnel needed to support existing residents.

See Master Response 1: Emergency Services.

44-3 The commenters state Discovery Bay is limited to general services, such as public transportation, bike lanes, medical offices, places for kids to go, and parks are not close to these proposed sites, and many other services that would be in walking or cycling distance.

See Master Response 1: Emergency Services, Master Response 2: Public Transportation, and Master Response 3: Circulation Network and Traffic Issues. In addition, Impact 5.15-5 of the DEIR states that all new projects would need to comply with the County Code Division 720, Ordinance No. 2007-17, which collects impact fees from new development to fund the County's parks and recreation services.

44-4 The commenters state that they understand the tough situation regarding the housing crisis, homelessness, mental health challenges, etc., but ask why the County would select a neighborhood with zero apartments as part of the overall community look and feel, and in an area with no public assistance and services.

See response to comment 20-10. See Master Response 6: Aesthetics in regard to the four proposed housing sites within the Discovery Bay area and its potential visual impact to the area.

44-5 The commenters are opposed to having a low-income three-story housing complex near their house.

At this time, no specific project, development, or builder has been proposed for any of these sites. Therefore, it would be speculative to include such information regarding the type of residential development of these sites. This comment will be forwarded to decision makers for their consideration.

44-6 The commenter states that Discovery Bay cannot accommodate approximately 500 additional residents and 250 additional cars.

2. Response to Comments

See response to comments 44-5 and 11-7. As this comment does not describe any inadequacies of the DEIR, no changes to the DEIR are necessary. This comment will be forwarded to decision makers for their consideration.

- 44-7 The commenters states that there is a lack of public transportation, emergency services, and jobs. The commenters states that there are traffic issues on SR-4, schools are overcrowded, the proposed developments would not match current aesthetics, and the proposed project would take away sites currently zoned as commercial which could impact the Town's ability to incorporate.

See Master Response 1: Emergency Services, Master Response 2: Public Transportation, Master Response 3: Circulation Network and Traffic Issues, Master Response 4: Job Availability, Master Response 5: Impact to Schools, Master Response 6: Aesthetics, and Master Response 7: Property Zoned as Commercial to address all comments raised.

2. Response to Comments

LETTER 45 – Blythe Bruntz (1 page)

From: [Blythe Bruntz](#)
To: [Will Nelson](#)
Subject: High Density Housing in Discovery Bay
Date: Monday, March 20, 2023 8:10:11 PM

Will,

I am vehemently against the high-density housing designation for the 4 Discovery Bay parcels as was recently discussed at the Town Meeting!!!!!!!!!!!!

45-1

Among my concerns:

- Lack of public transportation
- Lack of Emergency Services
- It will worsen our already heavy Traffic issues, especially if there are no plans to widen Highway 4 or replace the two bridges on Highway 4.
- Little to no local jobs available
- Stress on our Schools.
- Proposed developments may not match our current aesthetics (there is talk of a 2-3 story structure at the main intersection of our town. We don't currently have any structures more than 2 stories). Our beautiful town needs development that fits our area. This is not a city with multiple story commercial structures.
- Taking property away that is currently zoned Commercial could impact the Towns ability to incorporate in the future.
- Increase in crime?

45-2

45-3

45-4

45-5

45-6

45-7

45-8

45-9

It appears to me that the County is opening the door for the state to do whatever they want without consideration of that community's ability to support the growth or the negative effects.

45-10

Thanks for taking my comments into consideration.

Respectfully,

Blythe Bruntz

This email may be confidential or privileged. If you received this communication by mistake, please do not forward it to anyone else. Please erase all copies and attachments, and please let me know that it went to the wrong person. Thank You.

2. Response to Comments

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2. Response to Comments

45. Response to comment from Blythe Bruntz, dated March 20, 2023

- 45-1 The commenter is against the proposed four high density housing developments in Discovery Bay as discussed at the Town meeting.
See response to comment 4-1.
- 45-2 The commenter is concerned about the lack of public transportation
See Master Response 2: Public Transportation.
- 45-3 The commenter is concerned about the limited emergency services such as Sheriff and fire protection.
See Master Response 1: Emergency Services.
- 45-4 The commenter is concerned about traffic issues specifically no plan to widen SR-4 or replace two bridges on SR- 4.
See Master Response 3: Circulation Network and Traffic Issues.
- 45-5 The commenter is concerned about the limited job availability in the immediate area.
See Master Response 4: Job Availability.
- 45-6 Comment is concerned about the impact on schools.
See Master Response 5: Impacts to Schools.
- 45-7 The commenter is concerned that future development may not be compatible with current aesthetics.
See Master Response 6: Aesthetics.
- 45-8 The commenter states the proposed project would rezone commercial parcels to residential uses which can impact the Town.
See Master Response 7: Property Zoned as Commercial.
- 45-9 The commenter is concerned about increase in crime.
See Master Response 1: Emergency Services.
- 45-10 The commenter states that the County is allowing the state to do whatever they want without consideration of the community's ability to support the growth or the negative effects.
See response to comment 16-9.

2. Response to Comments

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3. Revisions to the Draft EIR

3.1 INTRODUCTION

This section contains revisions to the DEIR based upon (1) additional or revised information required to prepare a response to a specific comment; (2) applicable updated information that was not available at the time of DEIR publication; and/or (3) typographical errors. This section also includes additional mitigation measures to fully respond to commenter concerns as well as provide additional clarification to mitigation requirements included in the DEIR. The provision of these additional mitigation measures does not alter any impact significance conclusions as disclosed in the DEIR. Changes made to the DEIR are identified here in ~~strikeout text~~ to indicate deletions and in underlined text to signify additions.

3.2 DEIR REVISIONS IN RESPONSE TO WRITTEN COMMENTS

The following text has been revised in response to comments received on the DEIR.

3.3 DEIR REVISIONS

The following are additional revisions that have been made to the Draft EIR. These changes to the impact discussion do not present new information and the analysis is consistent with the newly revised impact discussion therefore these changes do not constitute recirculation of the EIR.

Page 1-26, Chapter 1, *Executive Summary*. The following changes are incorporated into Table 1-1, *Summary of Impacts and Mitigation Measures*, which removes Impact statement Impact 5.17-3 due to a typographical error, the following impacts have been renumbered.

