

Diablo Road Trail

Initial Study/Mitigated Negative Declaration

August 2022

Prepared By

Town of Danville

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1.0 INTRODUCTION & PURPOSE

1.1 Project Purpose and Scope of the Initial Study

In accordance with the California Environmental Quality Act (CEQA) (California Public Resources Code [PRC] §21000 et seq.) and the State CEQA Guidelines (California Code of Regulations [CCR], Title 14, §15000 et seq.), this Initial Study/Mitigated Negative Declaration (IS/MND) has been prepared to evaluate the potential environmental effects associated with the construction and operation of the proposed Diablo Road Trail Project (hereinafter referred to as the "proposed project" or "project"). This IS/MND includes a description of the proposed project; an evaluation of the project's potential environmental impacts; the findings of the environmental analyses; and recommended standard conditions and mitigation measures to lessen or avoid the project's potential significant adverse impacts on the environment.

Pursuant to Section 15367 of the State CEQA Guidelines, the Town of Danville is the Lead Agency for the project. The Lead Agency is the public agency that has the principal responsibility for carrying out or approving a project. Town of Danville has the authority for environmental review in accordance with CEQA and certification of the environmental documentation.

This IS/MND has evaluated each of the environmental issue areas contained in the checklist provided in Section 3.0. It provides decision-makers and the public with information concerning the potential environmental effects associated with the implementation of the proposed project, and potential ways to reduce or avoid possible environmental impacts. This Initial Study is intended to be used as a decision-making tool for the Town of Danville in considering and acting on the proposed project. Any responsible agency may elect to use this environmental analysis for discretionary actions associated with the implementation of the project.

1.2 Summary of Findings

Based on the environmental checklist form completed for the proposed project and supporting environmental analysis, the project would have no impact or a less than significant impact on the following environmental issue areas: aesthetics, air quality, energy, greenhouse gas emissions, hydrology, land use, mineral resources, population and housing, public services, recreation, transportation, utilities and service systems, and wildfire. The proposed project's impacts on the following issue areas would be less than significant with the implementation of mitigation: aesthetics, biological resources, cultural resources, geology and soils, hazards, noise, and tribal cultural resources. All impacts would be less than significant after mitigation.

As set forth in the State CEQA Guidelines Section 15070, an Initial Study leading to a Mitigated Negative Declaration (IS/MND) can be prepared when the Initial Study has identified potentially significant environmental impacts but revisions have been made to the project, prior to public

review of the Initial Study, that would avoid or mitigate the impacts to a level considered less than significant, and there is no substantial evidence in light of the whole record before the public agency that the project may have a significant effect on the environment.

1.3 Initial Study Public Review Process

The Notice of Intent (NOI) to Adopt a Mitigated Negative Declaration has been provided to the County of Contra Costa Clerk-Recorder and mailed to responsible agencies, nearby property owners, and others who expressed interest in being notified. A 30-day public review period has been established for the IS/MND in accordance with Section 15073 of the State CEQA Guidelines. During the public review period, the IS/MND, including the technical appendices, can be accessed on Town of Danville's website and is available for review at the locations identified below.

- <https://www.danville.ca.gov/853/Diablo-Road-Trail>
- City Hall: 510 La Gonda Way, Danville, CA 94526
- Danville Library: 400 Front Street, Danville, CA 94526

In reviewing the IS/MND, affected public agencies and interested members of the public should focus on the adequacy of the document in identifying and analyzing the potential environmental impacts and the ways in which the potentially significant effects of the project can be avoided or mitigated. During the public comment period, comments on the IS/MND and the analysis contained herein may be sent to:

David Crompton, Chief of Planning
Town of Danville
510 La Gonda Way
Danville, CA 94526
Phone: (925) 314-3349

Written comments may also be sent via email to dcrompton@danville.ca.gov. Comments sent via email should include the project title in the subject line and a valid mailing address in the email.

Following receipt and evaluation of comments from agencies, organizations, and/or individuals, the Town of Danville will determine whether any substantial new environmental issues have been raised. If so, further documentation may be required. If not, or if the issues raised do not provide substantial evidence that the project will have a significant effect on the environment, the IS/MND and the project will be considered for adoption and approval, respectively.

1.4 Report Organization

This document has been organized into the following sections:

Section 1.0 – Introduction. This section provides an introduction and overview describing the conclusions of the Initial Study.

Section 2.0 – Project Description. This section identifies key project characteristics and includes a list of anticipated discretionary actions.

Section 3.0 – Initial Study Checklist. The Environmental Checklist Form provides an overview of the potential impacts that may or may not result from project implementation.

Section 4.0 – Environmental Evaluation. This section contains an analysis of environmental impacts identified in the environmental checklist.

Section 5.0 – References. The section identifies resources used to prepare the Initial Study.

2.0 DESCRIPTION OF PROPOSED PROJECT

2.1 Project Information

1. Project title:

Diablo Road Trail ("project")

2. Project introduction:

This IS/MND has been prepared by the Town of Danville as the Lead Agency, in conformance with the California Environmental Quality Act (CEQA), the CEQA Guidelines (Title 14, California Code of Regulations §15000 et seq.), and the regulations and policies of the Town of Danville. The purpose of this IS/MND is to provide the public with objective information regarding the environmental consequences of the proposed project.

3. Lead agency name and address:

Town of Danville
510 La Gonda Way
Danville, CA 94526

4. Contact person and phone number:

Nader Salama, Senior Civil Engineer
Phone: 925-314-3348
Email: nsalama@danville.ca.gov

5. Project location:

The project site is an approximately 0.9 mile long corridor, located south of Diablo Road, extending east from the intersection of Fairway Drive and Diablo Road to approximately 400 feet west of the intersection of Avenue Nueva and Diablo Road in Danville, Contra Costa County, California. The proposed trail and pedestrian and bicycle roadway crossing would be within the Town of Danville; refer to **Figure 1: Vicinity Map** and **Figure 2: Site Location Map**.

6. Project sponsor's name and address:

Town of Danville
510 La Gonda Way
Danville, CA 94526

7. General plan designation:

Rural Residential, Agricultural

8. Zoning:

Planned Unit District (P-1)

9. Surrounding Land Uses:

The project site area includes single-family residential uses to the north and an open space preserve to the south.

10. Assessor's parcel numbers:

The project site would largely be located south of Diablo Road, and would be directly adjacent to or within the following parcels:

- 202-050-042-3
- 202-050-078-7
- 202-050-080-3

11. Other Project-Related Approvals, Agreements Which May Be Required (e.g., permits, agreements):

- California Department of Fish and Wildlife
- San Francisco Regional Water Quality Control Board
- US Army Corps of Engineers
- Town of Danville
- Private property easements

2.2 Project Description

The proposed Diablo Road Trail Project (proposed project) consists of construction of an 8-foot-wide off-street paved multi-use path with 2 foot gravel shoulders along the southern shoulder of Diablo Road and a pedestrian and bicycle roadway crossing. The project site is located immediately north of East Branch Green Valley Creek and property belonging to the Magee Cattle Ranch, and south of single-family residential uses. The project site is characterized as highly disturbed, ruderal (weedy) habitat with overhanging mixed riparian woodland canopy.

The proposed project is envisioned as a 0.9-mile, mostly Class I, mixed-use path for pedestrians and cyclists that will connect the Diablo Road/Green Valley Road corridor to the west to Blackhawk Road/Mt. Diablo State Park south access to the east.

The proposed project is located within the Town of Danville and public right of way (ROW) and on easements to be obtained from private property owners. The west end of the project would terminate just east of the intersection of Fairway Drive and Diablo Road and the east end of the project would terminate approximately 400 feet west of the intersection of Avenue Nueva and Diablo Road. (**Figure 3: Proposed Project**).

Completion of the proposed project would conclude emergency repairs required to protect Diablo Road in place as a result of erosion. The project would stabilize slope and improve erosion protection. The project would also provide bicyclists a safer alternative to Diablo Road and would help close a multi-purpose trail gap between the existing Diablo Road Trail (aka Barbara Haile Trail) and access to Mount Diablo State Park. These benefits are described in the

policies and objectives of the Town of Danville Bicycle Master Plan, Danville's 2030 General Plan, and the Contra Costa Countywide Bicycle and Pedestrian Plan.

The proposed path would be 8 feet wide with 2-foot shoulders for a total width of 12 feet in most locations, narrowing to a lesser width in constrained locations. Typically, the trail would be an asphalt trail installed over aggregate base, with gravel shoulders.

Guard rails, fencing, and retaining walls would be constructed where the trail is constrained either by existing physical or topographic features, property lines, and easement boundaries. As shown in **Figure 3: Proposed Project**, new fencing would be installed on a portion of the north side of the trail starting from just east of the Alameda Diablo and Diablo Road intersection to the eastern terminus of the trail, and on the south side of the proposed alignment, fencing would be installed from the stream crossing at Alameda Diablo to the detention facility. Fencing would consist of either split rail or open wire fencing to protect cattle from encroaching onto the trail. Retaining walls would be constructed with wood supported on piers; however, mechanically stabilized earth, concrete barrier, block walls, or other types could be utilized in the final design. Most retaining walls would be less than 3 feet tall, though in a few locations local topography would require the construction of walls up to 5 feet in height. The retaining walls would have a blended visual appearance to existing walls in the area.

The proposed project would include a pedestrian and bicycle roadway crossing at the intersection of Diablo Road in the vicinity of Fairway Drive. The crossing would connect to the existing Diablo Road Trail Class I bicycle/pedestrian path that lies parallel to Diablo Road on the north side of the roadway. The crossing would include crosswalk striping and pavement markings; regulatory, warning and guide signage; at-grade asphalt concrete ADA ramps (landings) with truncated domes at existing and proposed trailheads; High-Intensity Activated Crosswalk System (HAWK); advanced warning beacon system; and associated electrical infrastructure.

A portion of East Branch Green Valley Creek, a perennial waterway, is located just outside the southern boundary of the project site. As shown in **Figure 3: Proposed Project**, up to 150 sq ft of the trail alignment would encroach on drainage areas of the creek. The proposed project would require the installation of new culverts or culvert extensions throughout the alignment. The type, size and material of culvert extensions would be designed to match existing conditions.

Runoff on the project site generally converges at topographic low points before being conveyed by vegetated or permeable swale- and drainage-like features. Once constructed, portions of the proposed trail alignment adjacent to East Branch Green Valley Creek would sheetflow toward Diablo Road and follow the existing drainage pattern. The eastern portion of the alignment would discharge to adjacent permeable areas, non-erodible surfaces, and existing inlets.

Total excavation and fill of soils for the proposed project would require approximately 115 cubic yards (cy) of imported soils and 400 cy of exported soil. Material brought on to the site would be tested in accordance with local and state requirements to ensure contaminated material is not brought on site. Material that is not removed from the project area once excavated would be stockpiled and stabilized until it could be off-hauled.

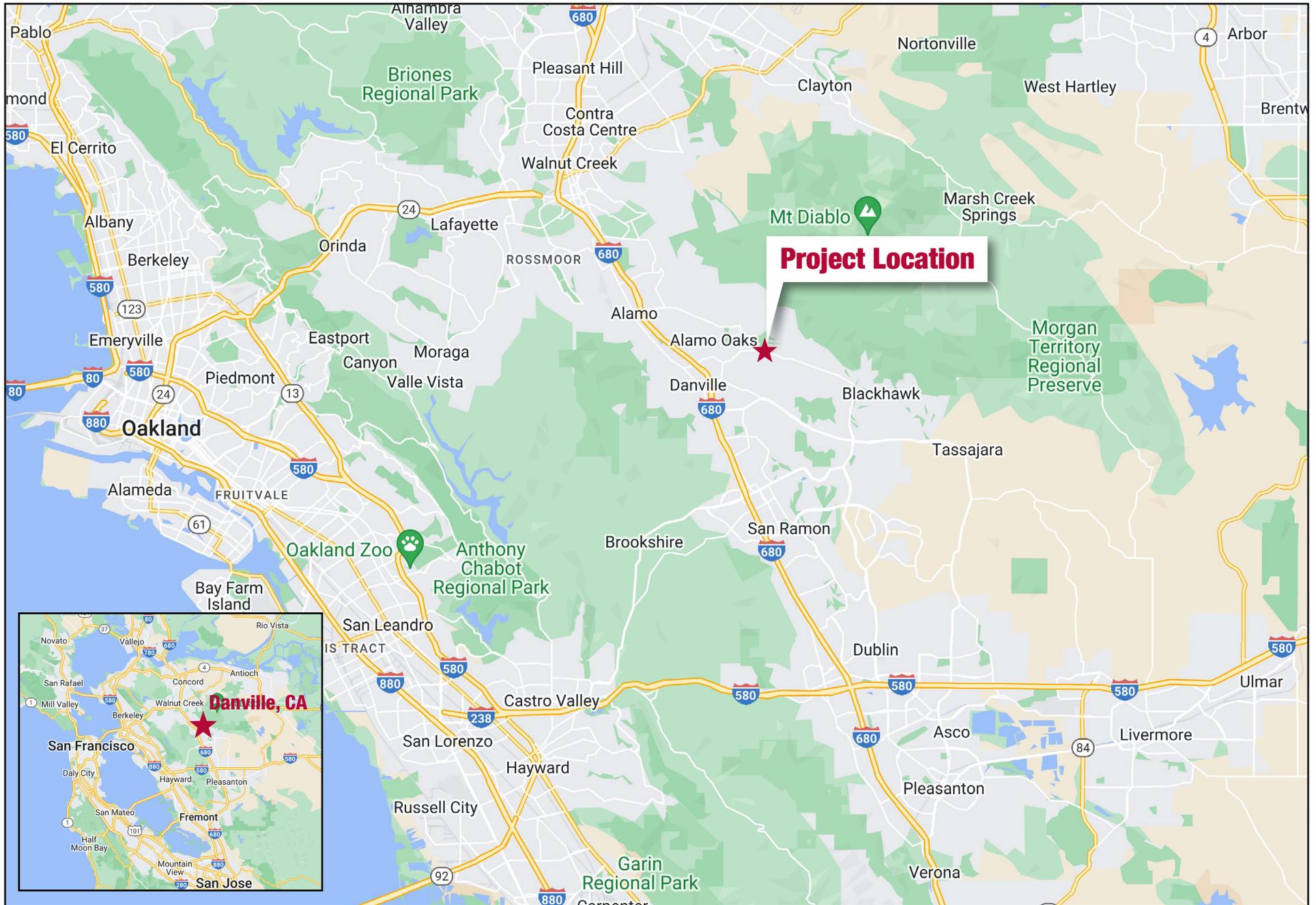
Vegetation and tree removal would be required to construct the trail and would include the removal of native trees and non-native trees. As further discussed in Section 4.4, Biological Resources, trees along the alignment that were determined by a certified arborist's inspection to be in poor condition, as well as trees that cannot be avoided, have been recommended for removal. The trail alignment has been designed to avoid the removal of protected or heritage trees where feasible.

Underground utilities would remain in place and no utility relocation is required. No additional or expanded use of water or wastewater facilities is proposed as part of this project.

Access to the construction site would occur from Diablo Road and adjacent roads. While final staging areas would be decided by the contractor, staging would primarily occur within the proposed trail alignment or at the eastern terminus of the trail alignment, on the property to the south of Diablo Road, approximately 400 feet west of Ave Nueva. These areas would be used to store and stage materials and equipment at different times throughout project construction. Staging areas outside of the proposed alignment would typically consist of previously disturbed areas with, gravel, bare or paved surfaces.

Project construction is anticipated to take approximately 6 months to complete and would begin around May 2023.

Following completion of construction, the trail would be maintained through a Geologic Hazards Abatement District (GHAD) and in accordance with easement agreements. Trail operation and maintenance would require occasional sweeping, litter pick-up, and vegetation and tree trimming to maintain adequate vertical clearance for trail users.



Source: Google Maps, 2022

FIGURE 1: Vicinity Map
Diablo Road Trail



Source: Nearmap, 2022

FIGURE 2: Proposed Project Location
Diablo Road Trail

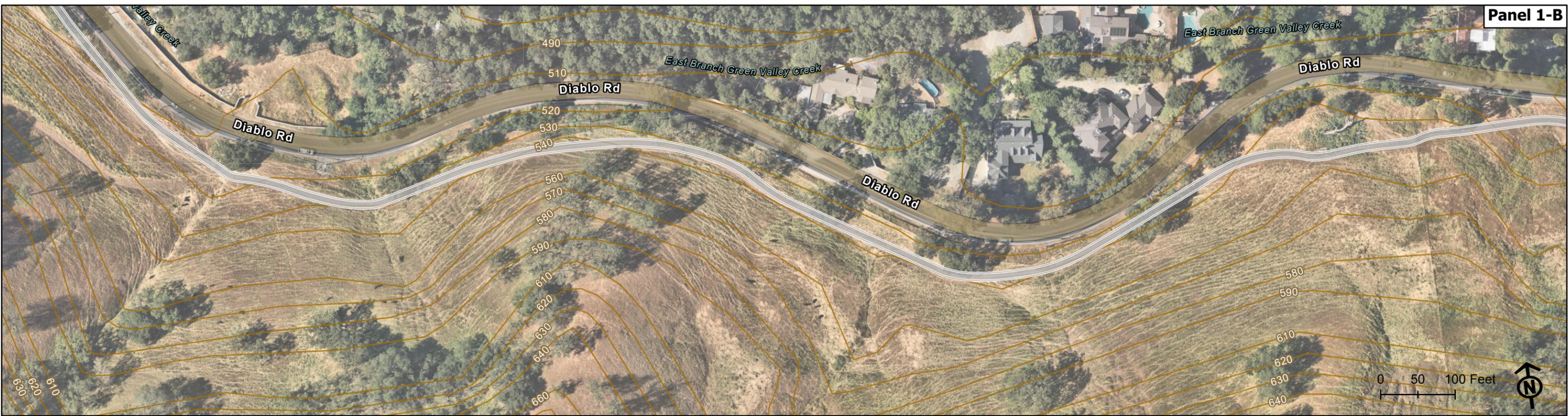


Figure 3A: Proposed Project

- Retaining Wall
- Fencing
- Contours
- Construction Staging Area
- Trail Shoulder
- Pedestrian Crossing
- Trail



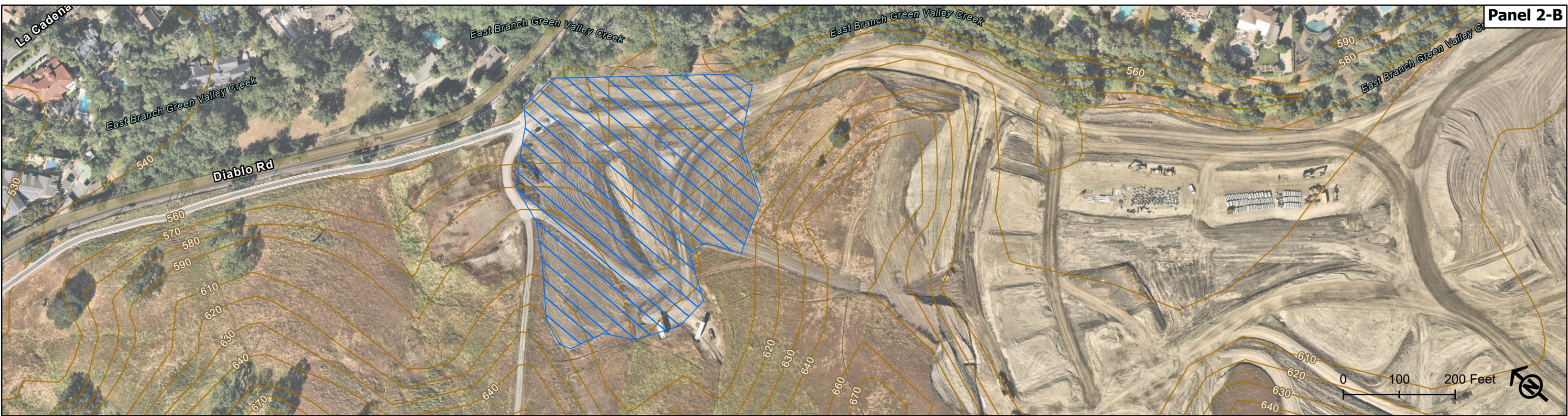
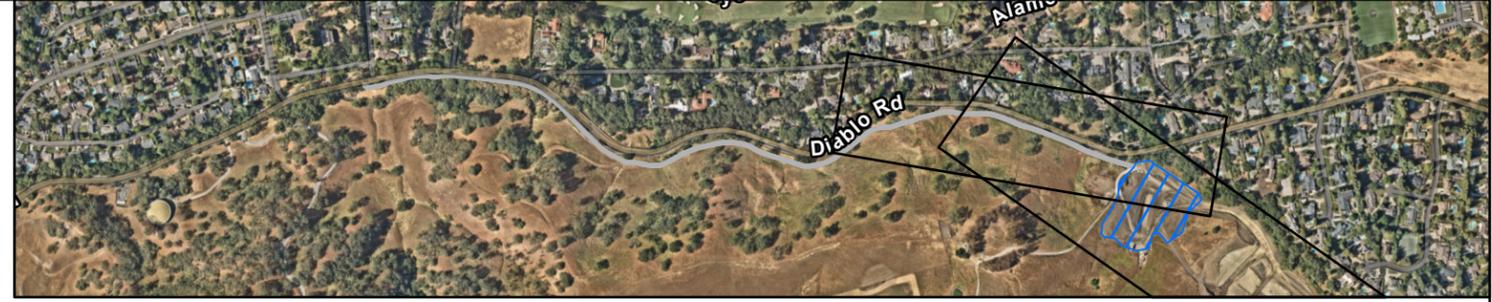