2. Response to Comments

Table 1-1 Summary of Environmental Impacts, Mitigation Measures and Levels of Significance After Mitigation

5.17 UTILITIES AND SERVICE SYSTEMS			
Impact 5.17-1: Sewer and wastewater treatment systems are adequate to meet project requirements.	Less Than Significant	No mitigation measures are required.	Less Than Significant
Impact 5.17-2: Water supply and delivery systems are/are not adequate to meet project requirements	Less Than Significant	No mitigation measures are required.	Less Than Significant
Impact 5.17-3: Existing and/or proposed storm drainage systems are/are not adequate to meet project requirements.	Less Than Significant	No mitigation measures are required.	Less Than Significant
Impact 5.17-4: Impact 5.17-3: Existing and/or proposed facilities would be able to accommodate project-generated solid waste.	Less Than Significant	No mitigation measures are required.	Less Than Significant
Impact 5.17-5: Impact 5.17-4: The proposed project would comply with federal, state, and local statutes and regulations related to solid waste.	Less Than Significant	No mitigation measures are required.	Less Than Significant

2. Response to Comments

Page 3-1, Chapter 3, *Project Description*. The following changes make the following typographical updates to the project objectives.

3.2 STATEMENT OF OBJECTIVES

Objectives for the project will aid decision makers in their review of the project and associated environmental impacts, and include:

1. Adopt the 6th Cycle Housing Element by ~~June~~ January 31, 2023.
2. Provide a list of potential housing sites to meet the regional housing needs allocation (RHNA).
3. Determine if there are significant environmental issues that would preclude future decisions to consider land use designation and/or zone changes for sites identified for housing in the 6th Cycle Housing Element

Page 5.8-28, Chapter 1, *Greenhouse Gas Emissions*. The following changes are incorporated into Impact 5.8-2, under subheading, CARB Scoping Plan, which corrects the numbering of a table due to a typographical error.

CARB Scoping Plan

The CARB Scoping Plan is applicable to state agencies but is not directly applicable to cities/counties and individual projects (i.e., the Scoping Plan does not require local jurisdictions to adopt its policies, programs, or regulations to reduce GHG emissions). However, new regulations adopted by the State agencies from the Scoping Plan result in GHG emissions reductions at the local level. So local jurisdictions benefit from reductions in transportation emissions rates, increases in water efficiency in the building and landscape codes, and other statewide actions that affect a local jurisdiction's emissions inventory from the top down. Statewide strategies to reduce GHG emissions include the LCFS and changes in the corporate average fuel economy standards.

Project GHG emissions shown in Table ~~5.8-6~~ 5.8-7 includes reductions associated with statewide strategies that have been adopted since AB 32 and SB 32.

June 2023 | Mitigation Monitoring and Reporting Program
State Clearinghouse No. 2022070481

6th Cycle Housing Element Update

Contra Costa County

Prepared for:

Contra Costa County

Contact: Daniel Barrios, Senior Manager
30 Muir Road,
Martinez, CA 94553
925.655.2901

Prepared by:

PlaceWorks

Contact: Mark Teague, AICP, Associate Principal
101 Parkshore Drive, Suite 202
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1. Introduction

1.1 PURPOSE OF MITIGATION MONITORING PROGRAM

This Mitigation Monitoring Program has been developed to provide a record of monitoring mitigation measures and conditions of approval outlined in the Draft Environmental Impact Report (DEIR). The Mitigation Monitoring Program has been prepared in conformance with Section 21081.6 of the Public Resources Code. Section 21081.6 states:

- (a) When making findings required by paragraph (1) of subdivision (a) of Section 21081 or when adopting a mitigated negative declaration pursuant to paragraph (2) of subdivision (c) of Section 21080, the following requirements shall apply:
 - (1) The public agency shall adopt a reporting or monitoring program for the changes made to the project or conditions of project approval, adopted in order to mitigate or avoid significant effects on the environment. The reporting or monitoring program shall be designed to ensure compliance during project implementation. For those changes which have been required or incorporated into the project at the request of a responsible agency or a public agency having jurisdiction by law over natural resources affected by the project, that agency shall, if so requested by the lead or responsible agency, prepare and submit a proposed reporting or monitoring program.
 - (2) The lead agency shall specify the location and custodian of the documents or other material which constitute the record of proceedings upon which its decision is based.

1.2 EIR SUMMARY

1.2.1 PROJECT LOCATION

Contra Costa County covers 716 square miles, making it the eighth smallest county in California by land area. It borders Alameda County to the south and San Joaquin County to east. It is also adjacent to Solano County to the north, separated by the San Pablo Bay, Carquinez Strait and Suisun Bay. The San Francisco Bay borders the County to the west, which is followed by Marin County and San Francisco Counties to the west. Regional connectivity to the County is provided by Interstate 580 (I-580) via the Richmond-San Rafael Bridge, Interstate 80 (I-80), Interstate 680 (I-680), State Route 4 (SR-4) and State Route 24 (SR-24).

1.2.2 PROJECT SUMMARY

Housing Element Update

The State requires that the County Update its Housing Element Update every eight years on established cycles so the Housing Element, once adopted, will be effective until the end of the cycle period. This Housing Element Update covers the 6th Cycle Housing Element planning period from 2023 to 2031. The Housing Element Update identifies policy direction to meet the housing needs of the County by preserving existing homes and prioritizing housing creation. In addition to including goals, policies, and implementation programs regarding housing issues, Housing Elements must include an inventory or list of housing sites at sufficient densities to accommodate a specific number of units at various levels of affordability assigned to the County by the Association of Bay Area Governments (ABAG). This assignment is referred to as a Regional Housing Needs Allocation (RHNA), and the County must identify space for 7,610 units. The County also intends to comply with No-Net-Loss (Gov. Code Section 65863) through identifying a surplus of sites available to meet its RHNA allocation. In total, the County's surplus unit capacity is 2,485 units.

The County's Housing Element Update would require changes in land use designations for sites in order to meet the county's RHNA and comply with No-Net-Loss. Residential Sites with Increasing Allowable Density are currently designated for residential uses and proposed to be redesignated to accommodate increased densities. These sites cover 473 acres across 330 parcels and have a maximum buildout of 15,572 residential units. Non-Residential Sites Proposed to Allow Residential Units are currently designated for non-residential uses and are proposed to be redesignated to allow residential uses. This category encompasses 86 acres across 46 parcels, with a maximum buildout of 4,053 residential units. Suitably Designated/Zoned Sites are sites in the Housing Element sites inventory that do not require a designation or zone change to contribute to the County's RHNA, encompassing 153 parcels with a maximum buildout of 791 residential units.