Figure 3A: Proposed Project

- Retaining Wall
- Fencing
- Contours
- Construction Staging Area
- Trail Shoulder
- Pedestrian Crossing
- Trail



3.0 INITIAL STUDY CHECKLIST

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

- | | |
|--|---|
| <input checked="" type="checkbox"/> Aesthetics | <input type="checkbox"/> Mineral Resources |
| <input type="checkbox"/> Agricultural and Forestry Resources | <input checked="" type="checkbox"/> Noise |
| <input type="checkbox"/> Air Quality | <input type="checkbox"/> Population/Housing |
| <input checked="" type="checkbox"/> Biological Resources | <input type="checkbox"/> Public Services |
| <input checked="" type="checkbox"/> Cultural Resources | <input type="checkbox"/> Recreation |
| <input type="checkbox"/> Energy | <input type="checkbox"/> Transportation |
| <input checked="" type="checkbox"/> Geology/Soils | <input checked="" type="checkbox"/> Tribal Cultural Resources |
| <input type="checkbox"/> Greenhouse Gas Emissions | <input type="checkbox"/> Utilities/Service Systems |
| <input type="checkbox"/> Hazards & Hazardous Materials | <input type="checkbox"/> Wildfire |
| <input type="checkbox"/> Hydrology/Water Quality | <input type="checkbox"/> Mandatory Findings of Significance |
| <input type="checkbox"/> Land Use/Planning | |

DETERMINATION:

On the basis of this initial evaluation (check one):

- I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

- I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures

CERTIFICATION:

David Crompton, Chief of Planning
Town of Danville

Date

4.0 ENVIRONMENTAL ANALYSIS

Section 4.0, Environmental Analysis, discusses the project's potential for impacts to various resources. The discussion follows the format of Appendix G of the currently adopted CEQA Guidelines¹, and identifies any potentially significant impacts that could result from project implementation. Mitigation measures are identified, where necessary, to reduce potentially significant impacts to less than significant levels. No significant and unavoidable impacts were identified.

4.1 Aesthetics

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
Except as provided in Public Resources Code Section 21099, would the project:				
a) Have a substantial adverse effect on a scenic vista?			X	
b) Substantially damage scenic resources, including but not limited to trees, rock outcroppings, and historic buildings within a state scenic highway?			X	
c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?		X		

¹ The Office of Planning and Research (OPR) publishes the latest guidelines online: <https://opr.ca.gov/ceqa/guidelines/>

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?			X	

a) *Have a substantial adverse effect on a scenic vista?*

Less Than Significant Impact. Under CEQA, a scenic vista is defined as a viewpoint that provides expansive views of a highly valued landscape for the public's benefit. According to the Danville 2030 General Plan, the eastern portion of Danville where the project site is located includes one of the Town's most prominent scenic ridgeline, Short Ridge. The vertical features associated with the proposed project such as retaining walls would be less than 3 feet tall, though in a few locations local topography would require the construction of walls up to 5 feet in height. The retaining walls would have a blended visual appearance to existing walls in the area. Where retaining walls are proposed, they would be used to conform the trail to existing grade and are not anticipated to obstruct views from sensitive viewpoints. Therefore, due to the limited vertical development and the harmonious design of the vertical features associated with the project, a less than significant impact would occur, and no mitigation is required.

Project construction would not substantially or permanently obstruct views of scenic vistas. Construction activities that would have the potential to temporarily alter views would consist of operation of construction equipment that could temporarily interrupt views of surrounding scenic vistas. Any obstruction to views of scenic vistas are expected to occur during construction and shall cease upon completion of the proposed project.

b) *Substantially damage scenic resources, including but not limited to trees, rock outcroppings, and historic buildings within a state scenic highway?*

Less Than Significant Impact. There are no officially designated State scenic highways within or near the project site.² However, the 2030 General Plan designates Diablo Road between Interstate 680 and its transition to Blackhawk Road as a designated Scenic Route. The Town defines a Scenic Route as a road, street or freeway which transects an area characterized by its high visual character, vistas or cultural significance. The Town has implemented a number of actions to protect their scenic resources including the adoption of a Scenic Hillside and Major Ridgeline Development Ordinance and a Tree Preservation Ordinance. Projects subject to these

² California Department of Transportation. (2022). *List of Eligible and Officially Designated State Scenic Highways*. Retrieved from: <https://dot.ca.gov/programs/design/lap-landscape-architecture-and-community-livability/lap-liv-i-scenic-highways>. Accessed January 14, 2022.

ordinances are required to demonstrate compliance with them during the Town's project review and approval process. Additionally, scenic resources would be protected through compliance with policies Environmental Quality 21.02, 21.03, 21.06 and 23.04 of the 2030 General Plan.

Trail alignment is designed to avoid the removal of protected or heritage trees where feasible. The project would result in the removal of trees determined by the Arborist Report (See Appendix B) to be in poor condition, as well as trees that cannot be avoided, have been recommended for removal. Trees in poor condition can have a stunted or declining canopy, poor foliar color, possible disease, or insect issues and can include severe structural defects that may or may not be correctable. Trees identified as poor condition are not typically considered a reliable specimen for preservation.

As discussed in Impact 4.1c, the project would not substantially degrade the existing visual character and quality of public views of the site and its surroundings. As discussed in Impact 4.5a, the project would not substantially impact historical buildings. The project would avoid impacts to rock outcroppings visible from Diablo Road since the project would be located along Diablo Road at or below grade with the road and so would not obstruct views of rock outcroppings. Therefore, the proposed project would have a less than significant impact on scenic resources along an officially designated scenic highway.

c) *In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?*

Less Than Significant With Mitigation Incorporated. The proposed project contains non-urbanized areas. During the construction period, construction equipment storage, and earth-moving would temporarily alter the existing visual quality of the affected area for adjacent sensitive viewers (recreational users and residential neighbors). Temporary construction activities along the proposed trail alignment could cause dust and material stockpiles that could create an untidy appearance, collectively degrading the visual quality of the site and surroundings.

Where temporary construction activities occur, the activities could potentially temporarily degrade the existing visual quality for recreational users and residential neighbors to the north. However, these potential temporary construction impacts would be reduced by storing construction material, stockpiled soil, and equipment in staging areas beyond direct view of residents and recreationists and in already disturbed shoulder areas, to the greatest extent practicable. Staging areas would be in areas where the removal of trees, native vegetation, or large non-native trees would not be required and in areas where the ability to impact trees and/or shrubs would not be present (e.g., within the dripline of trees or shrubs, especially native species). Areas of temporary disturbance for the trail would be re-vegetated or stabilized with erosion control measures implemented in accordance with National Pollutant Discharge

Elimination System (NPDES) and environmental permit requirements. Following these requirements would reduce temporary visual impacts.

The proposed project could adversely affect the visual character by vegetation removal along Diablo Road. Vegetation clearing would occur at a limited number of locations to construct the trail and proposed improvements. This would primarily consist of non-native grasslands in disturbed shoulder areas and tree removal and tree trimming. Areas of temporary disturbance would be revegetated in accordance with private property easement conditions, environmental permit conditions, and Town requirements. Where applicable, a seed mix appropriate for the climate and location would be used to revegetate disturbed areas.

Currently, it is estimated that 25 trees would be removed over an approximately 0.9-mile corridor south of Diablo Road. Fifteen of the trees are native trees, and the remaining are non-native trees, five of which are in fair to poor condition. Implementation of mitigation measure (MM) BIO-5 would require the replacement of protected trees consistent with the Town's tree protection requirements and CDFW replanting requirements (if any trees were to be removed within riparian areas under CDFW' jurisdiction). With the maturation of replacement trees, impacts to the visual character from the loss of trees would be reduced to a less than significant level.

Vertical features associated with the proposed project include culvert extensions and retaining walls. As discussed previously, the retaining walls would be designed to be harmonious with existing retaining walls in the area, consisting of earth tones and natural materials and other appropriate finishes appropriate with the surrounding environment.

When considering if an impact is significant in a rural environment, the visibility of the proposed project alignment depends on the visibility of the project components considering the area's landform (topography), land cover (vegetation and structures), and atmospheric conditions (dust, fog, precipitation). Most of the project alignment would be at grade with few components extending above grade (retaining walls and fencing). The proposed project would not significantly contrast with the existing environmental setting because most of the alignment would be constructed directly adjacent to and parallel to Diablo Road and the pedestrian and bicycle crossing would be constructed in the roadway right-of-way. The trail has been sited to minimize tree removal. Vegetation and tree removals would be subject to replanting requirements, as previously discussed.

Through carefully selected staging areas, trail alignment location, minimal vertical features, and implementation of MM-BIO-5, the proposed project would not significantly impact visual quality to sensitive viewer groups along the trail alignment and impacts would be less than significant.

d) *Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?*

Less Than Significant Impact. Project construction would occur during daylight hours only and no impacts from nighttime construction lighting would occur. No lighting would be installed along the length of the trail. Lighting emanating from the HAWK advanced warning beacon system would only be visible when activated. Trail use at nighttime is anticipated to be low to negligible given the lack of lighting along the proposed trail alignment. Thus, the project would not substantially increase nighttime light and glare in the project area. Therefore, the project would result in a less than significant impact concerning a new source of light or glare.

4.2 Agriculture and Forestry Resources

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
<p>In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the project:</p>				
<p>a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?</p>				X
<p>b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?</p>				X
<p>c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?</p>				X
<p>d) Result in the loss of forest land or conversion of forest land to non-forest use?</p>				X
<p>e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?</p>				X

a) *Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?*

No Impact. The Farmland Mapping and Monitoring Program (FMMP) rates the production potential of agricultural land according to the following classifications:

- Prime Farmland. Farmland with the best combination of physical and chemical features able to sustain long term agricultural production. This land has the soil quality, growing season, and moisture supply needed to produce sustained high yields. These are Class I and Class II soils.
- Farmland of Statewide Importance. Farmland similar to Prime Farmland but with minor shortcomings, such as greater slopes or less ability to store soil moisture. Land must have been used for irrigated agricultural production at some time during the four years prior to the mapping date.
- Unique Farmland. Farmland of lesser quality soils used for the production of the state's leading agricultural crops. This land is usually irrigated but may include non-irrigated orchards or vineyards as found in some climatic zones in California.
- Farmland of Local Importance. Land of importance to the local agricultural economy as determined by each county's board of supervisors and a local advisory committee.
- Grazing Land. Land on which the existing vegetation is suited to the grazing of livestock.
- Urban and Built-Up Land. Land occupied by structures with a building density of at least 1 unit to 1.5 acres, or approximately 6 structures to a 10-acre parcel. This land is used for residential, industrial, commercial, construction, institutional, public administration, railroad and other transportation yards, cemeteries, airports, golf courses, sanitary landfills, sewage treatment, water control structures, and other developed purposes.

Prime Farmland, Farmland of Statewide Importance, Unique Farmland, and Farmland of Local Importance are all Important Farmland and are collectively referred to as Important Farmland in this analysis.

The project site is not designated as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance on the State of California Important Farmland Map³. The project site, however, is designated as Grazing Land. Grazing Land is a category used for land on which the existing vegetation is suited to the grazing of livestock. This category is used only in California and was developed in cooperation with the California Cattlemen's Association, University of California Cooperative Extension, and other groups interested in the extent of grazing activities.

³ California Department of Conservation. (2022). State of California Important Farmland Map. Retrieved from: <https://maps.conservation.ca.gov/DLRP/CIFF/>. Accessed January 10, 2022.

As the project site is not categorized as Important Farmland, the proposed project would not result in a conversion of documented agricultural lands to non-agricultural use. No impact would occur and no mitigation is required.

b) *Conflict with existing zoning for agricultural use, or a Williamson Act contract?*

No Impact. The project site is not identified as a property under a Williamson Contract in the Contra Costa County 2016 Agricultural Preserves Map⁴. Based on the Town of Danville Zoning Ordinance, the project site is zoned Planned Unit District (P-1). The project site is not zoned for agricultural use, is not under a Williamson Act contract, and as discussed above, is not categorized as Important Farmland. Therefore, the proposed project would not conflict with a Williamson Act Contract and would not conflict within the existing zoning. No impact would occur and no mitigation is required.

c) *Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?*

No Impact. The project site is not currently zoned for forest land, timberland, or timberland zoned for production. Therefore, improvements planned as part of the proposed project would not conflict with existing zoning or cause rezoning of any such land nor would it convert forest land to non-forest use. Therefore, no impacts would occur.

d) *Result in the loss of forest land or conversion of forest land to non-forest use?*

No Impact. There is no forest land located within the project area. The project site is characterized as highly disturbed, ruderal (weedy) habitat with overhanging mixed riparian woodland canopy. As such, the proposed project would not affect any forest land or result in the conversion of forest land to non-forest use. Therefore, no impacts would occur.

e) *Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?*

No Impact. The proposed project would be located parallel to an existing roadway. The proposed project would not result in any indirect impacts, such as limiting access to an agricultural use or creating a remnant agricultural parcel that may result in further conversion of farmland beyond what is discussed in 4.2a. As such there would be no impact.

⁴ Contra Costa County. (2016). Agricultural Preserves Map. Retrieved from: <https://maps.conservation.ca.gov/DLRP/CIFF/>. Accessed January 10, 2022.

4.3 Air Quality

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
Where available, the significance criteria established by the applicable air quality management district or air pollution control district may be relied upon to make the following determinations. Would the project:				
a) Conflict with or obstruct implementation of the applicable air quality plan?			X	
b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?			X	
c) Expose sensitive receptors to substantial pollutant concentrations?			X	
d) Result in other emissions (such as those leading to odors adversely affecting a substantial number of people?				X

The proposed project is located in Contra Costa County, which lies within the Bay Area Air Quality Management District (BAAQMD), which regulates air quality in the San Francisco Bay Area. Air quality conditions in the San Francisco Bay Area have improved significantly since the BAAQMD was created in 1955. In Danville, and the rest of the air basin, exceedances of air quality standards occur primarily during meteorological conditions conducive to high pollution levels, such as cold, winless winter nights or hot, sunny summer afternoons.

The Air Monitoring Program of the BAAQMD operates a 28-station monitoring network which provides the data required to determine whether the Bay Area is in compliance with state and federal air quality standards.

Ozone (O₃) levels, as measured by peak concentrations and the number of days over the state's 1-hour standard, have declined substantially as a result of the aggressive programs by the BAAQMD and other regional, state and federal agencies. The Bay Area was designated as a nonattainment area for the federal 8-hour ozone level. National and state standards have also been established for particulate matter 2.5 microns in diameter or less (PM_{2.5}), over 24-hour

and yearly averaging periods. PM_{2.5} levels exceeded the federal 24-hour standards 30 times in the 3-year period.⁵ The Bay Area is a nonattainment area for the federal particulate matter 10 microns in diameter or less (PM₁₀) standard and a nonattainment area at the state level. There was one exceedance of the state or federal PM₁₀ standard was recorded at the monitoring station from 2018 to 2020. Furthermore, no exceedances of the state or federal carbon monoxide (CO) standard were recorded at the monitoring stations during the 3-year period. The region is required to adopt clean air plans on a triennial basis that show progress towards meeting the state ozone standard. The latest regional plan was adopted in April 2017. This plan includes a comprehensive strategy to reduce emissions from stationary, area, and mobile sources through the expeditious implementation of all feasible measures, including transportation control measures (TCMs) and programs such as "Spare the Air."

a) *Conflict with or obstruct implementation of the applicable air quality plan?*

Less than Significant Impact. Air quality plans describe air pollution control strategies and measures to be implemented by a city, county, region, and/or air district. The primary purpose of an air quality plan is to bring an area that does not attain federal and state air quality standards into compliance with the requirements of the federal Clean Air Act and California Clean Air Act. In addition, air quality plans are developed to ensure that an area maintains a healthful level of air quality based on the National Ambient Air Quality Standards (NAAQS) and the California Ambient Air Quality Standards (CAAQS). The Air Quality Management Plan (AQMP) is prepared by BAAQMD. The AQMP provides policies and control measures that reduce emissions to attain both state and federal ambient air quality standards.

The most recently adopted plan, the Clean Air Plan, in the Basin outlines how the San Francisco Bay Area will attain air quality standards, reduce population exposure and protect public health, and reduce greenhouse gas (GHG) emissions. The Clean Air Plan assumptions for projected air emissions and pollutants throughout the Basin are based on General Plan Land Use Designations. The project is a trail and pedestrian and bicycle crossing and would be consistent with the development assumptions for the surrounding land use. Additionally, the project would not increase regional population growth or cause changes in vehicle traffic that would obstruct implementation of the Clean Air Plan in the San Francisco Bay Area Basin. Additionally, the proposed project would not significantly affect regional vehicle miles traveled pursuant to the CEQA Guidelines (Section 15206). Therefore, population growth from the project would be consistent with the Association of Bay Area Governments (ABAG)'s projections for the City and with the City's General Plan.

As described below, construction and operational air quality emissions generated by the proposed project would not exceed the BAAQMD's emissions thresholds. Since the proposed project will not exceed these thresholds, the proposed project would not be considered by the

⁵ California Air Resource Board. (2022). *Top 4 Summary: Highest 4 Daily 24-Hour PM_{2.5} Averages*. <https://www.arb.ca.gov/adam/topfour/topfourdisplay.php>. Accessed January 7, 2022.

BAAQMD to be a substantial emitter of criteria air pollutants and would not contribute to any non-attainment areas in the Basin. In addition, projects are considered consistent with the 2017 Clean Air Plan if they incorporate all applicable and feasible control measures from the 2017 Clean Air Plan and would not disrupt or hinder implementation of any 2017 Clean Air Plan control measures. Therefore, the project is consistent with the applicable air quality plan and impacts would be less than significant

b) *Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?*

Less Than Significant Impact. The BAAQMD 2017 CEQA Air Quality Guidelines provide criteria for determining cumulative impacts and consistency. The CEQA Air Quality Guidelines note that a project which is inconsistent with an Air Quality Plan would have a significant cumulative impact on regional air quality. As discussed in Impact (a) above, the project is consistent with the Air Quality Management Plan for the San Francisco Bay Area Air Basin (SFBAAB). In addition, the proposed project’s construction and operational emissions would not exceed BAAQMD thresholds as discussed below.

Construction

During construction, short-term degradation of air quality may occur due to the release of particulate emissions generated by excavation, grading, hauling, and other activities related to construction. Emissions from construction equipment also are anticipated and would include CO, nitrogen oxides (NO_x), reactive organic gases (ROG), sulfur dioxide (SO₂), directly-emitted particulate matter (PM₁₀ and PM_{2.5}), and toxic air contaminants (e.g., diesel exhaust PM).