1.3 ENVIRONMENTAL IMPACTS

1.3.1 IMPACTS CONSIDERED LESS THAN SIGNIFICANT

The DEIR identified various thresholds from the CEQA Guidelines among a number of environmental categories that would not be significantly impacted by the proposed project and therefore have no mitigation measures to monitor. Impacts to the following were found to be less than significant:

- AESTHETICS
- AGRICULTURE AND FORESTRY RESOURCES
- AIR QUALITY
- BIOLOGICAL RESOURCES
- ENERGY
- GEOLOGY AND SOILS
- GREENHOUSE GAS EMISSIONS
- HAZARDS AND HAZARDOUS MATERIALS
- HYDROLOGY AND WATER QUALITY
- LAND USE AND PLANNING
- NOISE
- POPULATION AND HOUSING
- PUBLIC SERVICES AND RECREATION
- TRANSPORTATION
- UTILITIES AND SERVICE SYSTEMS
- WILDFIRE

1.3.2 POTENTIALLY SIGNIFICANT ADVERSE IMPACTS THAT CAN BE MITIGATED, AVOIDED, OR SUBSTANTIALLY LESSENERD

The DEIR identified various thresholds from the CEQA Guidelines among a number of environmental categories that could be reduced, avoided, or substantially lessened through the implementation of mitigation measures.

- AIR QUALITY
- BIOLOGICAL RESOURCES
- CULTURAL AND TRIBAL RESOURCES
- GEOLOGY AND SOILS
- HAZARDS AND HAZARDOUS MATERIALS
- MINERAL RESOURCES
- NOISE
- TRANSPORTATION
- WILDFIRE

1.3.3 UNAVOIDABLE SIGNIFICANT ADVERSE IMPACTS

The following impacts would remain significant and unavoidable after implementation of the required mitigation, as identified in the DEIR:

- AIR QUALITY
- BIOLOGICAL RESOURCES
- CULTURAL AND TRIBAL RESOURCES
- GREENHOUSE GAS EMISSIONS
- HAZARD AND HAZARDOUS MATERIALS
- NOISE
- WILDFIRE

2. Mitigation Monitoring Process

2.1 MITIGATION MONITORING PROGRAM

As the lead agency, the County is responsible for the review of all monitoring reports, enforcement actions and document disposition. The County will rely on information provided by individual monitors (e.g., CEQA consultant, etc.) as accurate and up to date, and will field check mitigation measure status, as required.

2.2 MITIGATION MONITORING TEAM

The mitigation monitoring team, consisting of the designated Project Manager and Technical Consultants (CEQA consultant, etc.) are responsible for monitoring implementation and compliance with all adopted mitigation measures and conditions of approval. A major portion of the team's work is in-field monitoring and compliance report preparation. Implementation disputes are brought to the Project Manager/City Planning Director.

2.2.1 MONITORING TEAM

The following summarizes key positions in the MMRP and their respective functions:

- **Project Manager:** Responsible for coordination of mitigation monitoring team, technical consultants, report preparation, and overall program administration and document/report clearinghouse. The overall Project Manager is the Planning Director who may delegate responsibilities as required to efficiently monitor the project mitigation measures.
- **Construction Contractor:** Responsible for coordination of mitigation monitoring team; technical consultants; report preparation; and implementation the monitoring program, including overall program administration, document/report clearinghouse, and first phase of dispute resolution.
- **Technical Consultants:** Responsible for monitoring in respective areas of expertise (CEQA consultant, project engineer, noise analyst/specialist). Report directly to the Project Manager.

2.2.2 RECOGNIZED EXPERTS

The use of recognized experts on the monitoring team is required to ensure compliance with scientific and engineering mitigation measures. The mitigation monitoring team's recognized experts assess compliance with required mitigation measures, and recognized experts from responsible agencies consult with the Project Manager regarding disputes.

2.3 ARBITRATION RESOLUTION

If the mitigation monitor determines that a mitigation measure, in the opinion of the monitor, has not been implemented or has not been implemented correctly, the problem will be brought before the Project Manager for resolution. The decision of the Project Manager is final unless appealed to the City's Planning Director. The Project Manager will have the authority to issue stop-work order until the dispute is resolved.

2.4 ENFORCEMENT

Public agencies may enforce conditions of approval through their existing police power, using stop-work orders, fines, infraction citations, or in some cases, notice of violation for tax purposes.

3. Mitigation Monitoring Requirements

3.1 PRE-MITIGATION MEETING

A pre-monitoring meeting will be scheduled to review mitigation measures, implementation requirements, schedule conformance, and mitigation monitoring committee responsibilities. Committee rules are established, the entire mitigation monitoring program is presented, and any misunderstandings are resolved.

3.2 CATEGORIZED MITIGATION MEASURES/MATRIX

Project-specific mitigation measures have been categorized in matrix format, as shown in Table 3-1, *Mitigation Monitoring Requirements*. The matrix identifies the environmental factor, specific mitigation measures, schedule, and responsible monitor. The matrix identifies the environmental factor, specific mitigation measures, schedule, and responsible monitor. The mitigation matrix will serve as the basis for scheduling the implementation of, and compliance with, all mitigation measures. These mitigation measures are also contained in the Conditions of Approval matrix for the Project.

3.3 IN-FIELD MONITORING

Project monitors and technical subconsultants shall exercise caution and professional practices at all times when monitoring implementation of mitigation measures. Protective wear (e.g. hard hat, glasses) shall be worn at all times in construction areas. Injuries shall be immediately reported to the Project Manager.

3.4 DATA BASE MANAGEMENT

All mitigation monitoring reports, letters, and memos shall be prepared utilizing Microsoft Word software on IBM-compatible PCs.

3.5 COORDINATION WITH CONTRACTORS

The construction manager is responsible for coordination of contractors and for contractor completion of required mitigation measures.

3.6 LONG-TERM MONITORING

Long-term monitoring related to several mitigation measures will be required, including fire safety inspections. Post-construction fire inspections are conducted on a routine basis by the City's Fire Department.

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Table 3-1 Mitigation Monitoring Requirements

Mitigation Measure	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
5.3 Air Quality				
<p>Mitigation Measure AQ-1</p> <p>Prior to discretionary approval by the unincorporated County for development projects subject to CEQA (California Environmental Quality Act) review (i.e., nonexempt projects), future project applicants shall prepare and submit a technical assessment evaluating potential project construction-related air quality impacts to the County Department of Conservation and Development for review and approval. The evaluation shall be prepared in conformance with the Bay Area Air Quality Management District (BAAQMD) methodology for assessing air quality impacts identified in their CEQA Air Quality Guidelines. If construction-related criteria air pollutants are determined to have the potential to exceed the BAAQMD–adopted thresholds of significance, the Department of Conservation and Development shall require feasible mitigation measures to reduce air quality emissions. Potential measures may include:</p> <p>Require implementation of the BAAQMD Best Management Practices for fugitive dust control, such as:</p> <ul style="list-style-type: none"> ■ Water all active construction areas at least twice daily or as often as needed to control dust emissions. Watering should be sufficient to prevent airborne dust from leaving the site. Increased watering frequency may be necessary whenever wind speeds exceed 15 miles per hour. Reclaimed water should be used whenever possible. ■ Apply water twice daily or as often as necessary to control dust or apply (non-toxic) soil stabilizers on all unpaved access roads, parking areas, and staging areas at construction sites. 	<p>Project Applicant</p>	<p>Prior to discretionary approval of the project by the Contra Costa County the Department of Conservation and Development</p>	<p>Contra Costa County the Department of Conservation and Development</p>	

Table 3-1 Mitigation Monitoring Requirements

Mitigation Measure	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
<ul style="list-style-type: none"> ▪ Cover all trucks hauling soil, sand, and other loose materials or require all trucks to maintain at least 2 feet of freeboard (i.e., the minimum required space between the top of the load and the top of the trailer). ▪ Sweep public streets daily (with water sweepers using reclaimed water if possible) in the vicinity of the project site, or as often as needed, to keep streets free of visible soil material. ▪ Hydro-seed or apply non-toxic soil stabilizers to inactive construction areas. ▪ Enclose, cover, water twice daily, or apply non-toxic soil binders to exposed stockpiles (e.g., dirt, sand). ▪ Limit vehicle traffic speeds on unpaved roads to 15 mph. ▪ Replant vegetation in disturbed areas as quickly as possible. ▪ Install sandbags or other erosion control measures to prevent silt runoff from public roadways. <p>Emissions control measures such as:</p> <ul style="list-style-type: none"> ▪ Using construction equipment rated by the United States Environmental Protection Agency as having Tier 4 interim or higher exhaust emission limits. ▪ Ensuring construction equipment is properly serviced and maintained to the manufacturer’s standards. ▪ Limiting nonessential idling of construction equipment to no more than five consecutive minutes. 				

Table 3-1 Mitigation Monitoring Requirements

Mitigation Measure	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
<ul style="list-style-type: none"> ▪ Using zero- or low-VOC paints for coating of architectural surfaces whenever possible. ▪ Measures shall be incorporated into appropriate construction documents (e.g., construction management plans) submitted to the County and shall be verified by the Department of Conservation and Development. 				
<p>Mitigation Measure AQ-2 Prior to discretionary approval by the County for development projects subject to CEQA (California Environmental Quality Act) review (i.e., nonexempt projects), future project applicants shall prepare and submit a technical assessment evaluating potential project operation-phase-related air quality impacts to the Department of Conservation and Development for review and approval. The evaluation shall be prepared in conformance with Bay Area Air Quality Management District (BAAQMD) methodology in assessing air quality impacts identified in their CEQA Air Quality Guidelines. If operation-related air pollutants are determined to have the potential to exceed the BAAQMD– adopted thresholds of significance, the Department of Conservation and Development shall require that applicants for new development projects incorporate mitigation measures to reduce air pollutant emissions during operational activities. The identified measures shall be included as part of the conditions of approval. Possible mitigation measures to reduce long-term emissions could include, but are not limited to the following:</p> <ul style="list-style-type: none"> ▪ For site-specific development that requires refrigerated vehicles, the construction documents shall demonstrate an adequate number of electrical 	Project Applicant	Prior to discretionary approval of the project by the Contra Costa County the Department of Conservation and Development	Contra Costa County the Department of Conservation and Development	

Table 3-1 Mitigation Monitoring Requirements

Mitigation Measure	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
<p>service connections at loading docks for plug-in of the anticipated number of refrigerated trailers to reduce idling time and emissions.</p> <ul style="list-style-type: none"> ▪ Applicants for manufacturing and light industrial uses shall consider energy storage and combined heat and power in appropriate applications to optimize renewable energy generation systems and avoid peak energy use. ▪ Site-specific developments with truck delivery and loading areas and truck parking spaces shall include signage as a reminder to limit idling of vehicles while parked for loading/unloading in accordance with California Air Resources Board Rule 2845 (13 CCR Chapter 10 sec. 2485). ▪ Provide changing/shower facilities as specified in the Nonresidential Voluntary Measures of CALGreen. ▪ Provide bicycle parking facilities per the Nonresidential Voluntary Measures and Residential Voluntary Measures of CALGreen. ▪ Provide preferential parking spaces for low-emitting, fuel-efficient, and carpool/van vehicles per the Nonresidential Voluntary Measures of CALGreen. ▪ Provide facilities to support electric charging stations per the Nonresidential Voluntary Measures and Residential Voluntary Measures of CALGreen. ▪ Applicant-provided appliances shall be Energy Star–certified appliances or appliances of equivalent energy efficiency (e.g., dishwashers, refrigerators, clothes washers, and dryers). Installation of Energy Star–certified or equivalent appliances shall be verified by the County during plan check. 				

Table 3-1 Mitigation Monitoring Requirements

Mitigation Measure	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
<p>Mitigation Measure AQ-3 Applicants for construction within 1,000 feet of residential and other sensitive land use projects (e.g., hospitals, nursing homes, day care centers) in the unincorporated County, as measured from the property line of the project to the property line of the source/edge of the nearest travel lane, shall submit a health risk assessment (HRA) to the County Department of Conservation and Development prior to future discretionary project approval. The HRA shall be prepared in accordance with policies and procedures of the Office of Environmental Health Hazard Assessment (OEHHA) and the BAAQMD. The latest OEHHA guidelines shall be used for the analysis, including age sensitivity factors, breathing rates, and body weights appropriate for children ages 0 to 16 years. If the HRA shows that the incremental cancer risk exceeds ten in one million (10E-06), PM2.5 concentrations exceed 0.3 µg/m3 , or the appropriate noncancer hazard index exceeds 1.0, the applicant will be required to identify and demonstrate that mitigation measures are capable of reducing potential cancer and non-cancer risks to an acceptable level (i.e., below ten in one million or a hazard index of 1.0), including appropriate enforcement mechanisms. Measures to reduce risk may include, but are not limited to:</p> <ul style="list-style-type: none"> ■ Use of construction equipment rated as US EPA Tier 4 Interim for equipment of 50 horsepower or more. ■ Use of construction equipment fitted with Level 3 Diesel Particulate Filters for all equipment of 50 horsepower or more. ■ Measures identified in the HRA shall be included in the environmental document and/or incorporated 	<p>Project Applicant</p>	<p>Prior to discretionary approval of the project by the Contra Costa County the Department of Conservation and Development</p>	<p>Contra Costa County the Department of Conservation and Development</p>	