The regional construction emissions associated with development of the proposed project were calculated using CalEEMod version 2020.4.0. For the purposes of the air quality analysis, site disturbance would be approximately 20 acres and the construction timeframe would be around 5 months in duration. Construction would include grading, paving, and architectural coating. Typical construction detail equipment includes excavators, graders, scrapers, rollers, tractors, loaders, and air compressors. **Table 4.3-1** shows construction emissions for the project.

Table 4.3-1: Construction Emissions Summary and Significance Evaluation						
Construction Year	Pollutant (maximum pounds per day) ¹					
	Reactive Organic Gases (ROG)	Nitrogen Oxide (NO _x)	Exhaust		Fugitive Dust	
			Coarse Particulate Matter (PM ₁₀)	Fine Particulate Matter (PM _{2.5})	Coarse Particulate Matter (PM ₁₀)	Fine Particulate Matter (PM _{2.5})
2023	1.37	14.90	0.61	0.56	3.16	1.50
<i>BAAQMD Significance Threshold^{2,3}</i>	54	54	82	54	N/A	N/A
Exceed BAAQMD Threshold?	No	No	No	No	N/A	N/A

Table 4.3-1: Construction Emissions Summary and Significance Evaluation

Construction Year	Pollutant (maximum pounds per day) ¹					
	Reactive Organic Gases (ROG)	Nitrogen Oxide (NO _x)	Exhaust		Fugitive Dust	
			Coarse Particulate Matter (PM ₁₀)	Fine Particulate Matter (PM _{2.5})	Coarse Particulate Matter (PM ₁₀)	Fine Particulate Matter (PM _{2.5})
<p>1. Emissions were calculated using CalEEMod. Mitigated emissions include compliance with the BAAQMD's Basic Construction Mitigation Measures Recommended for All Projects. These measures include the following: water exposed surfaces two times daily; cover haul trucks; clean track outs with wet powered vacuum street sweepers; limit speeds on unpaved roads to 15 miles per hour; complete paving as soon as possible after grading; limit idling times to 5 minutes; properly maintain mobile and other construction equipment; and post a publicly visible sign with contact information to register dust complaints and take corrective action within 48 hours.</p> <p>2. Bay Area Air Quality Management District, California Environmental Quality Act Air Quality Guidelines, updated May 2017.</p> <p>3. BMPs = Best Management Practices. The BAAQMD recommends the implementation of all Basic Construction Mitigation Measures, whether or not construction-related emissions exceed applicable significance thresholds. Implementation of Basic Construction Mitigation measures are considered to mitigate fugitive dust emissions to be less than significant.</p> <p>Source: Refer to the CalEEMod outputs provided in Appendix A, <i>Air Quality Data</i>.</p>						

As shown in **Table 4.3-1: Construction Emissions Summary and Significance Evaluation**, construction of the proposed project would not cause exceedances for ROG, NO_x, PM_{2.5}, and PM₁₀. The calculated emission results for ROG, NO_x, PM_{2.5}, and PM₁₀ from CalEEMod demonstrate that the construction of this project would not exceed maximum daily thresholds created by the BAAQMD. The proposed project emissions would not worsen ambient air quality, create additional violations of federal and state standards, or delay the Basin's goal for meeting attainment standards. Construction impacts would be less than significant.

Operational

Long-term operational emissions are typically attributed to vehicle trips (mobile emissions), the use of natural gas (energy source emissions), and consumer products, architectural coatings, and landscape maintenance equipment (area source emissions). Implementation of the proposed project would enhance pedestrian safety, increase connectivity and mobility, and provide access for bicyclists and pedestrians. The project would serve existing pedestrians and bicyclists and would not generate growth. The proposed project does not include any new housing but instead is a pedestrian connection that would enhance existing facilities. Further, the proposed project would not generate new vehicle trips and no stationary sources are proposed. Therefore, operational emissions are less than significant and no mitigation is required.

c) *Expose sensitive receptors to substantial pollutant concentrations?*

Less Than Significant. Under CEQA, residences, schools, daycare centers, and healthcare facilities, such as hospitals, or retirement and nursing homes, are considered sensitive receptors. Single-family residences are located along the trail. The trail would be located approximately 50 feet from the nearest residential property line. However, the nearest residential structures are approximately 70 feet from the proposed trail. The proposed project involves developing a trail and a pedestrian and bicycle roadway which would not result in stationary emissions. The project would not include parking spaces or change existing land use activities; therefore, the project would not result in a substantial increase in traffic-related

pollutant concentrations that could affect sensitive receptors. Further, the dust and equipment exhaust emissions during construction would be minimal and would be controlled by compliance with BAAQMD Basic Construction Mitigation Measures.

Construction and Operation Period Toxic Air Contaminant Impacts

A toxic air contaminant (TAC) is an air pollutant that may cause or contribute to an increase in mortality or serious illness, or that may pose a hazard to human health. TACs are usually present in minute quantities in the ambient air; however, their high toxicity or health risk may pose a threat to public health even at low concentrations. The health risk associated with high concentrations of diesel exhaust from construction equipment has a carcinogenic and chronic effect, but no short-term acute effect is currently recognized.

The project could potentially expose sensitive receptors to temporary health hazards associated with TACs due to the operation of construction equipment. However, concentrations of mobile source diesel particulate matter would only be present during temporary construction activities, and as previously shown in **Table 4.3-1**, PM₁₀ emissions associated with construction activities would be well below the 82 lb/day threshold established by BAAQMD. Furthermore, the project operation emissions would be negligible (i.e., less than 2 pounds per day); therefore, no operational TAC impacts would occur. Compliance with BAAQMD recommended dust control measures would further reduce PM₁₀ emissions. The health risk associated with construction emissions would be less than significant and no mitigation is required.

Operational CO Hotspots

Localized high levels of CO (CO hotspot) are associated with traffic congestion and idling or slow-moving vehicles. Impacts related to CO hotspots would be less than significant because the proposed project would not generate new vehicle trips and would only have short-term temporary traffic impacts during construction. The primary purpose of the project is to enhance pedestrian safety and increase connectivity, mobility, and access for bicyclists and pedestrians. Pedestrians and bicyclists and adjacent residents would not be exposed to substantial pollutant concentrations and the impact would be less than significant.

d) *Result in other emissions (such as those leading to odors adversely affecting a substantial number of people?)*

No Impact. Construction activities associated with the project may generate detectable odors from heavy-duty equipment (e.g., diesel exhaust), as well as from architectural coatings and asphalt off-gassing. Odors generated from the referenced sources are common in the man-made environment and are not known to be substantially offensive to adjacent receptors. Any construction-related odors would be short-term in nature and cease upon project completion.

BAAQMD has established odor screening thresholds for land uses that have the potential to generate complaints about substantial odors, including wastewater treatment plants, landfills or transfer stations, composting facilities, confined animal facilities, food manufacturing, and

chemical plants. BAAQMD's thresholds for odors are qualitative based on BAAQMD's Regulation 7: Odorous Substances. This rule places general limitations on odorous substances and specific emission limitations on certain odorous compounds. The proposed project would not be a source of objectionable odors therefore no impact would occur.

4.4 Biological Resources

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

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?				X

The following section is a summary of the Biological Resources Report (BRR)⁶ the Aquatic Resources Delineation Report (ARDR)⁷, and the Tree Inventory and Preliminary Recommendations prepared for the proposed project and included as Appendix B. The BRR provides a description of existing biological resources on the project site and identifies potentially significant impacts that could occur to sensitive biological resources from the proposed project. The ARDR delineates aquatic resources on the project site that are potentially regulated under section 404 of the federal Clean Water Act (CWA) and the State Water Resources Control Board (SWRCB) *State Wetland Definition and Procedures for Discharges of Dredged or Fill Material to Waters of the State*. The “study area” for the aquatic resource delineation consisted of the entire alignment of the proposed project and covers approximately 6.5 acres over approximately 0.9 miles along the southern shoulder of Diablo Road.

The project site is located along the shoulder and right-of-way of Diablo Road immediately north of East Branch Green Valley Creek on its western side and south of the creek on its eastern side. East Branch Green Valley Creek flows east to west and connects with San Ramon Creek in downtown Danville. The project site slopes slightly from north to south, with short segments of the proposed footprint located below the top-of-bank of the creek, on the western side of the site. Elevation on the project site ranges from 465 to 581 feet above mean sea level (MSL).

Plant Communities and Wildlife Habitats

On December 15, 2021, staff conducted a survey of the project site and characterized vegetation present.

Ruderal

The project site is dominated by ruderal herbaceous habitat. Ruderal communities are groupings of plants that thrive in areas disturbed by human activity. Ruderal vegetation is

⁶ Sequoia Ecological Consulting. (2022). Biological Resources Report – Town of Danville Diablo Road Trail Project.

⁷ Sequoia Ecological Consulting. (2022). Aquatic Resources Delineation Report - Town of Danville Diablo Road Trail Project.

adapted to high levels of disturbance and endures for long periods of time in areas that have continual disturbance. Dominant grass and forb species observed within ruderal communities on the project site include black mustard (*Brassica nigra*), bristly ox-tongue (*Helminthotheca echioides*), California burclover (*Medicago polymorpha*), poison hemlock (*Conium maculatum*), and yellow star thistle (*Centaurea solstitialis*).

Non-Native Annual Grassland

Non-native annual grassland is comprised primarily of plant species that mature in spring and early summer, before spreading seed and dying in late summer and fall. Non-native annual grassland is found in large patches throughout the project site, primarily interspersed with ruderal communities. Dominant grass and forb species observed within non-native annual grassland communities on the project site include slender wild oat (*Avena barbata*), ripgut brome (*Bromus diandrus*), Italian thistle (*Carduus pycnocephalus* ssp. *pycnocephalus*), and filaree species (*Erodium botrys*, *E. cicutarium*).

Mixed Riparian Woodland

Mixed riparian woodlands are diverse habitats that support numerous plant species that can include grasses, annual and perennial forbs, vines, shrubs, and trees. A variety of plants creates a complex layering of understory and overstory which in turn provides habitat to numerous wildlife species. When found within the bed, channel, or bank of any river, stream, or lake, riparian vegetation is also protected under Section §1602 of the CFGC; and the CDFW has included riparian communities in the CNDDDB.

Riparian woodland habitat is present within and surrounding East Branch Green Valley Creek, which lies just outside the project site. Dominant plant species observed within the riparian woodland community on the project site include Italian ryegrass (*Festuca perennis*), mugwort (*Artemisia douglasiana*), cattail (*Typha* spp.), giant reed (*Arundo donax*), mulefat (*Baccharis salicifolia*), willows (*Salix exigua*, *S. laevigata*, and *S. lasiolepis*), and Fremont cottonwood (*Populus fremontii*).

Wildlife Corridors

Wildlife corridors are habitats that provide connectivity between natural communities otherwise separated by urbanization and other development. Wildlife corridors provide access for animals to travel between these communities for seasonal migration, access to overwintering/summering habitat, breeding, etc. They also allow animals a route to move away from natural disasters and other forms of habitat loss, as well as to recolonize habitats previously extirpated. Wildlife corridors provide opportunities to breed, forage, migrate/emigrate, disperse, and forage.

The proposed project will not interfere with the movement of native wildlife. This project is located along a narrow strip of shoulder along Diablo Road and within non-native annual grassland. Although East Branch Green Valley Creek functions as a wildlife corridor and is immediately adjacent to the project site, the creek itself and its function will not be blocked or impeded by the proposed project.

Special-Status Plants

Figure 4.4-1, Closest Known Records for Special-Status Plant Species Within 3 Miles of the Diablo Road Trail Project Site provides a graphical illustration for special-status plant species occurrences within 3 miles of the project site. **Table 4.4-1, Special-Status Plant Species with Potential to Occur on the Diablo Road Trail Project Site** provides an assessment of potential to occur of special-status plant species on the project site. Twenty-one (21) special-status plants have been previously documented within 3 miles of the project site (CNDDDB 2021; CNPS 2021); however, no plants have been observed or mapped onsite. Sequoia analyzed the potential to occur for these plant species, as well as species included in CNPS and IPaC resource lists during the desktop review (Table 4.4-1). A number of these species require specialized habitats such as cismontane woodland, chaparral, rocky areas, and alkaline soils that are not found on the project site.

Scientific Name	Common Name	Listed Status	Habitat Requirements	Potential for Occurrence
<i>Arctostaphylos auriculata</i>	Mt. Diablo manzanita	1B.3	Occurs in sandstone chaparral and cismontane woodland at elevations of 440 to 2,135 feet MSL. Blooms from January through March.	None. no suitable habitat occurs on the project site.
<i>Arctostaphylos manzanita ssp. laevigata</i>	Contra Costa manzanita	1B.2	Occurs in rocky chaparral at elevations of 1,410 to 3,610 feet MSL. Blooms from January through March.	None. no suitable habitat occurs on the project site.
<i>Calochortus pulchellus</i>	Mt. Diablo fairy lantern	1B.2	Occurs in chaparral, cismontane woodland, riparian woodland, and valley and foothill grassland at elevations of 95 to 2,755 feet MSL. Blooms from April through June.	None. No suitable habitat occurs on the project site.
<i>Campanula exigua</i>	chaparral harebell	1B.2	Occurs in rocky, usually serpentinite soils within chaparral at elevations of 900 to 4,100 feet MSL. Blooms from May through June.	None. No suitable habitat occurs on the project site.
<i>Centromadia parryi ssp. congdonii</i>	Congdon's tarplant	1B.1	Occurs in valley and foothill grassland at elevations of 0 to 754 feet. Blooms from May through October.	None. No suitable habitat occurs on the project site.
<i>Delphinium californicum ssp. interius</i>	Hospital Canyon larkspur	1B.2	Occurs in chaparral, cismontane woodland, and coastal scrub. Blooms from April through June.	None. No suitable habitat occurs on the project site.
<i>Dirca occidentalis</i>	western leatherwood	1B.2	Occurs in mesic soils within Broad leaved upland forest, closed cone coniferous forest, chaparral, cismontane woodland, North Coast coniferous forest, riparian forest, and riparian woodland at elevations of 80 to 1,395 feet MSL. Blooms from January through March.	None. No suitable habitat occurs on the project site.
<i>Eriogonum truncatum</i>	Mt. Diablo buckwheat	1B.1	Occurs in sandy soils in within chaparral, coastal scrub, and valley and foothill grassland at elevations of	None. No suitable habitat occurs on the project site.

Table 4.4-1: Special-Status Plant Species with Potential to Occur on the Diablo Road Trail Project Site

Scientific Name	Common Name	Listed Status	Habitat Requirements	Potential for Occurrence
			5 to 1,150 feet MSL. Blooms from April through September.	
<i>Eryngium jepsonii</i>	Jepson's coyote thistle	1B.2	Occurs in clay soils within valley and foothill grassland and vernal pools at elevations of 5 to 985 feet MSL. Blooms from April through August.	None. No suitable habitat occurs on the project site.
<i>Extriplex joaquinana</i>	San Joaquin spearscale	1B.2	Occurs in alkaline soils within chenopod scrub, meadows and seeps, playas as well as valley and foothill grassland at elevations of 3 to 2,739 feet. Blooms from April through October.	None. No suitable habitat occurs on the project site.
<i>Fritillaria liliacea</i>	fragrant fritillary	1B.1	Often occurs in serpentinite soils within cismontane woodland, coastal prairie, coastal scrub and valley and foothill grassland at elevations of 10 to 1,345 feet. Blooms from February through April.	None. No suitable habitat occurs on the project site.
<i>Hesperolinon breweri</i>	Brewer's western flax	1B.2	Occurs in chaparral, cismontane woodland and valley and foothill grassland, usually serpentinite soils, at elevations of 95 to 3,100 feet MSL. Blooms from May through July.	None. No suitable habitat occurs on the project site.
<i>Malacothamnus hallii</i>	Hall's bushmallow	1B.2	Occurs in chaparral and coastal scrub at elevations of 30 to 2,495 feet MSL. Blooms from May through September.	None. No suitable habitat occurs on the project site.
<i>Monolopia gracilens</i>	woodland wooly threads	1B.2	Occurs in serpentinite soils within broadleafed upland forest (openings), chaparral (openings), cismontane woodland, North Coast coniferous forest (openings), and valley and foothill grassland at elevation of 325 to 3,935 feet MSL. Blooms from March through July.	None. No suitable habitat occurs on the project site.
<i>Navarretia nigelliformis</i> ssp. <i>radians</i>	shining navarretia	1B.3	Occurs in cismontane woodland, valley and foothill grassland, and vernal pools, sometimes in clay soils, at elevations of 210 to 3,280 feet MSL. Blooms from April through July.	None. No suitable habitat occurs on the project site.
<i>Phacelia phacelioides</i>	Mt. Diablo phacelia	1B.2	Occurs in rocky areas, chaparral, and cismontane woodland. Blooms from April through May.	None. No suitable habitat occurs on the project site.
<i>Sanicula saxatilis</i>	rock sanicle	1B.2, CR	Occurs in rocky, scree, talus within broadleafed upland forest, chaparral, and valley and foothill grassland at elevations of 2,030 to 3,855 feet MSL. Blooms from April through May.	None. No suitable habitat occurs on the project site.
<i>Streptanthus hispidus</i>	Mt. Diablo jewelflower	1B.3	Occurs in chaparral, rocky areas, valley and foothill grasslands. Blooms from March through June.	None. No suitable habitat occurs on the project site.
<i>Stuckenia</i>	northern slender	2B.2	Occurs in marshes and swamps	None. No suitable habitat

Table 4.4-1: Special-Status Plant Species with Potential to Occur on the Diablo Road Trail Project Site

Scientific Name	Common Name	Listed Status	Habitat Requirements	Potential for Occurrence
<i>filiformis</i> ssp. <i>aplina</i>	pondweed		(assorted shallow freshwater). Blooms from May through July.	occurs on the project site.
<i>Triquetrella californica</i>	coastal triquetrella	1B.2	Occurs in coastal bluff scrub and coastal scrub at elevations of 30 to 330 feet MSL.	None. No suitable habitat occurs on the project site.
<i>Viburnum ellipticum</i>	oval-leaved viburnum	2B.3	Occurs in chaparral, cismontane woodland, and lower montane coniferous forest at elevations of 705 to 4,595 feet. Blooms from May through June.	None. No suitable habitat occurs on the project site.