Table 3-1 Mitigation Monitoring Requirements

Mitigation Measure	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
<p>into the site development plan as a component of the proposed project. Prior to issuance of any construction permit, the construction contractor shall ensure that all construction plans submitted to the Department of Conservation and Development clearly show incorporation of all applicable mitigation measures.</p>				
5.4 BIOLOGICAL RESOURCES				
<p>Mitigation Measure BIO-1 Prior to the issuance of a building permit, any project that involves the removal of habitat must consider if any special status species (e.g., Threatened or Endangered species, CNPS List 1B and 2 plants, or species protected under Section 15380 of CEQA) are potentially present on the project site and nearby vicinity, and if the project impacts could be considered significant by the County. If potential habitat is present in an area, focused surveys shall be conducted prior to construction activities in order to document the presence or absence of a species on the project site and nearby vicinity. Botanical surveys shall be conducted during the appropriate blooming period for a species. If no special status species are found on the project site or nearby vicinity, no additional action is warranted, with the exception of projects subject to the East Contra Costa County HCP/NCCP where subsequent actions are required even if no special status species are found onsite. If special status species are found, appropriate mitigation would be required in coordination with the County, consistent with its performance criteria of mitigating lost habitat at a ratio no less than one to one (one acre restored for every acre impacted), or as required by the ECCC HCP/NCCP or the wildlife agencies. Projects shall be required to implement the mitigation</p>	<p>Project Applicant, Qualified Biologist</p>	<p>Prior to the issuance of a building permit by the Contra Costa County the Department of Conservation and Development.</p>	<p>Contra Costa County the Department of Conservation and Development</p>	

Table 3-1 Mitigation Monitoring Requirements

Mitigation Measure	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
<p>plan through a Mitigation Monitoring and Reporting Program.</p> <p>Mitigation Measure BIO-2</p> <p>Prior to the issuance of the first action and/or permit which would allow for site disturbance (e.g., grading permit), a detailed mitigation plan shall be prepared by a qualified biologist for approval by the County, the USFWS, and CDFW shall include: (1) the responsibilities and qualifications of personnel to implement and supervise the plan; (2) site selection; (3) site preparation and planting implementation; (4) a schedule; (5) maintenance plan/guidelines; (6) a monitoring plan; and (7) long-term preservation requirements. Projects shall be required to implement the mitigation plan as outlined within the Plan.</p> <p>Any permanent impacts to sensitive natural communities shall be mitigated for at a 3:1 ratio by acreage and temporary impacts shall be restored on-site at a 1:1 ratio by acreage. If on-site mitigation is infeasible, habitat shall be compensated by the permanent protection of habitat at the same ratio through a conservation easement and through the preparation and funding of a long-term management plan. Oak trees shall be replaced at the following ratios:</p> <ul style="list-style-type: none"> ▪ 3:1 replacement for trees 5 to 8 inches diameter at breast height (DBH) ▪ 5:1 replacement for trees greater than 8 inches to 16 inches DBH ▪ 10:1 replacement for trees greater than 16-inch DBH, which are considered old-growth oaks 	<p>Project Applicant, Qualified Biologist</p>	<p>Prior to the issuance of the first action and/or permit which would allow for site disturbance</p>	<p>Contra Costa County the Department of Conservation and Development</p>	

Table 3-1 Mitigation Monitoring Requirements

Mitigation Measure	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
<p>Habitat compensation shall also be required for wetland and stream impacts. The project shall obtain permits from the Regional Water Quality Control Board and Army Corps of Engineers pursuant to the Clean Water Act, and the California Department of Fish and Wildlife pursuant to Section 1602 of the Fish and Game Code.</p>				
<p>Mitigation Measure BIO-3</p> <p>Prior to the issuance of a building permit, the County shall require a habitat connectivity/wildlife corridor evaluation for future development that may impact existing connectivity areas and wildlife linkages. This evaluation shall be conducted by a qualified biologist. The results of the evaluation shall be incorporated into the project’s biological report required in Mitigation Measure BIO-1. The evaluation shall also identify project design features that would reduce potential impacts and maintain habitat and wildlife movement. To this end, the county shall incorporate the following measures, to the extent practicable, for projects impacting wildlife movement corridors:</p> <ul style="list-style-type: none"> ▪ Adhere to low density zoning standards ▪ Encourage clustering of development ▪ Avoid known sensitive biological resources and sensitive natural communities ▪ Provide shield lighting adjacent to sensitive habitat areas ▪ Encourage development plans ghat maximize wildlife movement ▪ Provide buffers between development and wetland/riparian areas process ▪ Protect wetland/riparian areas through regulatory agency permitting process 	<p>Project Applicant, Qualified Biologist</p>	<p>Prior to ground disturbance</p>	<p>Contra Costa County the Department of Conservation and Development</p>	

Table 3-1 Mitigation Monitoring Requirements

Mitigation Measure	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
<p>Mitigation Measure BIO-4</p> <ul style="list-style-type: none"> ▪ Encourage wildlife-passable fence designs (e.g., 3-strand barbless wire fence) on property boundaries ▪ Encourage preservation of native habitat on the underground remainder of developed parcels ▪ Minimize road/roadway development to help prevent loss of habitat due to roadkill and habitat loss ▪ Use native, drought-resistant plant species in landscape design ▪ Encourage participation in local/regional recreational trail design efforts <p>Implement Mitigation Measures BIO-1 and BIO-2.</p> <p>Construction activities involving vegetation removal shall be conducted between September 16 and March 14. If construction occurs inside the peak nesting season (between March 15 and September 15), a preconstruction survey (or possibly multiple surveys) by a qualified biologist is required prior to construction activities to identify any active nesting locations. If the biologist does not find any active nests within the project site, the construction work shall be allowed to proceed. If the biologist finds an active nest within the project site and determined that the nest may be impacted, the biologist shall delineate an appropriate buffer zone around the nest, and the size of the buffer zone shall depend on the affected species and the type of construction activity. Any active nests observed during the survey shall be mapped on an aerial photograph. Only construction activities (if any) that have been approved by a biological monitor shall take place within the buffer zone until the nest is vacated. The biologist shall serve as a construction monitor when</p>	<p>Project Applicant</p>	<p>Ground disturbance activities on project sites between September 16 and March 14 or March 15 and September 15 for peak nesting season.</p>	<p>Contra Costa County the Department of Conservation and Development</p>	

Table 3-1 Mitigation Monitoring Requirements

Mitigation Measure	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
<p>construction activities take place near active nest areas to ensure that no inadvertent impacts on these nests occur. Results of the preconstruction survey and any subsequent monitoring shall be provided to the California Department of Fish and Wildlife and the County.</p> <p>Implement Mitigation Measures BIO-3</p>				
5.5 CULTURAL RESOURCES AND TRIBAL CULTURAL RESOURCES				
<p>Mitigation Measure CUL-1</p> <p>Prior to construction activities, the future project applicant shall retain a qualified historian to perform a historic resources analysis of the structures onsite. If the structures are found to be historically significant, the historian shall document the structures using the Historic American Building Survey (HABS) Level III standards as a guideline for recording the buildings through a compilation of photographs, drawings, and written description to record the historic resource:</p> <ul style="list-style-type: none"> ▪ Written Data: The history or the property and description of the historic resource shall be prepared. ▪ Drawings: A sketch plan of the interior floorplan of the building shall be prepared. ▪ Photographs: Large-format photographs and negatives shall be produced to capture interior and exterior views of the structure. At least two large format pictures shall be taken to show the building’s setting in context and in relationship to its location. The photographs and negatives must be created using archival stable paper and processing procedures. ▪ Document: The HABS Level III document must be produced on archival quality paper, and all 	<p>Project Applicant, Qualified Historian</p>	<p>Prior to construction activities.</p>	<p>Contra Costa County the Department of Conservation and Development</p>	

Table 3-1 Mitigation Monitoring Requirements

Mitigation Measure	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
<p>large format photographs and negatives labeled to HABS standards. A digital version of the HABS document shall be prepared with the hard copy. The final HABS LEVEL III document shall be donated to the Contra Costa County Historical Society and/or other responsible repository within the region</p>				
<p>Mitigation Measure CUL-2 Prior to construction activities, the future project applicant shall retain a qualified archaeologist to monitor all ground-disturbing activities in an effort to identify any unknown archaeological resources. If cultural resources are discovered during ground disturbing activities, all ground disturbance activities within 50 feet of the find shall be halted until a meeting is convened between the developer, archaeologist, tribal representatives, and the Director of the Conservation and Development Department. At the meeting, the significance of the discoveries shall be discussed and after consultation with the tribal representatives, developer, and archaeologist, a decision shall be made, with the concurrence of the Director of the Conservation and Development Department, as to the appropriate mitigation (documentation, recovery, avoidance, etc.) for the cultural resources.</p>	<p>Project Applicant, Qualified Archaeologist</p>	<p>Prior to construction activities</p>	<p>Contra Costa County the Department of Conservation and Development</p>	
<p>Mitigation Measure CUL-3 It is understood by all parties that unless otherwise required by law, the site of any burial of Native American human remains or associated grave goods shall not be disclosed and shall not be governed by public disclosure requirements of the California Public Records Act. The Coroner, pursuant to the specific exemption set forth in California Government Code 6254(r), and Lead Agencies, will be asked to withhold public disclosure information</p>	<p>Project Applicant</p>	<p>During the course of Project Construction</p>		

Table 3-1 Mitigation Monitoring Requirements

Mitigation Measure	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
related to such reburial, pursuant to the specific exemption set forth in California Government Code 6254(r).				
Mitigation Measure CUL-4 If human remains are encountered, State Health and Safety Code Section 7050.5 states that no further disturbance shall occur until the County Coroner has made the necessary findings as to the origin. Further, pursuant to Public Resources Code Section 5097.98(b) remains shall be left in place and free from disturbance until a final decision as to the treatment and disposition has been made. If the County Coroner determined the remains to be Native American, the Native American Heritage Commission shall be contacted within the period specified by law (24 hours). Subsequently, the Native American Heritage Commission shall identify the “most likely descendant.” The most likely descendant shall then make recommendations and engage in consultation concerning the treatment of the remains as provided in Public Resources Code Section 5097.98.	Project Applicant	During the course of the Project Construction		
Mitigation Measure TCR-1 Prior to the issuance of grading permits for projects on previously undisturbed sites or as directed by the County, future project applicants are required to enter into a cultural resources’ treatment agreement with the culturally affiliated tribe. This agreement will address the treatment and disposition of cultural resources and human remains that may be impacted as a result of the development of a project on a Housing Element site, as well as provisions for tribal monitors. The applicant must provide a copy of the cultural resources treatment agreement to the County prior to issuance of a grading permit. If cultural resources are discovered during the project construction, all work in the area shall cease and a	Project Applicant	Prior to the issuance of grading permits		

Table 3-1 Mitigation Monitoring Requirements

Mitigation Measure	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
qualified archaeologist and representatives of the culturally affiliated tribe shall be retained by the project sponsor to investigate the find and make recommendations as to treatment and mitigation.				
Mitigation Measure TCR-2 A qualified archaeological monitor will be present project sites that require ground disturbance of previously undisturbed land or as required by the County and will have the authority to stop and redirect grading activities, in consultation with the culturally affiliated tribe and their designated monitors, to evaluate the significance of any archaeological resources discovered on the property.	Project Applicant	In the event of ground disturbance of previously undisturbed land during Project Construction	Contra Costa County the Department of Conservation and Development	
Mitigation Measure TCR-3 Tribal monitors from the culturally affiliated tribe shall be allowed to monitor all grading, excavation, and groundbreaking activities, including archaeological surveys, testing, and studies, for applicable projects, including projects on previously undisturbed sites or as directed by the County. All monitoring activities are to be compensated by the project applicant	Project Applicant, Tribal monitors	In the event of ground disturbance within the construction phase of the project or any previously undisturbed land during		
Mitigation Measure TCR-4 The landowner agrees to relinquish ownership of all cultural resources, including all archaeological artifacts that are found on the project site and project vicinity, to the culturally affiliated tribe for proper treatment and disposition	Project Applicant	In the event of any cultural resources discoveries at or near the project site		
5.7 GEOLOGY AND SOILS				
Mitigation Measure GEO-1 Prior to issuance of a grading permit for any future project that requires ground disturbance (i.e., excavation, grading, trenching, etc.) to depths of 6 or more feet in previously undisturbed geologic deposits, the project will undergo a CEQA-level analysis to determine the potential	Project Applicant	Prior to issuance of a grading permit	Contra Costa County the Department of Conservation and Development	