Key to status:

FT= Federally listed as threatened species

CE= California listed as endangered species

CNPS Rare Plant Rank

1A= Plants presumed extirpated in California, and either rare or extinct elsewhere

1B= Plants rare, threatened, or endangered in California, or elsewhere

2A= Plants presumed extirpated in California but common elsewhere

2B= Plants rare, threatened, or endangered in California but more common elsewhere

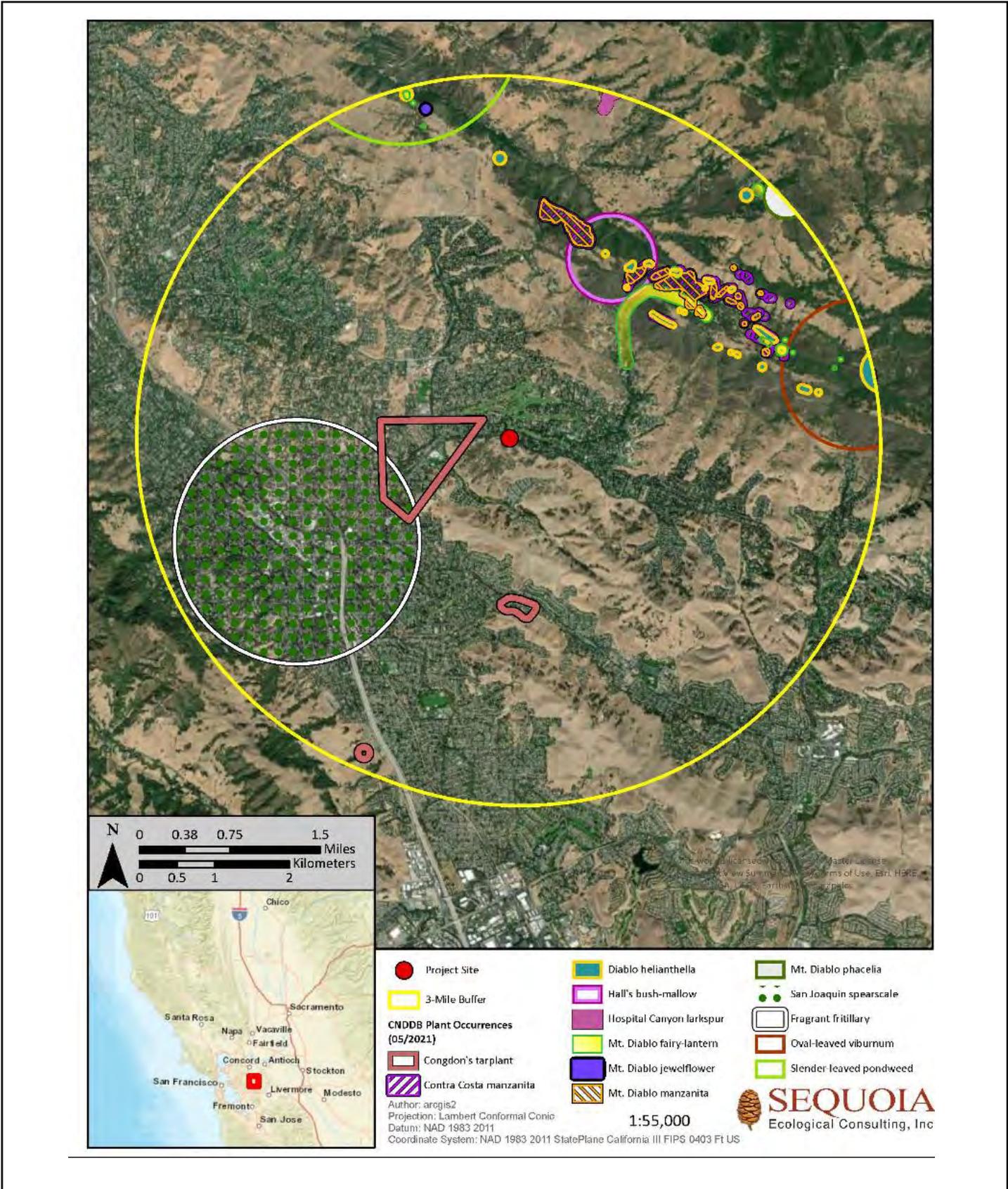
3= Plants about which more information is needed

Note: CNPS ranks below 3 were excluded from this analysis.

Special-Status Animals

Special status animal species include those listed as threatened or endangered or candidates for listing under the FESA or CESA, State Species of Special Concern (as designated by the California Department of Fish and Wildlife); and other rare species, including those on the “Special Animals List” as maintained by CDFW. Plant and animal species were evaluated for their potential to occur within United States Geological Survey Quadrangle maps that intersect the project area for federally protected species and within a 3-mile radius for species observations from CNDDDB. Eleven (11) special-status animal species have been previously documented (CNDDDB occurrences) within 3 miles. These species were analyzed for the potential to occur of the project site, as well as species included in Calfish, Pisces, NMFS, and IPaC resource lists. A number of these species require specialized habitat, such as vernal pools, rocky streams, and scrub, that are not found on the project site. Due to lack of suitable habitat and/or lack of recent occurrences in the project vicinity, six (6) special-status animal species are not expected to occur. Descriptions and potential for occurrence of the remaining five (5) species are included in more detail in **Table 4.4-2, Special-Status Animal Species with Potential to Occur on the Diablo Road Trail Project Site** including:

- pallid bat
- Townsend’s Big-eared Bat
- Foothill Yellow-Legged Frog
- California Red-Legged Frog
- western pond turtle



Source: Sequoia Ecological Consulting, Inc.

FIGURE 4.4-1: Closest Known Records for Special-Status Plant Species Within 3 Miles of the Diablo Road Trail Project Site
 Diablo Road Trail



Table 4.4-2: Special-Status Animal Species with Potential to Occur on the Diablo Road Trail Project Site

Scientific Name	Common Name	Listed Status	Habitat Requirements	Potential for Occurrences
Mammals				
<i>Antrozous pallidus</i>	pallid bat	SSC	Occurs in deserts, grasslands, shrublands, woodlands, and forest. Most common in open, dry, habitats with rocky area for roosting. Roost must protect bats from high temperatures. Very sensitive to disturbance of roosting sites.	Unlikely. Marginal roosting habitat occurs on the project site. Preconstruction surveys will be conducted; see text.
<i>Corynorhinus townsendii</i>	Townsend's big-eared bat	SSC	Have been found in a diverse array of communities, including but not limited to, evergreen forests, mixed riparian forests, agricultural areas and coastal habitats. Distribution is most strongly correlated with proximity to roosting habitats in rock cavities and caves.	Unlikely. Low potential to forage within project site. Preconstruction surveys will be conducted; see text.
<i>Vulpes macrotis mutica</i>	San Joaquin kit fox	FE, CT	Occurs in annual grasslands or open stages with scattered shrubby vegetation. Requires loose sandy textured soils for burrowing.	None. No suitable habitat occurs on the project site.
Birds				
<i>Sterna antillarum browni</i>	California least tern	FE, CE, FP	Occurs and nests along coastal, sandy, open areas usually around bays, estuaries, and creek and river mouths.	None. No suitable habitat occurs on the project site.
Amphibians/Reptiles				
<i>Ambystoma californiense</i>	California tiger salamander	FT, CT, SSC	Occurs in vernal and seasonal pools and associated grasslands, oak savanna, woodland, and coastal scrub. Needs underground refuges (i.e., small mammal burrows, pipes) in upland areas such as grassland and scrub habitats.	None. No suitable habitat occurs on the project site.
<i>Rana draytonii</i>	California red-legged frog	FT, SSC	Occurs in semi-permanent or permanent water at least two feet deep, bordered by emergent or riparian vegetation, and upland grassland, forest, or scrub habitats for aestivation and dispersal.	None. No suitable habitat occurs on the project site.
<i>Emys marmorata</i>	western pond turtle	SSC	Occurs in rivers, ponds, and freshwater marshes, and nests in upland areas (sandy banks or grassy open fields) up to 1,640 feet from water.	None. No suitable habitat occurs on the project site.
<i>Masticophis</i>	Alameda	FT, CT	A fast-moving, diurnal predator;	None. No suitable habitat occurs

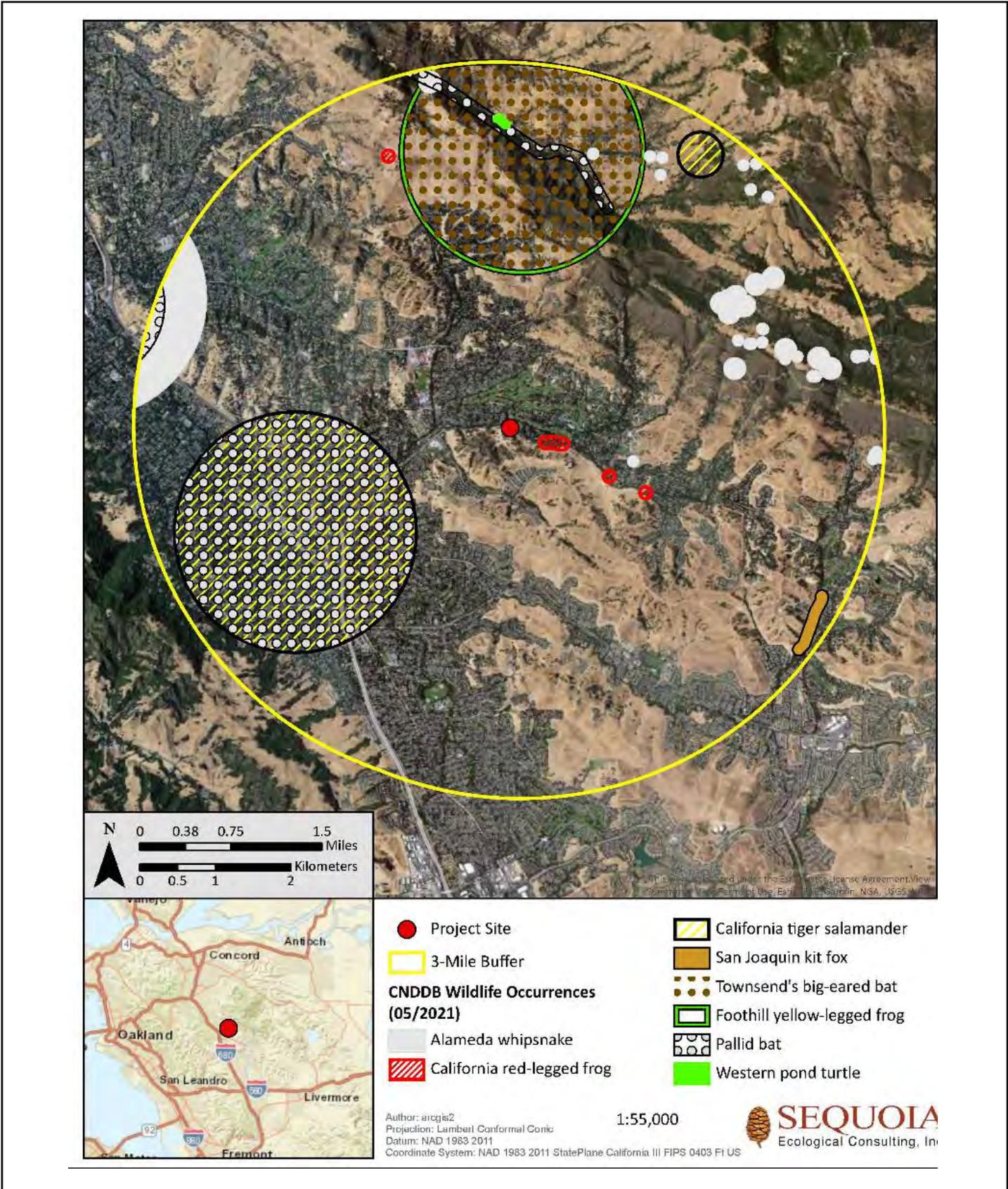
Table 4.4-2: Special-Status Animal Species with Potential to Occur on the Diablo Road Trail Project Site				
Scientific Name	Common Name	Listed Status	Habitat Requirements	Potential for Occurrences
<i>lateralis erymanthus</i>	whipsnake		actively hunts with head held high. Limited range, mostly in Alameda and Contra Costa counties, utilizing chaparral, scrub, and rocky outcrops as core habitat. Also uses surrounding woodlands and grassland for foraging and dispersal.	on the project site.
<i>Rana boylei</i>	foothill yellow-legged frog	west/central coast clade: CE	Found in rocky streams and rivers with rocky substrate and open, sunny banks in forests, woodlands, and chaparral. May also occur in isolated pools and vegetated backwaters.	None. No suitable habitat occurs on the project site.
Fish				
<i>Hypomesus transpacificus</i>	delta smelt	FT, CE	Endemic to Sacramento-San Joaquin Delta and its tributaries extending west to Suisun and San Pablo bays.	None. No suitable habitat occurs on the project site.
Invertebrates				
<i>Branchinecta lynchi</i>	vernal pool fairy shrimp	FT	Occurs in vernal pools. Endemic to the grasslands of the Central Valley, Central Coast mountains, and South Coast mountains.	None. No suitable habitat occurs on the project site.

FE= Federally listed as endangered species
 FT= Federally listed as threatened species
 FC= Federally listed as a candidate species for listing
 CE= California listed as endangered species
 CT= California listed as threatened species
 FP= California listed as fully protected
 SSC= California species of special concern

Figure 4.4-2, Closest Known Records for Special-Status Wildlife Species Within 3 Miles of the Diablo Road Trail Project Site provides a graphical illustration for special-status animal species occurrences within 3 miles of the project site.

Wetlands and Waters of the U.S and State

The eastern portion of the project site features undulating topography located within regularly grazed non-native annual grassland. The topography generally slopes from south to north throughout this part of the site, with the Magee Cattle Ranch property upslope and Diablo Road downslope from the project. Water from sheet flow runoff and direct precipitation converges at topographic low points between multiple hill peaks, before being conveyed by natural swales and drainage-like features. The extent of these features is limited to several swales and alluvial features that intersect with the project site; however, several drainages with incised channels are present in the vicinity but fall outside of and upslope from the project footprint, within the adjacent Magee Cattle Ranch property. The western portion of the project site is located along



Source: Sequoia Ecological Consulting, Inc.

FIGURE 4.4-2: Closest Known Records for Special-Status Wildlife Species Within 3 Miles of the Diablo Road Trail Project Site

the shoulder of Diablo Road and its topography is consistent with the road alignment. East Branch Green Valley Creek, a perennial waterway and blueline stream, lies directly south of the westernmost portion of the proposed Project.

A portion of East Branch Green Valley Creek (PD1) is located just outside the southern boundary of the project site but within the study area; the extent of PD1 within the study area is approximately 0.689-acre. This feature is a perennial drainage characterized by a deeply incised channel, with a clearly defined bed and bank, and abrupt banks. The creek contained flowing water and in-channel pools at the time of the survey, and indicators of ordinary high water mark (OHWM) were observed.

One aquatic resource was identified in the project study area during the December 2021 delineation: perennial drainage. Details on this aquatic resource is summarized in **Table 4.4-3. Potentially Jurisdictional Aquatic Resources Delineated in the Study Area**, and potential regulatory jurisdiction over this feature is discussed below.

Table 4.4-3: Potentially Jurisdictional Aquatic Resources Delineated in the Study Area									
Feature Name	Area (ft ²)	Length (ft)	Acre(s)	Avg Width (ft)	Sample Point	Bed/Bank/OHWM	Hydrology	Cowardin Class	Latitude, Longitude
Potential USACE and State Jurisdiction									
PD1	30,012	-	0.689	50	-	Yes, All	Perennial	Riverine	37.83480, -121.96689

Based on current guidance (EPA 2008; 2021), the perennial drainage (PD1) delineated in the study area would presumably qualify as *“Non-navigable tributaries of traditional navigable waters that are relatively permanent where the tributaries typically flow year-round or have continuous flow at least seasonally (e.g., typically three months)”* and therefore fall under U.S Army Corps of Engineers (USACE) jurisdiction.

On April 2, 2019, the State Water Resources Control Board (SWRCB) adopted a *State Wetland Definition and Procedures for Discharges of Dredged or Fill Material to Waters of the State* (Procedures), for inclusion in the *Water Quality Control Plan for Inland Surface Waters and Enclosed Bays and Estuaries and Ocean Waters of California*. The Procedures took effect May 28, 2020. The Procedures consist of four major elements: (1) a wetland definition; (2) a framework for determining if a feature that meets the wetland definition is a water of the state; (3) wetland delineation procedures; and (4) procedures for the submittal, review and approval of applications for Water Quality Certifications and Waste Discharge Requirements for dredge or fill activities. Aquatic resources (such as ephemeral tributaries, some drainage ditches, and isolated wetlands), which may be exempt from federal jurisdiction under the Navigable Waters Protection Rule would likely be considered waters of the State under the Porter-Cologne Water Quality Control Act and/or the Procedures that took effect May 28, 2020. Based on the Procedures, the perennial drainage within the study area would also likely qualify as *“Waters of the State”* subject to jurisdiction by the SWRCB.

Work, such as placement of fill material, occurring within USACE jurisdiction normally requires a permit under Section 404 of the federal CWA. In addition, the USACE, under Section 401 of the federal CWA, is required to meet state water quality regulations prior to granting a Section 404 permit. This is accomplished by application to the local Regional Water Quality Control Board (RWQCB) for Section 401 certification that requirements have been met. Streams, rivers, and lakes up to the top of bank or dripline of riparian vegetation (whichever is greater) also fall within the jurisdiction of the California Department of Fish and Wildlife (CDFW). Work within CDFW jurisdiction requires a Streambed Alteration Agreement.

Town of Danville Tree Preservation Ordinance

The Town of Danville's Tree Preservation Ordinance (Municipal Code, Section 32-79) requires acquisition of a Tree Removal Permit prior to removal of certain trees within the City Limits. A Tree Removal Permit for tree removal is required if the tree(s) are on the Town's list of protected, heritage, and/or memorial trees, as defined below:

Protected Trees: Any of the following native trees having a single trunk or main stem 10 inches or greater in diameter or multiple trunk trees with tree trunks totaling 20 inches in diameter, measured 4.5 feet above natural grade:

- Blue oak (*Quercus douglasii*)
- California bay (*Umbellularia californica*)
- California black oak (*Quercus kelloggii*)
- California buckeye (*Aesculus californica*)
- California sycamore (*Platanus racemosa*)
- Canyon live oak (*Quercus chrysolepis*)
- Coast live oak (*Quercus agrifolia*)
- Interior live oak (*Quercus wislizenii*)
- Madrone (*Arbutus menziesii*)
- London plane tree (*Plantanus acerifolia*)
- Valley oak (*Quercus lobata*)
- White alder (*Alnus rhombifolia*)

Heritage Trees: Any single trunked tree, regardless of species, which has a trunk diameter of 36 inches or greater, measured 4.5 feet above natural grade. Multi-trunk trees are not considered heritage trees therefore no permit would be required.

Memorial Trees: A tree planted on public property in memory of or commemoration of an individual or individuals.

Removal of any protected, heritage, and/or memorial trees, as defined in the Town of Danville's Tree Preservation Ordinance (Municipal Code, Section 32-79) would require acquisition of a Tree Removal Permit.

a) *Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?*

Less Than Significant With Mitigation Incorporated. No special-status plant species are expected to occur on the project site due to regular disturbance (e.g., immediate proximity to busy thoroughfare, mowing, grazing) and lack of specialized habitats and/or substrates such species require. In addition, no special-status plant species were detected during surveys conducted in the spring and winter of 2021. The project site may provide marginally suitable habitat for two special-status bat species, pallid bat and Townsend's big-eared bat. Furthermore, the project site may provide suitable nesting habitat for migratory birds and raptors. Construction disturbance will be temporary, and implementation of the MM BIO-1 and MM BIO-2 would minimize any impacts on migratory birds and special-status bat species. Indirect impacts may result from the loss of nesting habitat; however, replanting of vegetation would minimize impacts on potential nesting habitat (trees) within the vicinity. Therefore, through implementation of MM BIO-1 and MM BIO-2 impacts to special-status bat species and nesting birds would be reduced to a less than significant level.

b) *Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?*

Less Than Significant With Mitigation Incorporated. The bed, bank, and channel and associated riparian vegetation of East Branch Green Valley Creek are subject to CDFW jurisdiction under Section 1600 of California Fish and Game Code (CFGC). In addition, areas within the riparian corridor and below top-of-bank may be regulated by RWQCB. Accordingly, prior to any impacts to the bed, bank, and/or channel and associated riparian vegetation/canopy of East Branch Green Valley Creek, authorization from CDFW/RWQCB shall be required prior to project commencement. Impacts would be mitigated to a level considered less than significant with implementation of MM BIO-3 and MM BIO-4.

c) *Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological?*

Less Than Significant Impact With Mitigation Incorporated. As described above, one potentially jurisdictional aquatic resource has been identified in the project study area: PD1, a 0.689-acre perennial drainage characterized by a deeply incised channel, with a clearly defined bed and bank, and abrupt banks. Retaining walls would be constructed to avoid encroachment to the East Branch Green Valley Creek, as shown in **Figure 3: Proposed Project**. The trail alignment would encroach on PD1 up to 150 sq ft. Mitigation for this impact would be completed at a ratio determined by permits obtained with Mitigation Measures BIO-3 and BIO-4. Through the implementation of project design measures, applicable permits, and

implementation of Mitigation Measures BIO-3 and BIO-4, the proposed project would result in less than significant impacts with mitigation incorporated.

d) *Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?*

Less Than Significant With Mitigation Incorporated.

This project site does not currently provide a movement corridor for any wildlife species, nor does it provide nursery sites for any species. As discussed above, the proposed project is located along a narrow strip of shoulder along Diablo Road and within non-native annual grassland. Although East Branch Green Valley Creek functions as a wildlife corridor and is immediately adjacent to the project site, the creek itself and its function will not be blocked or impeded by the proposed project.

The proposed project would not interfere with the movement of any native resident or migratory fish or wildlife species or migratory wildlife corridor or impede the use of wildlife nursery sites. Impacts to “Waters of the State” on the project site would generally be avoided (refer to Section 4.4 (c)). The proposed project alignment would be located at grade level, and therefore, would not substantially obstruct wildlife movement.

The nests of all the native bird species are protected under the federal MBTA and California Fish and Game Code. Impacts to nesting birds and special-status bat species would be mitigated through implementation of MM BIO-1 and BIO-2. Therefore, impacts as a result of the proposed project would be less than significant with mitigation incorporated.

e) *Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?*

Less Than Significant Impact With Mitigation Incorporated.

Vegetation and tree removal would be required to construct the trail and would include the removal of native trees and non-native trees. However, the trail alignment is designed to avoid the removal of protected or heritage trees. The project would result in the removal of trees determined by the Arborist Report (See Appendix B) to be in poor condition, as well as trees that cannot be avoided. Trees in poor condition are not typically considered a reliable specimen for preservation due to a stunted or declining canopy, poor foliar color, possible disease, or insect issues and can include severe structural defects that may or may not be correctable.

Further, the Town of Danville’s Tree Preservation Ordinance (Municipal Code, Section 32-79) requires acquisition of a Tree Removal Permit prior to removal of certain trees within the City Limits. The tree removal permit would ensure tree replacement at a specific ratio to mitigate loss of trees.

Design measures to avoid resources and tree removal permits would ensure that the proposed project would not conflict with local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance. Implementation of MM BIO-5 would require protected trees to be replanted at ratios consistent with tree protection requirements and impacts would be less than significant.

f) *Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?*

No Impact. The proposed project is not located within any Natural Community Conservation Plan or Habitat Conservation Plan. Thus, the proposed project would not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Plan, or other approved local, regional, or State habitat conservation plan. Therefore, the proposed project would have no impact.

Mitigation Measures

MM BIO-1: Migratory Birds and Raptors/Nest Avoidance. Tree and vegetation clearing (removal, pruning, trimming, and mowing) shall be scheduled to occur outside the migratory bird nesting season (February 1 through August 31). However, if clearing and/or construction activities will occur during the migratory bird nesting season, then preconstruction surveys to identify active migratory bird and/or raptor nests shall be conducted by a qualified biologist within 14 days of construction initiation on the project site and within 300 feet (i.e., zone of influence) of project-related activities. The zone of influence includes areas outside the project site where birds could be disturbed by construction-related noise or earth-moving vibrations.

If active nest, roost, or burrow sites are identified within the project site, a no-disturbance buffer shall be established for all active nest sites prior to commencement of any proposed project-related activities to avoid construction or access-related disturbances to migratory bird nesting activities. A no-disturbance buffer constitutes a zone in which proposed project-related activities (e.g., vegetation removal, earth moving, and construction) cannot occur. A minimum buffer size of 50 feet for passerines and 300 feet for raptors will be implemented; sizes of the buffers shall be determined by a qualified biologist based on the species, activities proposed near the nest, and topographic and other visual barriers. Buffers shall remain in place until the young have departed the area or fledged and/or the nest is inactive, as determined by the qualified biologist. If work is required within a buffer zone of an active bird nest, work may occur under the supervision of a qualified avian biologist. The qualified avian biologist monitoring the construction work will

have the authority to stop work and adjust buffers if any disturbance to nesting activity is observed.

MM BIO-2: Roosting Bats. A qualified biologist shall be hired to conduct surveys for special-status bats (pallid bat and Townsend's big-eared bat) no more than two weeks prior to planned commencement of construction activities that have the potential to disturb bat day roosts or maternity roosts through elevated noise levels or removal of trees. If a visual survey is not sufficient to determine the presence/absence of bats, acoustic equipment (e.g., AnaBat) shall be used to determine potential occupancy type of species present. If an active maternity roost is detected, a qualified biologist shall determine an appropriate avoidance buffer to be maintained from April 1 until young are flying (typically through August). If an active day roost is detected in a tree or structure planned for removal, or within a zone of influence (i.e., noise, vibration) that could result in roost abandonment, as determined by a qualified biologist, the bats shall be safely evicted under the guidance of a qualified biologist. Day roosts shall not be removed unless the daytime temperature is at least 50 degrees Fahrenheit and there is no precipitation. Mitigation for day roosts impacted by the project will be achieved through the installation of bat houses on-site to replace lost roosts at a 1:1 ratio. Replacement roosts will be placed at the discretion of the qualified biologist.

MM BIO-3 Obtain CDFW Section 1600 Lake or Streambed Alteration Agreement. If project activities encroach on the riparian zone of East Branch Green Valley Creek, the project proponent shall submit a Section 1600 Notification of Lake or Streambed Alteration application to CDFW. The Notification will include a description of impacts, including quantification of impacts to bed, bank, and channel, as well as individual trees, area and linear footage of riparian vegetation, and proposed mitigation for impacts.

It is likely that CDFW will require tree replacement mitigation compensation as a condition of the Lake or Streambed Alteration Agreement. Accordingly, the applicant proposes to mitigate for any impacts to native trees greater than 4 inches in diameter at breast height (DBH) via on-site replacement at a 3:1 (replacement to impacts) ratio. This tree replacement mitigation proposal to compensate for the project's potential encroachment into the riparian canopy will likely satisfy mitigation requirements stipulated by CDFW. In consideration of overall project site aesthetics, replacement trees shall be planted near East Branch Green Valley Creek to contribute to the existing riparian canopy associated with this waterway.

The trees' health shall be monitored annually for 5 years by a qualified biologist or arborist and documented in annual monitoring reports. At the end of the 5-

year monitoring period, at least 70 percent of planted trees shall be in good health. If survival is below 70 percent, additional trees shall be planted to bring the total number of planted trees up to 100 percent of the original number of trees planted. Irrigation and follow-up monitoring shall be established over an additional 3-year period following any replanting.

MM BIO-4 Obtain RWQCB Waste Discharge Requirements Permit and US Army Corps of Engineers Section 404 Permit. If project activities encroach on areas, including the riparian zone and canopy of East Branch Green Valley Creek and below top-of-bank, or other areas potentially regulated by the RWQCB or USACE, the project proponent shall submit a report of Waste Discharge in order to obtain WDRs, and/or file a completed federal National Pollutant Discharge Elimination System (NPDES) permit application form with the San Francisco Bay RWQCB, and/or obtain a permit under Section 404 of the federal Clean Water Act, as appropriate.

In addition, the project proponent shall develop a SWPPP that will be submitted to the Town of Danville as a condition of project approval demonstrating BMPs that shall be installed/implemented prior to project commencement. Stormwater protection and treatment measures shall be implemented to ensure that the proposed project remains in compliance with the Porter-Cologne Act and that discharges of dredged or fill material do not enter waters of the State.

MM BIO-5 Tree Protection. Some trees on the project site are subject to the Town of Danville's Tree Preservation Ordinance. At least 90 days prior to project initiation, a Tree Removal Application shall be submitted to the Town for review and for acquisition of a Tree Removal Permit, if required. The Town will consider the following criteria upon receipt of the application and prior to issuing a permit:

1. The condition of the tree with respect to its health, imminent danger of falling, proximity to existing structures, and interference with utility infrastructure;
2. The necessity to remove the tree to allow for the reasonable use, enjoyment, or development of the property;
3. The age and size of the protected tree with regard to the appropriate size of the area in which the tree is planted, and if removal would encourage healthy, more vigorous growth of other plant materials in the area;
4. Planning Commission may authorize removal if the tree is unreasonably adversely impacting the use of the property. Mitigation would be required;
5. The effect of the removal in relation to soil erosion and surface water flow;

6. The number of species, size, and location of other protected trees in the area and the effect of the removal as it pertains to shade, privacy between properties, and scenic beauty of the area;
7. Possible visual impacts within a Town-identified Major Ridgeline or Scenic Hillside Area.

To compensate for the removal of any trees protected by the Town of Danville's Tree Protection Ordinance, the applicant shall ensure the protection (i.e., health and safety) of trees to be retained and provide mitigation for trees authorized by the Town for removal. The applicant shall be required to replace on-site the Town-protected trees to be removed in accordance with the Preservation Ordinance and Tree Removal Permit.

If tree mitigation planting cannot be accommodated on the project site, mitigation may be handled through the payment of an in-lieu fee, which shall be made payable to the Town of Danville. In-lieu mitigation funds received by the Town may be applied to an account chosen by the Town to allow the purchase and planting of trees (e.g., beautification trees) within the Town of Danville.

4.5 Cultural Resources

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource pursuant to in § 15064.5?				X
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5?		X		
c) Disturb any human remains, including those interred outside of dedicated cemeteries?		X		

The following section is summarized from the Archaeological Survey Report (ASR)⁸ prepared for the proposed project (Appendix C).

a) *Cause a substantial adverse change in the significance of a historical resource pursuant to in § 15064.5?*

No Impact. An archival and records search was conducted within a 0.25-mile buffer area around the Project Area of Potential Impact (API) by staff at the Northwest Information Center (NWIC) of the California Historical Resources Information System (CHRS) at Sonoma State University. The archival and records search revealed that no cultural resources have been previously recorded within the API or the 0.25-mile records search buffer. Two prior cultural resources studies encompassed portions of the API and no additional studies were identified within the 0.25-mile buffer. Details for both studies are presented in Table 4.5-1, Prior Cultural Resource Studies Associated with the Project Area.

⁸ Pacific Legacy, Inc. (2022). Phase I Archaeological Survey Letter Report for the Diablo Road Trail Project, Danville, Contra Costa County, California.

Study Number	Title	Author	Year	Type
S-038908	Magee Ranch, Archaeological Survey and Subsurface Testing Report, Contra Costa County, California	Wilberg, Randy S.	2011	Archaeological, Excavation, Field Study
	Cultural Resources Study of the Magee Ranch Property, Danville, Contra Costa County, California (letter report)	Holman, Miley Paul	2009	Archaeological, Excavation, Field Study
	Cultural Resources Assessment Report, Magee Ranch Project, Town of Danville, Contra Costa County, California	Bulger, Teresa D., Thomas Young, and Nazih Fino	2015	Archaeological, Field Study
	COE_2014_1209_001, Section 106 Consultation for the Summerhill Homes in Danville, Contra Costa County, California (COE #2011-00044S)	Polcano, Julianne and Jane M. Hicks	2016	OHP Correspondence
S-048919	Cultural Resources Inventory for the Diablo Country Club Recycled Water Project, Contra Costa County, California	Sikes, Nancy E., Cindy J. Arrington, and Dylan Stapleton	2016	Archaeological, Field Study
	Historical Resources Evaluation Report For The Diablo Country Club Recycled Water Project, Diablo, Contra Costa County, California	Daly, Pamela	2016	Architectural/historical, Evaluation, Field Study

S-038908 involved archaeological excavation and survey of the Magee Ranch Property, which is bound on the north by Diablo Road. Archaeological survey was conducted within the project’s API, but excavation activities took place elsewhere. No archaeological resources were identified during this study. S-048919 partially overlaps a small portion of the western end of the project’s API. The study involved archaeological survey and a historic-built environment survey and evaluation. Two historic period resources associated with the Diablo Country Club Golf Course, P-07-004768 and P-07-004769 were identified. Neither resource is within 0.25 miles of the project’s API. As a result, there would be no impact to historical resources and no mitigation is required.

b) *Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5?*

Less Than Significant With Mitigation Incorporated. As described in Response 4.5a) above, records searches revealed that two cultural resource studies had been previously conducted within the project area. Both of the studies produced negative results for archaeological resources. No cultural resources have been previously recorded within 0.25 miles of the API.

Construction activities for the project would include excavation and grading. Therefore, there is the potential for the project to affect previously unidentified archaeological resources during ground disturbing activities. In order to avoid direct impacts to archaeological resources, Mitigation Measures CUL-1 through CUL-3 would ensure archaeological resources that may be found on the site are properly identified and protected. With inclusion of these measures, potential project impacts would be reduced to a less than significant level.

c) *Disturb any human remains, including those interred outside of dedicated cemeteries?*

Less Than Significant with Mitigation Incorporated. No known human remains occur on site. In the event that previously unknown human remains are encountered during earth removal or disturbance activities, the project would be required to comply with California Health and Safety Code Section 7050.5 and PRC as set forth in MM CUL-3. Potential impacts concerning human remains would be less than significant.

Mitigation Measures

MM CUL-1 Prior to initiating ground disturbing activities within the project area, construction personnel should be alerted to the possibility of encountering buried prehistoric or historic period cultural remains. Personnel should be advised that upon discovery of buried archaeological deposits, work in the immediate vicinity of the find should cease and a qualified archaeologist should be contacted immediately. Once the find has been identified, plans for the treatment, evaluation, and mitigation of impacts to the find shall be developed if it is found to be eligible for the National Register of Historic Places or the California Register of Historical Resources.

MM CUL-2 Archaeological resources unearthed by project construction activities shall be evaluated by a qualified archaeologist and Native American monitor. If the resources are Native American in origin, the tribe shall coordinate with the jurisdiction regarding treatment of these resources. The treatment plan established for the resources shall be in accordance with CEQA Guidelines Section 15064.5(f) for historical resources and PRC Section 21083.2(b) for unique archaeological resources. Preservation in place (i.e., avoidance) shall be the preferred manner of treatment. If preservation in place is not feasible, treatment may include implementation of archaeological data recovery excavations to remove the resource along with subsequent laboratory processing and analysis; provided no data recovery will be permitted to tribal cultural resources without prior consultation and consent of the Middletown.

MM CUL-3 California Health and Safety Code Section 7050.5, State CEQA Guidelines Section 15064.5, and PRC Section 5097.98 mandate the process to be followed in the event of an accidental discovery of any human remains in a location other than a dedicated cemetery. California Health and Safety Code Section 7050.5 requires

that in the event that human remains are discovered, disturbance of the site shall be halted until the coroner has investigated the circumstances, manner and cause of death, and the recommendations concerning the treatment and disposition of the human remains have been made to the person responsible for the excavation, or to his or her authorized representative, in the manner provided in PRC Section 5097.98. If the coroner determines that the remains are not subject to his or her authority and if the coroner recognizes or has reason to believe the human remains to be those of a Native American, he or she shall contact, by telephone within 24 hours, the Native American Heritage Commission.

4.6 Energy

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?			X	
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?			X	

Pacific Gas and Electric Company (PG&E) is the energy utility provider in the City of Danville, furnishing both natural gas and electricity for residential, commercial, industrial, and municipal uses. PG&E generates or buys electricity from hydroelectric, nuclear, renewable, natural gas, and coal facilities. In 2018, natural gas facilities provided 15 percent of PG&E’s electricity delivered to retail customers; nuclear plants provided 34 percent; hydroelectric operations provided 13 percent; renewable energy facilities including solar, geothermal, and biomass provided 39 percent.⁹

MCE Clean Energy (MCE) is an alternative electricity provider available to the City of Danville residents. It offers residents the option to have 60 percent to 100 percent of their electricity supplied from clean and renewable resources. This option is available to all current PG&E electric customers. MCE electricity is produced from renewable sources such as solar, wind, geothermal, hydroelectric, and bioenergy.¹⁰

a) *Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?*

Less Than Significant Impact. PG&E provides electricity and natural gas service to the project area. The proposed project would enhance pedestrian and bicycle safety and increase

⁹ Pacific Gas and Electric. (2022). Exploring Clean Energy Solutions. Retrieved from: https://www.pge.com/en_US/about-pge/environment/what-we-are-doing/clean-energy-solutions/clean-energy-solutions.page?WT.mc_id=Vanity_cleanenergy. Accessed January 5, 2022.

¹⁰ MCE Clean Energy. (2022). Retrieved from: <https://www.mcecleanenergy.org/>. Accessed January 5, 2022.

connectivity and mobility. The project would not result in an increase in electricity and natural gas demand. Therefore, projected electrical and natural gas demand would not significantly impact PG&E's level of service.

During construction, transportation energy use depends on the type and number of trips, vehicle miles traveled, fuel efficiency of vehicles, and travel mode. Transportation energy use during construction would come from the transport and use of construction equipment, delivery vehicles and haul trucks, and construction employee vehicles that would use diesel fuel and/or gasoline. The use of energy resources by these vehicles would fluctuate according to the phase of construction and would be temporary. Most construction equipment during site preparation and grading would be gas-powered or diesel-powered, and the later construction phases would require electrically-powered equipment. Impacts related to transportation energy use during construction would be temporary and would not require expanded energy supplies or the construction of new infrastructure; impacts would be less than significant.

During operations, energy consumption associated with the trail and pedestrian and bicycle roadway would be nominal. Furthermore, gasoline fuel facilities and infrastructure already exists in the surrounding area. Consequently, the proposed project would not result in a substantial demand for energy that would require expanded supplies or the construction of other infrastructure or expansion of existing facilities. The proposed project would not result in wasteful, inefficient, or unnecessary consumption of energy resources. Therefore, there would be a less than significant impact.

b) *Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?*

Less Than Significant Impact. The proposed project would enhance pedestrian and bicyclist safety and increase connectivity and mobility. The project would further promote alternative modes of transportation and reduce vehicle trips. The project would develop a trail and a pedestrian and bicycle roadway, and therefore would not generate any new automobile traffic or require energy use. Additionally, as discussed further in Threshold 4.8 (b), the proposed project would be consistent with the California Air Resources Board (CARB) Scoping Plan measures as well as the overall goals of the City of Danville Climate Action Plan and Contra Costa Climate Action Plan. Although these documents are the strategic planning document to reduce GHG emissions in the City and Contra Costa County, the reduction in GHG emissions would occur by providing alternative transportation options, which reduces vehicle fuel consumption. The proposed project would not conflict with any strategies for renewable energy or energy efficiency. Therefore, impacts would be less than significant.

4.7 Geology and Soils

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.			X	
ii) Strong seismic ground shaking?			X	
iii) Seismic-related ground failure, including liquefaction?			X	
iv) Landslides?			X	
b) Result in substantial soil erosion or the loss of topsoil?			X	
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?			X	
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?			X	

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?				X
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?		X		

The following section is summarized from the Preliminary Geohazards Study¹¹ prepared for the proposed project (Appendix D).

The proposed trail project is located along a portion of Diablo Road adjacent to Green Valley Creek. Diablo Road within the project limits is located at the edge of a relatively flat alluvial plain, which extends northward towards the base of Mount Diablo. Immediately south of Diablo Road, East Branch Green Valley Creek has incised approximately 18 feet vertically into the alluvial plain. The creek banks can be characterized as having near vertical slopes and significant erosional scarps, especially along outer bends of the creek channel. On the opposite bank of Green Valley Creek, a large spur ridge extends approximately 200 feet vertically from the creek bottom at a 2:1 (horizontal:vertical) slope. Groundwater was encountered at 23 feet during the geotechnical investigation.

In general, the creek banks along East Branch Green Valley Creek consist of Tassajara-Green Valley Formation bedrock. Bedrock of the Tassajara-Green Valley Formation typically consists of weakly indurated sandstone, siltstone, and claystone with thin beds of pebble conglomerate. Alluvial deposits are also present along terraced areas of the creek bed. The alluvium generally consist of silty clay with interbedded clayey sand. There are areas of over steepened creek bank and localized areas of sloughing on or along portions of the creek bank adjacent to where the trail is proposed and some active landsliding was noted on the opposite bank.

Surficial soil underlying the trail alignment appears to consist of clayey material. The clayey soil found in the project site vicinity is typically expansive. Expansive soil shrinks and swells as a result of seasonal fluctuation in moisture content. This can cause heaving and cracking of slabs-

¹¹ Engeo. (2022). Preliminary Geohazards Study.

on-grade, pavements, and structures founded on shallow foundations. Damage due to volume changes associated with expansive soil can be reduced through proper foundation design.