Table 3-1 Mitigation Monitoring Requirements

Mitigation Measure	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
<p>for a project to encounter significant paleontological resources, based on a review of site-specific geology and the extent of ground disturbance associated with each project. The analysis shall include, but would not be limited to:</p> <ol style="list-style-type: none"> 1) A paleontological records search, 2) Geologic map review, and 3) Peer-reviewed scientific literature review <p>If it is determined that a site has the potential to disturb or destroy significant paleontological resources, a professional paleontologist (meeting the Society of Vertebrate Paleontology [SVP] standards), will be retained to recommend appropriate mitigation to reduce or avoid significant impacts to paleontological resources, based on project-specific information. Such measures could include, but would not be limited to:</p> <ol style="list-style-type: none"> 1) Preconstruction worker awareness training, 2) Paleontological resource monitoring, and 3) Salvage of significant paleontological resources 				
<p>Mitigation Measure GEO-2</p> <p>In the event of any fossil discovery, regardless of depth or geologic formation, ground disturbing activities shall halt within a 50-foot radius of the find until its significance can be determined by a qualified paleontologist. Significant fossils shall be recovered, prepared to the point of curation, identified by qualified experts, listed in a database to facilitate analysis, and deposited in a designated paleontological curation facility in accordance with the standards of the Society of Vertebrate</p>	<p>Project Applicant</p>	<p>In the event of any fossil discovery</p>		

Table 3-1 Mitigation Monitoring Requirements

Mitigation Measure	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
Paleontology. The repository shall be identified, and a curatorial arrangement shall be signed prior to collection of the fossils				
5.8 GREENHOUSE GAS EMISSIONS				
<p>Mitigation Measures GHG-1</p> <p>The County shall prepare a Climate Action Plan (CAP) to achieve the GHG reduction targets of Senate Bill 32 for year 2030. The CAP shall be completed within 18 months of certification of the Housing Element EIR. The CAP shall be updated every five years to ensure the County is monitoring the plan’s progress toward achieving the County’s greenhouse gas (GHG) reduction target and to require amendment if the plan is not achieving specified level. The update shall consider a trajectory consistent with the GHG emissions reduction goal established under Executive Order (EO) S-03-05 for year 2050 and the latest applicable statewide legislative GHG emission reduction that may be in effect at the time of the CAP update (e.g., Senate Bill 32 for year 2030). The CAP update shall include the following:</p> <ul style="list-style-type: none"> ▪ GHG inventories of existing and forecast year GHG levels for the unincorporated community. ▪ Tools and strategies for reducing GHG emissions to achieve the GHG reduction goals of Senate Bill 32 for year 2030. ▪ Tools and strategies for reducing GHG emissions to ensure a trajectory with the long-term GHG reduction goal of Executive Order S-03-05 	Contra Costa County	18 months of certification of the Housing Element EIR		

Table 3-1 Mitigation Monitoring Requirements

Mitigation Measure	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
<ul style="list-style-type: none"> ▪ Plan implementation guidance that includes, at minimum, the following components consistent with the proposed CAP: <ul style="list-style-type: none"> ○ Administration and Staffing ○ Finance and Budgeting ○ Timelines for Measure Implementation ○ Community Outreach and Education ○ Monitoring, Reporting, and Adaptive Management ○ Tracking Tools 				
5.12 MINERAL RESOURCES				
<p>Mitigation Measure MIN-1 Pursuant to the Public Resources Code, the Surface Mining and Reclamation Act, Chapter 9, Article 4, Section 2762(e), prior to the issuance of grading permit on lands classified by the State Geologist as MRZ-3 or MRZ-2, the County Geologist shall make a site-specific determination as to the site’s potential to contain or yield important or significant mineral resources of value to the region and the residents of the State of California.</p> <ul style="list-style-type: none"> ▪ If it is determined by the County Geologist that lands classified as MRZ-3 have the potential to yield significant mineral resources which may be of “regional or statewide significance” and the proposed use is considered “incompatible” (as defined by Section 3675 of Title 14, Article 6, of the California Code of Regulations) and could threaten the potential to extract said 	Project applicant, County Geologist	Prior to the issuance of grading permit	Contra Costa County the Department of Conservation and Development	

Table 3-1 Mitigation Monitoring Requirements

Mitigation Measure	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
<p>minerals, the project applicant(s) shall prepare an evaluation of the area in order to ascertain the significance of the mineral deposit located therein. These site-specific mineral resources study shall be performed to, at a minimum, document the site’s known or inferred geological conditions; describe the existing levels of development on or near the site which might preclude mining as a viable adjacent use; and analyze the state standards for designating land as having “regional or statewide significant” under the Surface Mining and Reclamation Act. The results of such evaluation shall be transmitted to the State Geologist and the State Mining and Geological Board (SMGB).</p> <ul style="list-style-type: none"> ▪ Should significant mineral resources be identified, the project applicant(s) shall either avoid said resource or shall incorporate appropriate findings subject to a site-specific discretionary review and CEQA process. 				
4.10 NOISE				
<p>Mitigation Measure NOI-1</p> <p>The construction contractors shall implement the following measures for construction activities conducted in the County of Contra Costa. Construction plans submitted to the County shall identify these measures on demolition, grading, and construction plans submitted to the County and the County’s Planning and Building Department(s) shall verify that submitted grading, demolition, and/or construction plans include these notations prior to issuance of demolition, grading, and/or building permits:</p>	<p>Project Applicant, Construction Contractor</p>	<p>Prior to issuance of demolition, grading and/or building permits</p>	<p>Contra Costa County the Department of Conservation and Development</p>	