Soil creep is a natural process that involves slow downhill movement of soil mantle on a slope. Soil creep consists of lateral extension and vertical settlement. Soil creep results when surficial expansive soil is subjected to wetting and drying cycles caused by seasonal moisture changes, precipitation, and/or long-term landscape irrigation; by the growth of roots; and by burrowing animals. The amounts of vertical and horizontal movement are a function of the soil physical characteristics, such as plasticity, height and gradient of the downhill slope, and the depth of wetting and drying cycles. Improvements constructed on or near downhill slopes will be impacted by soil creep.

a) *Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:*

i. *Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.*

ii. *Strong seismic ground shaking?*

iii. *Seismic-related ground failure, including liquefaction?*

iv. *Landslides?*

Less Than Significant Impact. The Alquist-Priolo Earthquake Fault Zoning Act (1972) and the Seismic Hazards Mapping Act (1990) direct the State Geologist to delineate regulatory "Zones of Required Investigation" to reduce the threat to public health and safety and to minimize the loss of life and property posed by earthquake-triggered ground failures. Cities and counties affected by the zones must regulate certain development "projects" within them. Earthquake hazard zones define areas subject to three distinct types of geologic ground failures: (1) fault rupture, where the surface of the earth breaks along a fault; (2) liquefaction, in which the soil temporarily turns to quicksand and cannot support structures; and (3) earthquake-induced landslides. The project site is not in a Zone of Required Investigation.¹²

The project site is not within an Alquist-Priolo fault zone.¹³ No known surface fault traverses the site. Therefore, the potential for surface rupture due to faulting occurring beneath the site is considered low. Thus, the proposed project would not have any impacts in relation to a rupture of a known earthquake fault as delineated on the most recent Alquist-Priolo Earthquake Fault Map.

¹² California Department of Conservation. (2019). *California Earthquake Hazard Zone Application*. Retrieved from <https://maps.conservation.ca.gov/cgs/EQZApp/app/>. Accessed June 15, 2022.

¹³ Ibid.

Contra Costa County, as well as most of the greater San Francisco Bay area, is in a region of high seismic activity. Ground shaking originating from earthquakes along active faults in the region is expected to induce lower horizontal accelerations due to smaller anticipated earthquakes and/or greater distances to other faults. The design and construction of the project would meet the applicable standards established during final engineering. Compliance with the standard conditions would ensure that project implementation would result in a less than significant impact associated with seismic activity.

Soil liquefaction is a condition where saturated, granular soils undergo a substantial loss of strength and deformation due to pore pressure increase resulting from cyclic stress application induced by earthquakes. In the process, the soil acquires mobility sufficient to permit both horizontal and vertical movements if the soil mass is not confined. Soils most susceptible to liquefaction are saturated, loose, clean, uniformly graded, and fine-grained sand deposits. If liquefaction occurs, foundations resting on or within the liquefiable layer may undergo settlements. This would result in reduction of foundation stiffness and capacities.

The proposed project would be required to be in conformance with the California Building Code and other applicable standards. Conformance with standard engineering practices and design criteria would reduce the effects of ground failure to a less than significant level.

The potential for landslides and seismically induced slope failures at or near the project site would be minimized with adherence to Standard Condition (SC)-1, SC-2, and SC-3, which require the project to which meet the seismic building standards required in the most recent, adopted edition of the California Building Code, obtain a grading permit, and comply with the applicable recommendations from the Geotechnical Investigation and other applicable Municipal Code requirements. Therefore, project implementation would result in less than significant impacts associated with the exposure of people or structures to potential substantial adverse effects involving landslides and no mitigation is required.

b) *Result in substantial soil erosion or the loss of topsoil?*

Less Than Significant Impact. Grading would be required to construct some segments of the trail and grading and earthwork activities during construction would expose soils to potential short-term erosion by wind and water. Because the project would disturb more than one acre, a SWPPP would be developed in accordance with the *NPDES General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities* (NPDES General Construction Permit)(Order No. 2009-0009-DWQ, NPDES No. CAS000002) (California State Water Resources Control Board (SWRCB) 2009). The SWPPP would identify BMPs that would be implemented to prevent soil erosion during construction and to stabilize the site at the end of construction. Additionally, the project would include recommendations from the Geohazards Study (See Appendix D) such as soil reinforcement to minimize movement of expansive soils underneath the trail towards the direction of the creek bank, particularly under saturated

conditions. These requirements would ensure that potential project impacts are less than significant.

c) *Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?*

Less Than Significant Impact. Lateral spreading is a potential hazard commonly associated with liquefaction where extensional ground cracking and settlement occur as a response to lateral migration of subsurface liquefiable material. These phenomena typically occur adjacent to free faces such as slopes and creek channels. The proposed project would be required to be in conformance with the latest version of the California Building Code and other applicable standards. Conformance with SC-1, SC-2, SC-3, standard engineering practices and design criteria would reduce the effects of ground failure to a less than significant level.

d) *Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?*

Less Than Significant Impact. Expansive soils can change in volume depending on moisture content. When wet, these soils can expand; conversely, when dry, they can contract or shrink. Sources of moisture that can trigger this shrink-swell phenomenon can include seasonal rainfall, landscape irrigation, utility leakage, and/or perched groundwater. Expansive soil can exhibit wide cracks in the dry season, and changes in soil volume have the potential to damage concrete slabs, foundations, and pavement. The project would include recommendations from the Geohazards Study (See Appendix D) such as soil reinforcement to minimize movement of expansive soils underneath the trail towards the direction of the creek bank, particularly under saturated conditions. The project would also include buried rock toe protection in areas where the retaining walls are proposed. The depth of the retaining walls and soil reinforcement would provide substantial footing to reinforce the retaining walls. Thus, adherence to all construction and project design features would ensure impacts are less than significant.

e) *Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?*

No Impact. The project does not propose the use of septic tanks. Therefore, no impact would occur and no mitigation is required.

f) *Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?*

Less Than Significant with Mitigation Incorporated. Paleontological resources are the fossilized remains of organisms from prehistoric environments found in geologic strata. These resources are valued for the information they yield about the history of the earth and its past ecological settings. The potential for fossil occurrence depends on the rock type exposed at the surface in a given area. Typically, paleontological resources are found within alluvium deposits.

According to the Danville 2030 General Plan, consulting with a suitably qualified paleontologist or geologist if it is known, or determined, that fossils, or geological features of high scientific value are, or may be, present on land that will be developed. The Town will require consultation with a paleontologist if vertebrate fossils are uncovered during site excavation.

Although not anticipated, the potential to encounter paleontological resources during subsurface construction activities associated with the project, such as grading and trenching, still exists. If the project were to encounter paleontological resources, the project could potentially result in a significant impact to paleontological resources. Accordingly, implementation of Mitigation Measure GEO-1 is recommended to reduce potential impacts to paleontological resources that may be discovered during project construction. With the incorporation of mitigation, impacts associated with paleontological resources would be less than significant.

Standard Conditions and Requirements

- SC GEO-1:** Prior to issuance of a building permit, all construction shall meet the seismic building standards required in the most recent, adopted edition of the California Building Code.
- SC GEO-2:** Prior to issuance of a building permit, a grading permit shall be obtained, subject to review and approval by the Town of Danville pursuant to the most recent, adopted edition of the California Building Code and jurisdictional grading standards.
- SC GEO-3:** Prior to the issuance of grading permits, the Town shall review all project plans for grading, foundation, structural, infrastructure, and all other relevant construction permits to ensure compliance with the applicable recommendations from the Geotechnical Investigation and other applicable Municipal Code requirements.

Mitigation Measures

- MM GEO-1:** If during the course of project construction, paleontological resources are accidentally discovered during construction, work shall be halted within 20 feet of the find until a qualified professional paleontologist can evaluate it. Work shall not recommence until the project paleontologist has submitted documentation to the Town indicating that discovered resources have been adequately salvaged and no further resources have been identified within the area of disturbance.

4.8 Greenhouse Gas Emissions

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?			X	
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?			X	

Unlike emissions of criteria and toxic air pollutants, which have local or regional impacts, emissions of greenhouse gases (GHGs) that contribute to global climate change have a broader global impact. Global climate change is a process whereby GHGs accumulating in the atmosphere contribute to an increase in the temperature of the earth’s atmosphere. The principal GHGs contributing to global climate change are carbon dioxide (CO₂), methane (CH₄), nitrous oxide (N₂O), and fluorinated compounds. These gases allow visible and ultraviolet light from the sun to pass through the atmosphere, but they prevent heat from escaping back into space.

Among the potential implications of global climate change are rising sea levels, and adverse impacts to water supply, water quality, agriculture, forestry, and habitats. In addition, global climate change may increase electricity demand for cooling, decrease the availability of hydroelectric power, and affect regional air quality and public health. Like most criteria and toxic area pollutants, much of the GHG production comes from motor vehicles. GHG emissions can be reduced to some degree by improved coordination of land use and transportation planning on the city, county and sub regional level, and other measures to reduce automobile use. Energy conservation measures can also contribute to reductions in GHG emissions.

The BAAQMD CEQA Guidelines, recommend that all GHG emissions from a project be estimated, including a project’s direct and indirect GHG emissions from operations. Because the proposed project is a trail project and would not generate any vehicle trips, the proposed project is not expected to generate GHG emissions and would not conflict with any plan related to the reduction of GHG emissions.

The BAAQMD does not have an adopted Threshold of Significance for construction-related GHG emissions. However, BAAQMD recommends that the Lead Agency quantify and disclose GHG emissions that would occur during construction and decide on the significance of these construction generated GHG emission impacts in relation to meeting AB 32 GHG reduction goals. The Lead Agency is encouraged to incorporate BMPs, such as recycling at least 50 percent of construction waste or demolition materials, to reduce GHG emissions during construction, as applicable.

a) *Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?*

Less Than Significant Impact. Construction GHG emissions were estimated using CalEEMod. For the purpose of this environmental analysis, project construction is expected to occur over an approximately ten-month period. Construction activities would include grading, paving, and architectural coating for striping and signage.

Project construction would result in direct emissions of CO₂, N₂O, and CH₄ from the operation of construction equipment and the transport of materials and construction workers to and from the project site. Construction GHG emissions are typically summed and amortized over the lifetime of the project (assumed to be 30 years)¹⁴. BAAQMD does not have a threshold for construction GHG emissions but recommends that construction GHG emissions are quantified and disclosed. Construction of the project would result in a total of approximately 117 MTCO_{2e}, which is approximately 3.9 MTCO_{2e}/year over the project lifetime (see Appendix A).

Operational or long-term emissions occur over the life of the proposed project. Generally, GHG emissions would result from direct emissions such as project generated vehicular traffic, on-site combustion of natural gas, operation of any landscaping equipment. Operational GHG emissions would also result from indirect sources, such as off-site generation of electrical power over the life of the project, the energy required to convey water to, and wastewater from the project site, the emissions associated with solid waste generated from the project site, and any fugitive refrigerants from air conditioning or refrigerators.

The proposed project includes an approximately 0.9-mile trail extension and a pedestrian and bicycle roadway which would not include any structures which would provide energy, waste, water, or wastewater emissions. Additionally, no vehicle trips are associated with the project. The project would use a sweeper occasionally to maintain the trail. However, this would generate negligible GHG emissions. Therefore, no GHG emissions are expected to be generated from operation of the proposed project and impacts are less than significant.

¹⁴ The project lifetime is based on the standard 30-year assumption of the South Coast Air Quality Management District (South Coast Air Quality Management District, *Minutes for the GHG CEQA Significance Threshold Stakeholder Working Group #13*, August 26, 2009).

b) *Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?*

Less Than Significant Impact. In the absence of a regional or Citywide plans for reducing of GHGs, AB 32 was used in this analysis as the basis for determining the level of reductions in GHG emissions that would apply to the project. As additional information becomes available on GHG emissions reduction planning, the City may use such information or plans as a basis for evaluating GHG emissions impacts. AB 32 mandates the State to reduce GHG emissions to 1990 levels by 2020 and SB 32 requires a 40 percent reduction below 1990 levels by 2030. To achieve this goal, GHG emissions statewide must be reduced by approximately 30 percent by 2020.

The City of Danville has a Climate Action Plan (CAP) (2009) which includes various goals about reducing vehicle miles traveled (VMT) and promoting a pedestrian and bicycle-friendly community. Some of the objectives include promoting a walking- and bicycling-friendly community, enhancing an efficient transportation system, and establishing and preserving trees to sequester carbon and reduce urban heating. The preliminary actions identified in the CAP were further explored and built upon in the Town's 2030 General Plan and Sustainability Action Plan (SAP) concurrently adopted in 2013. The SAP includes measures designed to reduce GHG emissions. The project would be consistent with the applicable SAP goals and measures by creating a safer, more connected, and enhanced bicycle network in Danville.

In addition, the proposed project would comply with all BAAQMD applicable rules and regulations during construction and would not interfere with the State's goals of reducing GHG emission to 1990 levels by 2020 as stated in AB 32; a 40 percent reduction below 1990 levels by 2030 as noted in SB 32; and, an 80 percent reduction in GHG emissions below 1990 levels by 2050 as stated in EO S-3-05. Therefore, the proposed project would have a less than significant impact on GHG emissions.

4.9 Hazards and Hazardous Materials

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?			X	
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?			X	
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?			X	
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?				X
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?				X

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?				X
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?			X	

Kimley-Horn performed a regulatory database search of the Department of Toxic Substances Control Envirostor website (<http://www.envirostor.dtsc.ca.gov/public/>) and the State Water Resources Control Board's (SWRCB) Geotracker website (<http://geotracker.waterboards.ca.gov/>) on January 10, 2022 to identify hazardous material regulated facilities within or proximate to the project site.

Kimley-Horn’s review of the referenced databases also considered the potential or likelihood of contamination from adjoining and nearby sites. To evaluate which of the adjoining and nearby sites identified in the regulatory database search present an environmental risk to the subject property, Kimley-Horn considered the following criteria:

- The topographic position of the property relative to the subject property;
- The direction and distance of the identified facility from the subject property;
- Local soil conditions in the subject property area;
- The known and/or inferred groundwater flow direction and depth in the subject property area;
- The status of the respective regulatory agency-required investigations and/or cleanup associated with the identified facility; and
- Surface and subsurface obstructions and diversions (e.g., buildings, roads, sewer systems, utility service lines, rivers, lakes, and ditches) located between the identified site and the subject property.

Only those sites that are judged to present a potential environmental risk to the subject property and/or warrant additional clarification are further evaluated. Using the referenced criteria and based upon a review of readily available information contained within the regulatory database search, Kimley-Horn did not identify adjoining (i.e., bordering) or nearby

sites (e.g., properties within a 0.25-mile radius) listed in the regulatory database report that were judged to present a potential environmental risk to the subject property.

Other Potential Hazards

Other hazards that have the potential to impact the proposed project are wildland fire hazards and hazardous materials transported on nearby roadways. These potential hazards are further discussed below. Chapter 4.10, *Hydrology and Water Quality*, discusses potential hazards related to dam failure and flooding.

Wildland Fire Hazards

Wildfires are large-scale brush and grass fires in undeveloped areas. Wildfires are often caused by human activities, such as equipment use and smoking, and can result in loss of valuable wildlife habitat, soil erosion, and damage to life and property. The level of wildland fire risk is determined by a number of factors, including:

- Frequency of critical fire weather;
- Percentage of slope;
- Existing fuel (vegetation, ground cover, building materials);
- Adequacy of access to fire suppression services; and
- Water supply and water pressure.

The California Department of Forestry and Fire Protection (CAL FIRE) has mapped the relative wildfire risk in areas of large population by intersecting residential housing density with proximate fire threat according to three risk levels, namely Moderate, High, and Very High. These risk levels are determined based on vegetation density, adjacent wildland Fire Hazard Severity Zone (FHSZ) scores and distance from wildland area. Each area of the map gets a score for flame length, embers and the likelihood of the area burning. The Town of Danville is categorized as a Local Responsibility Area (LRA) by CAL FIRE. The project site is mapped as non-very high FHSZ (<https://osfm.fire.ca.gov/media/5776/danville.pdf> accessed on January 20, 2022). However, Figure 22 in Danville's 2030 General Plan designates the project site area as "Very High Threat to Development" and "Extreme Threat to Development".

Airport Proximity

There are no private airstrips or public airports located immediately adjacent to or near the project site. The closest airport to the project site is Buchanan Field Airport, approximately 11.5 miles north of the project site.

Division of Oil, Gas and Geothermal Resources Map

According to California Department of Conservation records available online, the project site is not within or near the administrative boundary of an oil field

(<https://www.conservation.ca.gov/calgem/Pages/Wellfinder.aspx>, accessed January 10, 2022) and there are no active oil or natural gas wells within 1 mile of the project site.

a) *Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?*

Less Than Significant. The proposed project is the construction of a trail to connect existing trail segments within the Town and is not anticipated to result in releases of hazardous materials into the environment. During operations of the proposed project, no routine transport or disposal of hazardous materials would occur. The hazardous materials most likely to be used during construction include typical construction materials such as gasoline, diesel, motor oil, lubricants, solvents, and adhesives. Drips and small spills would be the most likely potential hazardous materials releases to occur, and any release that occurs in close proximity to a stream or drainage channel could have a significant impact on the environment, if not properly controlled. Given the project would disturb over one acre, a SWPPP would be developed and implemented in accordance with the NPDES General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities (NPDES General Construction Permit)(Order No. 2009-0009-DWQ, NPDES No. CAS000002) (SWRCB 2009). Implementation of the SWPPP would reduce the potential for hazardous materials releases to occur during construction and would reduce the potential for spills to impact sensitive habitat or human health, to less than significant.

b) *Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?*

Less Than Significant. Kimley-Horn performed a regulatory database search of the Department of Toxic Substances Control Envirostor website (<http://www.envirostor.dtsc.ca.gov/public/>) and the State Water Resources Control Board's (SWRCB) Geotracker website (<http://geotracker.waterboards.ca.gov/>) on January 10, 2022 to identify hazardous material regulated facilities within or proximate to the project site. Kimley-Horn did not identify any environmental concerns for the project site as a result of this database review. In addition, the proposed project is the construction of a trail and accidental release of hazardous materials during the operation of the trail project is not anticipated. Construction activities are also not anticipated to involve any materials or conditions that would result in risk of upset or accident that would release hazardous materials into the environment. Examples of projects that may involve such risk could include refineries, fuel storage, or tanker transportation, where accidents could result in catastrophic environmental or human consequences. The construction activity for this project would not involve such risk or circumstances. Therefore, impacts associated with the accidental release of hazardous materials are less than significant.

c) *Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?*

Less Than Significant. There are no schools located within 0.25 mile of the proposed project. The closest school to the proposed project site is the Athenian School located approximately 0.36 mile to the northeast. The project would not emit, transport, or upset hazardous materials, substances or waste near within one-quarter mile of an existing or proposed school. Less than significant impacts are anticipated.

d) *Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?*

No Impact. The project site is not included on the hazardous sites list compiled pursuant to California Government Code Section 65962.5.15. In addition, As described in 4.9 (a) above, review of Envirostor and Geotracker databases identified no sites near the proposed trail alignment. Thus, the proposed project would result in no impacts.

e) *For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?*

No Impact. The project site is not located within an airport land use plan or within two miles of a public airport or public use airport. The closest airport to the project site is Buchanan Field Airport, approximately 11.5 miles north of the project site. Therefore, given that the proposed project is not located within an airport land use plan or within two miles of an existing airport, the proposed project would not result in a safety hazard for people residing or working in the project area.

f) *Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?*

No Impact. Implementation of the proposed project would not impair or physically interfere with an adopted emergency response or evacuation plan, including Danville's Emergency Operations Plan dated March 2017. The purpose of the Emergency Operations Plan is to provide guidance for the Town's response to emergency situations from natural disasters, technological incidents, and National security emergencies. The Emergency Operations Plan describes procedures for the effective and efficient allocation response to a hazardous materials emergency. It establishes an emergency organization, assigns tasks, specifies policy and general procedures, and provides coordination of planning for all phases of emergency planning for a hazardous materials emergency. No revisions to the adopted Emergency Operations Plan, would be required as a result of implementation of the proposed project. During construction, road access may be disrupted temporarily. Streets and roads affected by

¹⁵ California Department of Toxic Substances Control. (2022). DTSC's Hazardous Waste and Substances Site List - Site Cleanup (Cortese List). Retrieved from: <https://dtsc.ca.gov/dtscs-cortese-list/>. Accessed January 10, 2022.

trail construction would be appropriately signed with temporary traffic control measures per Danville's Engineering standards. After completion of the proposed trail, temporary signage and traffic control measures would be removed. Once operational, the project would connect two existing trail segments, providing another route that could be used by bicyclists and pedestrians in an emergency. Therefore, the proposed project would not impair or interfere with an adopted emergency response plan or evacuation plan.

g) *Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?*

Less Than Significant. The Town of Danville is categorized as a Local Responsibility Area (LRA) by CAL FIRE. The project site is mapped as a non-very high fire hazard severity zone (VHFHSZ)¹⁶. However, Figure 22 in Danville's 2030 General Plan designates the project site area as "Very High Threat to Development" and "Extreme Threat to Development". The proposed project would result in the construction of a trail parallel to Diablo Road and would result in similar uses to existing conditions, largely as a transportation corridor. Given the nature of the project as a trail project, the proposed project would not expose people or structures, either directly or indirectly, to significant loss, injury or death involving wildland fires. Thus, impacts would be less than significant.

¹⁶ California Department of Forestry and Fire Protection. (2009). Danville Very High Fire Hazard Severity Zones in LRA. Retrieved from: <https://osfm.fire.ca.gov/media/5776/danville.pdf>. Accessed January 10, 2022.

4.10 Hydrology and Water Quality

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?			X	
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?			X	
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:			X	
i. Result in substantial erosion or siltation on- or off-site?			X	
ii. Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite?			X	
iii. Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?			X	
iv. Impede or redirect flood flows?			X	
d) In flood hazard, tsunami, or seiche			X	

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
zones, risk release of pollutants due to project inundation?				
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?				X

The proposed project is located adjacent to the Green Valley Creek, with much of the trail located north of the Green Valley Creek. The project site is along a reach of East Branch Green Valley Creek immediately downstream of the Alameda Diablo Road culvert.

Runoff generally converges at topographic low points between multiple hill peaks, before being conveyed by swale- and drainage-like features. East Branch Green Valley Creek, a perennial waterway, lies directly south of the project site. East Branch Green Valley Creek is not listed as an “impaired” water body by a State or Regional Water Board. Once constructed, portions of the proposed trail alignment adjacent to East Branch Green Valley Creek would sheetflow toward Diablo Road and follow the existing drainage pattern. The eastern portion of the alignment would discharge to adjacent permeable areas, non-erodible surfaces, and existing inlets.

According to Federal Emergency Management Agency (FEMA) Flood Insurance Rate Maps, most of the proposed project is not within a mapped flood plain. The project site is located in Zone “X” of the FEMA Flood Zone Map, defined as areas of minimal flood hazard. Stormwater runoff from the proposed project would be conveyed to adjacent pervious vegetated surface areas.

The general NPDES stormwater permits for general construction activities require an applicant to file a NOI with the applicable RWQCB to discharge stormwater and prepare and implement a SWPPP. The SWPPP would include a site map, description of stormwater discharge activities, and BMPs that would be employed to prevent water pollution. The SWPPP for general construction activity permits must describe BMPs that would be used to control soil erosion and discharges of other construction-related pollutants that could contaminate nearby water resources.

a) *Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?*

Less Than Significant. While much of the proposed trail would occur on existing roadway and disturbed shoulder areas, the proposed project would result in an increase in the amount of

impervious area as a result of new trail. This could result in a slight increase in flowrates and volumes of stormwater runoff, as compared to existing conditions. The path would generally drain its runoff to adjacent pervious, non-erodible surfaces. However, there are cases where the path would drain directly to impervious, non-erodible surfaces. These cases occur where the path crosses existing roads and existing paved areas on private and public properties, where existing drainage patterns flow to pervious, non-erodible surfaces.

The proposed project would be required to comply with Contra Costa County and Town of Danville regulations related to stormwater runoff, including the requirements of the California Regional Water Quality Control Board San Francisco Bay Region Municipal Regional Stormwater NPDES (MRP 2.0) Permit (NPDES Permit Order No. R2 2015-0049). The project would not be subject to Provision C.3 of MRP 2.0 because it meets the criteria described in C.3.a.1.(4)(d), it is an impervious trail built to direct stormwater runoff to adjacent vegetated areas, or other non-erodible permeable areas, preferably away from creeks or towards the outboard side of levees. Thus, the project would be in compliance with these regulations that ensure the long-term operation of the proposed trail would have a less than significant impact on water quality.

Construction activities have the potential to disrupt soil and cause erosion and increase sediment runoff. Materials used during construction of paved trails may have chemicals that are potentially harmful to aquatic resources and water quality. Accidents or improper use of these materials could release contaminants into the environment. Additionally, oil and other petroleum products used to maintain and operate construction equipment could be accidentally released.

NPDES General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities (NPDES General Construction Permit)(Order No. 2009-0009-DWQ, NPDES No. CAS000002) (SWRCB 2009) requires construction sites over one acre that do not qualify for a waiver to prepare and implement a SWPPP. The SWPPP shall incorporate BMPs to control sedimentation and runoff and meet CGP requirements. Compliance with the NPDES Permit is mandated by state and federal laws. Consistent with the CGP, the SWPPP shall adhere to the following requirements:

- The SWPPP shall include measures to avoid creating contaminants, minimize the release of contaminants, and water quality control measures to minimize contaminants from entering surface water or percolating into the ground during and following the completion of construction.
- The SWPPP shall be submitted to the RWQCB in compliance with the requirements of the CGP.
- A spill prevention and countermeasure plan shall be incorporated into the SWPPP.

Consistent with the CGP a SWPPP would contain the following protective measures:

- No discharge of pollutants from vehicle and equipment cleaning into any storm drains or watercourses.
- Vehicle and equipment fueling and maintenance operations must be located away from watercourses, except at established commercial gas stations or established vehicle maintenance facility or staging areas with BMPs installed and maintained.
- Concrete wastes will be collected in washouts and water from curing operations is collected and disposed. Neither will be allowed into watercourses.
- Spill containment kits will be maintained onsite at all times during construction operations and/or staging or fueling of equipment.
- Dust control measures will include use of water trucks and organic tackifiers to control dust in excavation-and-fill areas, covering temporary access road entrances and exits with rock (rocking) or comparable stabilization techniques, and covering of temporary stockpiles when weather conditions require.

Dewatering is not required for the proposed project; however, if dewatering is necessary in areas where groundwater is encountered within the planned depth of excavation, depending on surface and groundwater levels at the time of construction, the dewatering shall be consistent with RWQCB requirements and as such would not result in a violation of water quality standards or waste discharge requirements. Therefore, impacts as a result of the proposed project would be less than significant.

b) *Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?*

Less Than Significant. The proposed project would not result in the construction of large impervious surface areas that would prevent water from infiltrating into the groundwater nor would it result in direct additions or withdrawals to existing groundwater. As discussed in Section 4.7, Geology and Soils, groundwater was encountered at 23 feet during the geotechnical investigation. A majority of the project will require excavation at depths of 0.5 to 2 feet and dewatering would not be required. Therefore, the proposed project would have a less than significant impact.

c) *Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:*

i. *Result in substantial erosion or siltation on- or off-site?*

Less Than Significant. No significant change in either drainage patterns or on-site or off-site effects from erosion and siltation would occur and flows would discharge to adjacent permeable areas, non-erodible surfaces, and existing inlets. Where needed, drainage

improvements would be installed to capture stormwater and convey it into the existing storm drain systems and channels. These drainage improvements would remain after construction. Minimal alterations to the existing drainage system would result from the proposed project. Further, as described in Section 4.10 (a) above, BMPs would be implemented during construction so that on-site and off-site erosion and sedimentation would be controlled to the extent practicable. Therefore, the proposed project would have a less than significant impact.

- ii. *Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite?*

Less Than Significant. As described in Section 4.10 (a) and (c (i)), no substantial change in either drainage patterns or flooding on-or off-site would occur as a result of the proposed project. Implementation of the proposed project would not alter the existing drainage patterns. The proposed trail would require new impervious surfaces to be constructed which increase surface runoff, but it would not be substantial enough to result in flooding as a majority of the trail runoff would be discharged to adjacent non-erodible permeable areas.

In some locations, the proposed project would perpendicularly and longitudinally cross existing ditches. A cross culvert or series of junction boxes and culverts would be installed to continue to convey flows similar to existing conditions. During construction, BMPs identified in the SWPPP would be implemented so that on-site and off-site erosion and sedimentation would be controlled to the extent practicable. Therefore, this impact would be less than significant.

- iii. *Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?*

Less Than Significant. Refer to response 4.10 (a), (c (i)), and (c (ii)) above.

- iv. *Impede or redirect flood flows?*

Less Than Significant. According to FEMA Flood Insurance Rate Maps, the proposed project is within areas mapped as “Areas of Minimal Flood Hazard” mapped flood plain. In addition, since there are no bridge footings proposed, the project would not result in flood water displacement. Retaining walls would not be installed in a location or manner that would impede or redirect flood flows and flows would continue to sheet flow towards pervious vegetated surfaces. Therefore, flood waters would not be redirected as a result of the proposed project. Thus, impacts as a result of the proposed project would be less than significant.

- d) *In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?*

Less Than Significant. Seiches are caused when earthquake ground motions cause water to oscillate from one side to the other of a closed or partially closed body of water such as a lake,

bay or channel. Since no such bodies of water are located in the vicinity of the project site, there is no risk of release of pollutants due to project inundation.

Tsunamis, or seismic tidal waves, are caused by off-shore earthquakes that can trigger large, destructive sea waves. The project site is located approximately 16 miles east of the San Francisco Bay and 14 miles south of the Suisun Bay. Therefore, no impact would occur as a result of tsunamis or seismic tidal waves. Therefore, due to the geographic location of the project, no impacts are likely to occur due to flood hazard, tsunami, or seiche zones. Thus, a less than significant impact would occur.

e) *Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?*

No Impact. Water quality impacts other than those described in response 4.10(a) above are not anticipated with implementation of the proposed project. The proposed project would be required to comply with Contra Costa County and Town of Danville regulations related to stormwater runoff, including compliance with the requirements of the California Regional Water Quality Control Board San Francisco Bay Region Municipal Regional Stormwater NPDES (MRP 2.0) Permit (NPDES Permit Order No. R2 2015-0049), and requirements of the SWPPP and therefore there would be no impact.

4.11 Land Use and Planning

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

The project site extends from just east of the intersection of Fairway Drive and Diablo Road to approximately 400 feet west of the intersection of Avenue Nueva and Diablo Road in the Town of Danville. The proposed trail is located entirely within the Town of Danville and passes through public ROW, and private property. The proposed trail would be on the south side and parallel to Diablo Road.

The relevant land use and zoning designations from the Town of Danville are included below and further described in the Danville 2030 General Plan. Danville is divided into 24 Planning Subareas. The proposed project is located within Planning Subarea 6 referred to as the Diablo Road/Blackhawk Road subarea. According to the General Plan, land uses along the project alignment are designated as Agricultural and Rural Residential. Corresponding zoning designations include General Agricultural District (A-2) and Agricultural Preserve District (A-4). In 2019, the project site was rezoned to Planned Unit Development District (P-1) with the Magee Preserve project. The P-1 District allows for approximately 302 acres as open space including for the purposes of public trails within the Magee Preserve project limits. As a condition of the Magee Preserve project, a public easement dedication for the proposed trail would be given to the Town.

The 2030 General Plan includes goals and policies that encourage and require public access easements for trail use. More specifically, Policy 17.14 states, “Enhance Danville’s trail system by closing gaps in the existing system, providing adequate access points and extending trails to achieve better connectivity to all areas of the town. The trail system should be logical, comprehensive and user friendly and should provide a variety of trail experiences, including opportunities for exercise, encounters with nature, and social walking. In addition, this

proposed trail is identified in the Town of Danville Bicycle Master Plan (Spring 2021) and the Danville Townwide Trail Plan (1989) as a new Class I – Shared Use Path.

a) *Physically divide an established community?*

No Impact. The physical division of an established community typically refers to the construction of a physical feature (such as an interstate highway or railroad tracks) or removal of a mean of access (such as local road or bridge) that would impair the mobility within an existing community, or between a community and outlying areas. The proposed project would provide a new Class I bicycle and pedestrian trail within public ROW, and on private property easements. The proposed project would not physically divide an established community, and in fact would provide for better connectivity. Therefore, the project would have a less than significant impact.

b) *Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?*

Less Than Significant. The plans, policies, and regulations applicable to the proposed project include the Danville 2030 General Plan, the Danville Municipal Code, Danville Townwide Trail Plan and Town of Danville Bicycle Master Plan. The proposed project is in direct support of these relevant plans, which contain goals and policies in support of bicycle and pedestrian trails, and specific goals and policies in support of completion of the Diablo Road Trail. Additional relevant policies relate to the protection of natural resources, water quality, cultural resources, visual resources, air quality, and public safety from natural and human-caused hazards, provision of public services, noise and traffic.

Many of the project impacts related to these topics are less than significant or are limited to the short-term construction phase of the project as described in the relevant sections of this document. With implementation of the mitigation measures contained in this document, the proposed project is consistent with all of these policies with all the relevant regulations and policies contained in these documents. This impact would be less than significant.

4.12 Mineral Resources

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?				X
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?				X

The State Mining and Reclamation Act of 1972 (SMARA) identifies and protects California’s mineral resources. According to the Town of Danville General Plan, There are no significant mineral deposits or surface mining operations in Danville¹⁷.

a) *Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?*

No Impact. The proposed project would consist of a bicycle and pedestrian trail and associated improvements. The proposed project is not located in an area known to contain regionally significant mineral resources and would not result in the loss of the availability of a known mineral resource of regional value. Therefore, the proposed project would have no impact.

b) *Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?*

No Impact. The project site is not located in an area that has been identified by the Town of Danville as a locally important mineral resource recovery site. Therefore, the proposed project would not result in the loss of the availability of any locally important mineral recovery site. Therefore, the proposed project would have no impact.

¹⁷ Town of Danville. (2013). Danville 2030 General Plan. Page 6-6.

4.13 Noise

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?		X		
b) Generation of excessive groundborne vibration or groundborne noise levels?			X	
c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?				X

Sound is technically described in terms of amplitude (loudness) and frequency (pitch). The standard unit of sound amplitude measurement is the decibel (dB). The decibel scale is a logarithmic scale that describes the physical intensity of the pressure vibrations that make up any sound. The pitch of the sound is related to the frequency of the pressure vibration. Since the human ear is not equally sensitive to a given sound level at all frequencies, a special frequency-dependent rating scale has been devised to relate noise to human sensitivity. The A-weighted decibel scale (dBA) provides this compensation by discriminating against frequencies in a manner approximating the sensitivity of the human ear.

Noise is typically defined as unwanted sound. A typical noise environment consists of a base of steady ambient noise that is the sum of many distant and indistinguishable noise sources. Superimposed on this background noise is the sound from individual local sources. These can vary from an occasional aircraft or train passing by to virtually continuous noise from traffic on a major highway.

Several rating scales have been developed to analyze the adverse effects of community noise on people. Since environmental noise fluctuates over time, these scales consider that the effect

of noise on people is largely dependent on the total acoustical energy content of the noise as well as the time of day when the noise occurs. For example, the equivalent continuous sound level (L_{eq}) is the average acoustic energy content of noise for a stated period of time; thus, the L_{eq} of a time-varying noise and that of a steady noise are the same if they deliver the same acoustic energy to the ear during exposure.

The Day-Night Sound level (L_{dn}) is a 24-hour average L_{eq} with a 10 dBA “weighting” added to noise during the hours of 10:00 p.m. to 7:00 a.m. to account for noise sensitivity in the nighttime. The Community Noise Equivalent Level (CNEL) is a 24-hour average L_{eq} with a 10-dBA weighting added to noise during the hours of 10:00 p.m. to 7:00 a.m. and an additional 5 dBA weighting during the hours of 7:00 p.m. to 10:00 p.m. to account for noise sensitivity in the evening and nighttime.

The primary existing noise source in the project area is vehicular traffic, including cars, trucks, buses, and motorcycles on roadways near or in the project vicinity, especially along Diablo Road. The level of vehicular noise generally varies with traffic volume, the number of trucks or buses, the speed of traffic, and the distance from the roadway. According to the Danville General Plan existing noise levels for Diablo Road in the project area are between 65-75 L_{EQ} (City of Danville, 2013).

The proposed project would construct an approximately 0.9-mile trail located along Diablo Road, extending east from the intersection of Fairway Drive and Diablo Road to approximately 400 feet west of the intersection of Ave Nueva and Diablo Road. The closest residential property line is located approximately 50 feet from the proposed construction area.

Local Regulations

The proposed project is located the City of Danville. The relevant policies and municipal code sections are included below.

City of Danville Noise Ordinance: Construction noise standards for the City require construction activity to occur between 7:30 a.m. and 7:00 p.m. on weekdays and between 9:00 a.m. and 7:00 p.m. on weekends and holidays. Construction activities would be conducted in compliance with the City’s Noise Ordinance (section 4-2.3). According to the General Plan Noise Element (2013) exterior noise exposure levels for residential uses is normally acceptable to 60 dB CNEL.

a) *Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?*

Less Than Significant Impact.

Construction Noise. Construction noise represents a short-term impact on ambient noise levels. The project would involve minimal construction activities which would be temporary and be short duration resulting in periodic increases in the ambient noise environment.

Construction activities would primarily require the use of excavators, backhoes, pavers, and paving equipment. No pile driving would occur as part of the project.

Groundborne noise and other types of construction-related noise impacts typically occur during the initial earthwork phases. Operating cycles for these types of construction equipment may involve one or two minutes of full power operation followed by three to four minutes at lower power settings. Other primary sources of acoustical disturbance would be due to random incidents, which would last less than one minute (such as dropping large pieces of equipment or the hydraulic movement of machinery lifts). It should be noted that as project construction would not use large heavy-duty pieces of construction equipment such as a pile driving, graders, or scrapers, noise levels would be less intense than typical construction projects. Additionally, due to the width of the trail, only one or two small pieces of equipment would be used simultaneously.

Since it is a trail project, equipment would move in a linear fashion as opposed to operating adjacent to any one sensitive receptor for an extended period of time. Segments of the trail are bordered by residential uses; with the nearest approximately 50 feet from of the project site. The majority of residences are 100 feet or more from the project site. In addition, construction activities would occur throughout the project site and would not be concentrated at a single point near sensitive receptors.

Noise levels typically attenuate (or drop off) at a rate of 6 dB per doubling of distance from point sources, such as industrial machinery. During construction, exterior noise levels could affect the residential neighborhoods near the construction site. Construction activities would be relatively minor and would not produce excessive levels of noise (e.g., replacing construction machinery to be equipped with properly operating noise attenuation devices, designating haul routes away from sensitive receptors, locating staging areas away from receptors) would be required. Construction activities would be limited to daylight hours and equipment would be properly muffled.

Compliance with the applicable noise ordinance would ensure that construction noise does not disturb residents during the times they are most likely to be home or during hours when ambient noise levels are likely to be lower (e.g., at night). Therefore, construction noise impacts would be considered less than significant.

Operational Noise. The proposed project would not introduce any new uses that would result in an increase of noise levels. The project would enhance pedestrian and bicyclist connectivity and safety. The project would serve existing pedestrians and bicyclists and no uses are proposed that would directly increase vehicular trips in the study area. Additionally, the project has been designed to be a pedestrian-oriented area and does not include any stationary noise sources. The project would include occasional street sweeping and landscape equipment for trail maintenance, however, this would be infrequent and temporary. The street sweeping and landscape equipment would not be substantial alter the existing ambient noise levels.