Table 3-1 Mitigation Monitoring Requirements

Mitigation Measure	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
<ul style="list-style-type: none"> ▪ Construction activity is limited to the daytime hours of 7:00 a.m. to 7:00 p.m. ▪ During the entire active construction period, equipment and trucks used for project construction shall use the best-available noise control techniques (e.g., improved mufflers, equipment re-design, use of intake silencers, ducts, engine enclosures, and acoustically attenuating shields or shrouds) available ▪ Impact tools (e.g., jack hammers and hoe rams) shall be hydraulically or electrically powered wherever possible. Where the use of pneumatic tools is unavoidable, an exhaust muffler on the compressed air exhaust shall be used along with external noise jackets on the tools. ▪ Stationary equipment, such as generators and air compressors shall be located as far as feasible from nearby noise-sensitive uses. ▪ Stockpiling shall be located as far as feasible from nearby noise-sensitive receptors. ▪ Construction traffic shall be limited, to the extent feasible, to approved haul routes established by the County Planning and Building Department(s) ▪ At least 10 days prior to the start of construction activities, a sign shall be posted at the entrance(s) to the job site, clearly visible to the public, that includes permitted construction days and hours, as well as the telephone numbers of the County's and contractor's authorized representatives that are assigned to 				

Table 3-1 Mitigation Monitoring Requirements

Mitigation Measure	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
<p>respond in the event of a noise or vibration complaint. If the authorized contractor’s representative receives a complaint, they shall investigate, take appropriate corrective action, and report the action to the County</p> <ul style="list-style-type: none"> ▪ Signs shall be posted at the job site entrance(s), within the on-site construction zones, and along queueing lanes (if any) to reinforce the prohibition of unnecessary engine idling. All other equipment shall be turned off if not in use for more than 5 minutes. ▪ During the entire active construction period and to the extent feasible, the use of noise-producing signals, including horns, whistles, alarms, and bells, shall be for safety warning purposes only. The construction manager shall use smart back-up alarms, which automatically adjust the alarm level based on the background noise level or switch off back-up alarms and replace with human spotters in compliance with all safety requirements and laws. ▪ Erect temporary noise barriers (at least as high as the exhaust of equipment and breaking line-of-sight between noise sources and sensitive receptors), as necessary and feasible, to maintain construction noise levels at or below the performance standard of 80 dBA Leq. Barriers shall be constructed with a solid material that has a density of at least 4 pounds per square foot with no gaps from the ground to the top of the barrier. 				

Table 3-1 Mitigation Monitoring Requirements

Mitigation Measure	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
<p>Mitigation Measure N-2</p> <p>Prior to issuance of a building permit for a project requiring pile driving during construction within 135 feet of fragile structures, such as historical resources, 100 feet of non-engineered timber and masonry buildings (e.g., most residential buildings), or within 75 feet of engineered concrete and masonry (no plaster); or a vibratory roller within 25 feet of any structure, the future project applicant shall prepare a noise and vibration analysis to assess and mitigate potential noise and vibration impacts related to these activities. This noise and vibration analysis shall be conducted by a qualified and experienced acoustical consultant or engineer. The vibration levels shall not exceed Federal Transit Administration (FTA) architectural damage thresholds (e.g., 0.12 inches per second [in/sec] peak particle velocity [PPV] for fragile or historical resources, 0.2 in/sec PPV for nonengineered timber and masonry buildings, and 0.3 in/sec PPV for engineered concrete and masonry). If vibration levels would exceed this threshold, alternative uses such as drilling piles as opposed to pile driving and static rollers as opposed to vibratory rollers shall be used. If necessary, construction vibration monitoring shall be conducted to ensure vibration thresholds are not exceeded.</p>	<p>Project Applicant</p>	<p>Prior to issuance of a building permit for a project requiring pile driving during construction within 135 feet of fragile structures</p>	<p>Contra Costa County the Department of Conservation and Development</p>	
<p>Mitigation Measure N-3</p> <p>New residential projects (or other noise-sensitive uses) located within 200 feet of existing railroad lines shall be required to conduct a groundborne vibration and noise evaluation consistent with Federal Transit Administration (FTA)- approved methodologies.</p>	<p>Project Applicant</p>	<p>Prior to issuance of a building permit for a project located within 200 feet of existing railroad lines</p>	<p>Contra Costa County the Department of Conservation and Development</p>	

Table 3-1 Mitigation Monitoring Requirements

Mitigation Measure	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
<p>Mitigation Measure N-4 During the project-level California Environmental Quality Act (CEQA) process for industrial developments under the General Plan Update or other projects that could generate substantial vibration levels near sensitive uses, such as residential uses, a noise and vibration analysis shall be conducted to assess and mitigate potential noise and vibration impacts related to the operations of that individual development. This noise and vibration analysis shall be conducted by a qualified and experienced acoustical consultant or engineer and shall follow the latest CEQA guidelines, practices, and precedents.</p>	<p>Project Applicant, Acoustical Consultant or Engineer</p>	<p>Prior to issuance of a building permit for an industrial project near residential uses</p>	<p>Contra Costa County the Department of Conservation and Development</p>	
5.18 WILDFIRE				
<p>Mitigation Measure WILD-1 Project applicants for development in a Very High Fire Hazard Severity Zone or WUI area shall prepare a Traffic Control Plan to ensure that construction equipment or activities do not block roadways during the construction period. The Traffic Control Plan shall be submitted to the applicable Contra Costa County Fire Protection District for review and approval prior to issuance of building permits</p>	<p>Project Applicant</p>	<p>Prior to issuance of a building permit</p>	<p>Contra Costa County the Department of Conservation and Development</p>	

4. Mitigation Monitoring Reports

Mitigation monitoring reports are required to document compliance with the Mitigation Monitoring Program and to dispute arbitration enforcement resolution. Specific reports include:

- Field Check Report
- Implementation Compliance Report
- Arbitration/Enforcement Report

4.1 FIELD CHECK REPORT

Field check reports are required to record in-field compliance and conditions.

4.2 IMPLEMENTATION COMPLIANCE REPORT

The Implementation Compliance Report (ICR) is prepared to document the implementation of mitigation measures on a phased basis, based on the information in Table 3-1. The report summarizes implementation compliance, including mitigation measures, date completed, and monitor's signature.

4.3 ARBITRATION/ENFORCEMENT REPORT

The Arbitration/Enforcement Report (AER) is prepared to document the outcome of arbitration committee review and becomes a portion of the ICR.

4.4 COMMUNITY INVOLVEMENT

Monitoring reports are public documents and are available for review by the general public. Discrepancies in monitoring reports can be taken to the arbitration committee by the general public.