Therefore, no long-term noise impacts would result with implementation of the proposed project. Operational noise impacts would be less than significant.

b) *Generation of excessive groundborne vibration or groundborne noise levels?*

Less Than Significant Impact. Project construction can generate varying degrees of groundborne vibrations, depending on the construction procedure and the construction equipment used. Operation of construction equipment generates vibrations that spread through the ground and diminish in amplitude with distance from the source. The effect on buildings located near a construction site often varies depending on soil type, ground strata, and construction characteristics of the receiver buildings. The results from vibration can range from no perceptible effects at the lowest vibration levels, to low rumbling sounds and perceptible vibration at moderate levels, to slight damage at the highest levels. Groundborne vibrations from construction activities rarely reach levels that damage structures.

The Federal Transit Administration (FTA) has published standard vibration velocities for construction equipment operations. In general, the FTA architectural damage criterion for continuous vibrations (i.e., 0.20 inch/second) appears to be conservative. The types of construction vibration impact include human annoyance and building damage. Human annoyance occurs when construction vibration rises significantly above the threshold of human perception for extended periods of time. Building damage can be cosmetic or structural. Typical vibration levels produced by construction equipment is identified in **Table 4.13-1**.

Table 4.13-1: Typical Vibration Levels for Construction Equipment

Equipment	Approximate peak particle velocity at 25 feet (inches/second) ¹	Approximate peak particle velocity at 50 feet (inches/second) ¹
Loaded trucks	0.076	0.030
Small bulldozer	0.003	0.001
Large bulldozer	0.089	0.032
Jackhammer	0.035	0.012
Vibratory compactor/roller	0.210	0.074

Notes:

1. Peak particle ground velocity measured at 25 feet per Federal Transit Administration, *Transit Noise and Vibration Impact Assessment Manual*, September 2018. Table 7-4.
2. Calculated using the following formula:

$$PPV_{equip} = PPV_{ref} \times (25/D)^{1.5}$$
 where:
 PPV (equip) = the peak particle velocity in in/sec of the equipment adjusted for the distance
 PPV (ref) = the reference vibration level in in/sec from Table 7-4 of the FTA *Transit Noise and Vibration Impact Assessment Manual* (2018).
 D = the distance from the equipment to the receiver.

Source: Federal Transit Administration, *Transit Noise and Vibration Impact Assessment Manual*, September 2018.

Groundborne vibration decreases rapidly with distance. As indicated in **Table 4.13-1**, based on the FTA data, vibrational velocities from typical heavy construction equipment operations that would be used during project construction range from 0.003 to 0.21 inches per second peak

particle velocity (PPV) at approximately 25 feet from the source of activity. The closest sensitive receptors would be approximately 50 feet away from active construction zones. Vibration from construction activities experienced at the nearest sensitive residential structures would range between 0.001 and 0.070 inch per second PPV, which is below the 0.20 inch-per-second PPV significance threshold. Therefore, a less than significant impact would occur.

Operational use of the project would not generate vibrational impacts. Use of the sidewalks and trails would not generate groundborne vibration that could be felt at surrounding uses. The proposed project would not involve railroads or substantial heavy truck operations, and therefore would not result in vibration impacts at surrounding uses. Impacts would be less than significant.

c) *For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?*

No Impact. The nearest airports are the Buchanan Field Airport located approximately 11 miles northwest of the site and the Livermore Municipal Airport located approximately 12 miles southeast of the project site. Therefore, the project would not be exposed to aircraft overflight noise that exceeds noise exposure thresholds. There are no private airstrips within the project site vicinity. No impacts would occur.

4.14 Population and Housing

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?				X
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?				X

a) *Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?*

No Impact. The proposed project would not involve the construction of in new housing or new businesses. The project consists of the construction of a trail and would not induce substantial unplanned population growth in the area. Therefore, no impact would occur and no mitigation is required.

b) *Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?*

No Impact. The project site does not include any existing housing and no housing would be removed to accommodate the proposed project. Therefore, no impacts would occur and no mitigation is required.

4.15 Public Services

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
i) Fire protection?				X
ii) Police protection?				X
iii) Schools?				X
iv) Parks?				X
v) Other public facilities?				X

a) *Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:*

- i. *Fire protection?*
- ii. *Police protection?*

No Impact. The project would not hinder the fire departments of San Ramon Valley Fire Protection District, the Town of Danville, and the City of Diablo or the police departments of the Town of Danville and the City of Diablo from maintaining acceptable service ratios, levels of effort, response times or other performance objectives given the nature of the project. As

identified in the project description, the project is a trail that would be constructed adjacent to Diablo Valley Road outside of the travel way. There is a traffic signal with arm to indicate hidden crossings but will not be impacted by construction. The trail will also connect to existing Emergency Vehicle Access (EVA) Road at the west end of the project that will co-align and add access to the Magee Ranch Property. The EVA Road will remain serviceable during construction. No roadways would be completely closed during construction. Therefore, no significant impacts would occur during construction or operation of the project. Implementation of the proposed project would not cause an increase in population, and therefore, service ratios for fire and police services would not be affected. Therefore, impacts to fire and police protection services would be less than significant.

- iii. Schools?*
- iv. Parks?*
- v. Other public facilities?*

No Impact. The project does not involve residential development or new employment-generating land uses and would therefore not generate an increase in the Town's population. No major additional public services would be required to serve the proposed project. Therefore, no impacts to schools, parks, and other public facilities would occur.

4.16 Recreation

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?				X
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?				X

a) *Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?*

No Impact. The project’s primary purpose is to help close a gap in the regional bicycle and pedestrian transportation network, which would provide bicyclists and pedestrians with a safe alternative to connect the multi-purpose trail gap between the existing Barbara Haile Trail and access to Mount Diablo State Park, and beyond. Further, the project would run through the traverse across the privately-owned Magee Ranch property, a creek, as well as hilly terrain in a short (but challenging) section, adding pedestrian and bicycle connectivity to the Danville Townwide Trail Master Plan. While the project could induce visitor use of the Mount Diablo State Park by increasing the bicycle and pedestrian connectivity, it is not anticipated that any increased use of the Mount Diablo State Park would result in physical deterioration of the facility. Therefore, the project would not increase the use of existing neighborhoods or regional parks or create a demand for construction of new or expansion of existing recreational facilities. No impacts would occur.

b) *Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?*

No Impact. The project would not result in the need for construction or expansion of recreational facilities. The proposed project would not materially increase the use of existing neighborhood or regional parks or require the expansion of recreational facilities which may have an adverse effect on the environment. Further, the project would be located within a public Town of Danville Easement dedicated to open and recreational space that will co-align with the existing EVA road on the Magee Ranch property. The added recreational opportunities for active use and connectivity to existing recreational uses, such as trails and parks, as a result of the project would be beneficial to Mount Diablo State Park and community members. Therefore, no impacts would occur.

4.17 Transportation

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?			X	
b) Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?			X	
c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?				X
d) Result in inadequate emergency access?			X	

a) *Conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?*

Less Than Significant Impact. Implementation of the proposed project would result in the construction of a trail. Short-term construction trips would include the transfer of construction equipment, construction worker trips, and hauling trips for construction materials; however, impacts in this regard would be temporary in nature and would cease upon project completion. Long-term operation of the project would not generate vehicle trips that would adversely affect the circulation system; no impacts would occur. No project components would require removal of vehicular lanes such that capacity would be reduced, or that would affect transit service. Therefore, impacts would be less than significant.

b) *Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?*

Less Than Significant Impact. Implementation of the proposed project would enhance pedestrian and bicyclist safety and increase connectivity and mobility. The project would further promote alternative modes of transportation and reduce vehicle trips. The project is not a land use associated with the generation of traffic and no project components would require removal of vehicle lanes such that capacity would be affected. Therefore, impacts are less than significant.

c) *Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?*

No Impact. The proposed improvements consist of the construction of an off-street paved Class I multi-use path, guard rails, fencing, retaining walls, and new culverts or culvert extensions. These improvements would provide bicyclists and pedestrians with a safe alternative to using Diablo Road. The trail will help to close a gap between the existing Diablo Road Trail and access to Mount Diablo State Park. The project would introduce safer routes of travel and reduce roadway hazards and not include any incompatible uses. Therefore, no impact would occur.

d) *Result in inadequate emergency access?*

Less Than Significant Impact. The proposed project includes construction of an off-street paved Class I multi-use path and would not impact evacuation routes. During construction, access would be maintained on Diablo Road. No roadways would be completely closed during construction. Therefore, impacts to an emergency access would be less than significant.

4.18 Tribal Cultural Resources

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:				
i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k)?		X		
ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe?		X		

a) *Cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:*

- i) *Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k)?*
- ii) *A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe?*

Less Than Significant with Mitigation Incorporated. Chapter 532 Statutes of 2014 (i.e., Assembly Bill [AB] 52) requires that lead agencies evaluate a project’s potential impact on “tribal cultural resources.” Such resources include “sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe that are eligible for inclusion in the California Register of Historical Resources or included in a local register of historical resources.” AB 52 also gives lead agencies the discretion to determine, based on substantial evidence, whether a resource qualifies as a “tribal cultural resource.”

In compliance with PRC Section 21080.3.1(b), the Town provided formal notification to California Native American tribal representatives identified by the California Native American Heritage Commission (NAHC). Native American groups may have knowledge about cultural resources in the area and may have concerns about adverse effects from development on tribal cultural resources as defined in PRC Section 21074. The Town sent letters to tribal representatives on the NAHC contact list on November 30, 2021. A follow-up email was sent on January 26, 2022. To date, no response has been received from the NAHC. In order to initiate AB 52 consultation, a list of interested Native American stakeholders for Contra Costa County was used that dated to February 24, 2021. This NAHC list was used in lieu of an up-to-date list. When a response is received from the NAHC, the contact lists will be compared, and newly added contacts will be sent requests for consultation.

The following persons were identified as potentially having knowledge of the API based on the 2019 list:

- Ms. Irenne Zwierlein, Chairperson of the Amah Mutsun Tribal Band of Mission San Juan Bautista;
- Mr. Lloyd Mathiesen, Chairperson of the Chicken Ranch Rancheria of Me-Wuk Indians;
- Mr. Donald Duncan, Chairperson of the Guidiville Indian Rancheria;
- Ms. Kanyon Sayers-Roods, MLD contact for the Indian Canyon Mutsun Band of Costanoan;
- Ms. Ann Marie Sayers, Chairperson of the Indian Canyon Mutsun Band of Costanoan;
- Ms. Monica Arellano, Chairperson of the Muwekma Ohlone Indian Tribe of the SF Bay Area;

- Mr. Cosme Valdez, Chairperson of the Nashville Enterprise Miwok-Maidu-Nishinam Tribe;
- Ms. Katherine Erolinda Perez, Chairperson of the North Valley Yokuts Tribe;
- Timothy Perez of the North Valley Yokuts Tribe;
- Mr. Andrew Galvan of The Ohlone Indian Tribe;
- Mr. Jesus Tarango, Chairperson of the Wilton Rancheria;
- Mr. Steven Hutchason, THPO of the Wilton Rancheria;
- Mr. Dahlton Brown, Director of Administration for the Wilton Rancheria; and
- Ms. Corrina Gould, Chairperson of The Confederated Villages of Lisjan.

A certified letter was sent to each individual on January 8, 2022, from the Town of Danville requesting any information they might have regarding the project API and if they wished to participate in AB 52 consultation.

The Wilton Rancheria indicated that they have no concern regarding the project on January 27, 2022. A follow-up email was sent by the Town of Danville to each of the stakeholders on February 4, 2022. No replies have been received to date.

There is the potential for ground disturbing activities associated with the project to inadvertently affect previously unidentified Native American tribal cultural resources; therefore, MM TCR-1 and MM TCR-2 have been identified to mitigate this potential impact to Tribal cultural resources. Compliance with the mitigation measures would mitigate potential impacts to tribal cultural resources to a less than significant level.

Mitigation Measures

MM TCR-1: Prior to initial ground disturbance, the Town shall, in consultation with Tribal Contacts, approve a Tribal Cultural Advisor and the applicant shall ensure that all on-site project personnel shall receive adequate cultural resource sensitivity training developed in collaboration with the project's Tribal Cultural Advisor or his or her authorized designee. The training shall ensure worker awareness of requirements regarding the protection of tribal cultural resources and the procedures to be implemented in the event that tribal resources are encountered. All training materials related to Tribal cultural resources shall be prepared in collaboration with the project's Tribal Cultural Advisor or his or her authorized designee and shall be confidential and excluded from public records.

MM TCR-2: In the event that unanticipated tribal cultural resources are encountered during ground-disturbing activities, the project Tribal Cultural Advisor shall notify the project applicants by phone and may halt ground disturbance activities in the immediate area of discovery until further evaluation can be made in determining their significance and appropriate treatment or disposition.

4.19 Utilities and Service Systems

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?			X	
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?				X
c) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?				X
d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?			X	
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?				X

A variety of local and regional purveyors in this area provide and maintain utility and service system facilities associated with electricity, water, stormwater, wastewater, solid water, communications and natural gas. Existing routes of underground gas and water pipelines are underground fiber-optic cables would remain. Utility poles and overhead utility lines that are in

conflict with the proposed trail alignment would be relocated in coordination with the affected utility provider prior to construction of the proposed project.

The proposed trail alignment has been designed to conform to existing grade and provide minimal alteration to existing drainage conditions. Where constrained by property lines, easement or change in grade such that a built-up slope would not be feasible, short retaining structures would be built.

a) *Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?*

Less Than Significant Impact. Existing storm drain facilities would be maintained as part of the proposed project. The trail crosses an existing 150" CMP, and it will remain at its existing alignment throughout construction. As described above, retaining wall drains or other means would be provided, where needed, to convey stormwater into existing storm drainage system and channels with minimal alteration to existing drainage patterns. These drainage improvements would remain after completion of the proposed project. The proposed project would not require or result in the construction of new stormwater drainage facilities that could result in significant environmental effects. This impact would be less than significant.

The proposed project would not require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities as no potable water and/or toilets would be provided as part of the proposed trail alignment. Therefore, the proposed project would have a less than significant impact.

b) *Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?*

No Impact. See 5.19a.

c) *Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?*

No Impact. See 5.19a.

d) *Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?*

Less Than Significant Impact. Project construction would generate waste including construction materials, trench spoils, and general refuse, and these wastes would need to be disposed of in local or regional facilities. Waste generated from construction would include: non-hazardous metal waste, non-hazardous non-metal waste (concrete rubble, organic waste [vegetation], boxes and crates, refuse from construction workers), and trenching spoils (rubble, soil, broken

asphalt). Non-hazardous metal and non-metal waste would be hauled to local disposal centers for recycling or taken to landfills. Trenching and excavation spoils would be reused to the maximum extent possible. The disposal demand would be reasonable relative to the solid waste disposal capacities of area landfills. The project would not generate additional waste once completed. Impacts related to solid waste disposal would be considered less than significant.

e) *Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?*

No Impact. The proposed project would comply with all federal, State, and local statutes and regulations related to solid waste. Therefore, the proposed project would have no impact.

4.20 Wildfire

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

According to the LRA map, the majority of the Town of Danville is within a “Non-Very High Fire Hazard Severity Zone” including the project site¹⁸. However, Figure 22 in Danville’s 2030 General Plan designates the project site area as “Very High Threat to Development” and “Extreme Threat to Development”.

¹⁸ California Department of Forestry and Fire Protection. (2009). Danville Very High Fire Hazard Severity Zones in LRA. Retrieved from <https://osfm.fire.ca.gov/media/5776/danville.pdf>. Accessed January 10, 2022.

a) *Substantially impair an adopted emergency response plan or emergency evacuation plan?*

No Impact. As discussed in Threshold 4.9 (f), the proposed project would not impair or physically interfere with an adopted emergency response or evacuation plan, including the Danville’s Emergency Operations Plan dated March 2017. The project does not include the construction of new roadways or vacation of roadways that would alter the Circulation Plan. The project also does not any service ratios or evacuation routes. Rather, the project would increase multi-modal connectivity, thereby adding a potential benefit for emergency evacuations. Thus, no impact would occur.

b) *Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?*

Less than Significant Impact. The proposed project is zoned as “Non-Very High Fire Hazard Severity Zone” on the CALFIRE Fire Hazard Severity Zones. However, Figure 22 in Danville’s 2030 General Plan designates the project site area as “Very High Threat to Development” and “Extreme Threat to Development”. The proposed project would result in the construction of a trail parallel to Diablo Road and would result in similar uses to the existing conditions, as a transportation corridor. In addition, the 2030 General Plan Goal 25 has incorporated many policies that protect homes and businesses from fire and wildfire and minimize potential losses of life and property. Through consistency with the General Plan goals and policies, the proposed project would not exacerbate wildfire risk. Thus, impacts would be less than significant.

c) *Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?*

Less than Significant Impact. The proposed project would be located on the south side of Diablo Road, which is already connected to associated infrastructure. The proposed project would result in the construction of a trail which is an additional transportation corridor. Underground utilities would remain in place and utility relocation is required. No additional or expanded use of water or wastewater facilities are proposed as part of the proposed project.

Although the proposed project area is designated as “Very High Threat to Development” and “Extreme Threat to Development”, the project would not require the installation of associated infrastructure that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment. Thus, impacts would be less than significant.

d) *Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?*

Less than Significant Impact. As discussed above, the project is zoned as “Non-Very High Fire Hazard Severity Zone” on the CALFIRE Fire Hazard Severity Zones. However, Figure 22 in Danville’s 2030 General Plan designates the project site area as “Very High Threat to Development” and “Extreme Threat to Development”. The project site is located in Zone “X” of the FEMA Flood Zone Map, defined as areas of minimal flood hazard. Stormwater runoff from the proposed project would be conveyed to adjacent pervious vegetated surface areas.

As described in Section 4.10, Hydrology and Water Quality, Threshold 4.10 (c) above, potential hazards related to downstream flooding are less than significant. Under proposed conditions, on-site surface runoff would sheet flow towards pervious vegetated surfaces. As discussed in Section 4.7, Geology and Soils, Threshold 4.7 (a), the project site is not located within an area susceptible to landslides. The proposed project would be constructed in accordance with the Geotechnical Investigation conducted for the project. Thus, impacts would be less than significant.

4.21 Mandatory Findings of Significance

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

a) *Have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?*

Less than Significant Impact. As described in this IS/MND, implementation of the proposed project would occur in the vicinity of special status plants and animals and known and previously undiscovered cultural resources. However, the project has been designed to avoid and minimize the potential for adverse impacts to these resources. The project would occur within a developed corridor for much of its length, and where it would occur in sensitive areas habitat impacts would be avoided by the project design and are minor with respect to the available habitat in the region. Also, the trail would not require excavation into native subgrade in areas of known archeological and cultural resources. Thus through careful design, construction and operation the proposed project would not: 1) degrade the quality of the environment; 2) substantially reduce the habitat of a fish or wildlife species; 3) cause a fish or wildlife population to drop below self-sustaining levels; 4) threaten to eliminate a plant or animal community; 5) reduce the number or restrict the range of a rare or endangered plant or animal; or 6) eliminate important examples of the major periods of California history or prehistory.

b) *Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?*

Less than Significant Impact. The impacts of the proposed project would be individually limited and not cumulatively considerable. The proposed project would be a multi-use trail and pedestrian and bicycle roadway crossing. All environmental impacts that could occur as a result of the proposed project would be reduced to a less-than-significant level through implementation of the mitigation measures recommended in this IS/MND.

c) *Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?*

Less than Significant Impact. As identified throughout this IS/MND, the project would not have significant air quality, noise, traffic, or hazardous materials impacts that might directly or indirectly harm human beings. Therefore, the proposed project would not cause adverse effects on human beings.

5.0 REFERENCES

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Appendix A

Air Quality Data

Appendix B

Biological Resources Report and Arborist Report

Appendix C

Archaeological Survey Report
(Confidential)

Appendix D

Preliminary Geohazards Study

Appendix E

Response to Public Comments