



**Notice of Preparation**  
**Vineyards at Marsh Creek**  
**Amphitheater**  
**Subsequent Environmental Impact**  
**Report**

Date: January 25, 2023

To: State Clearinghouse  
State Responsible Agencies  
State Trustee Agencies  
Other Public Agencies  
Organization and Interested Persons

Lead Agency and Applicant: City of Brentwood  
Public Works Department  
150 City Park Way  
Brentwood, CA 94513  
Attn: Mr. Allen Baquilar, Engineering Manager  
abaquilar@brentwoodca.gov  
(925) 516-5420

### **Summary**

The City of Brentwood, as lead agency, has determined that a Subsequent Environmental Impact Report (SEIR) is required to evaluate the physical environmental effects of the proposed Vineyards at Marsh Creek Amphitheater Project (“Project” or “proposed project”). This SEIR will address the environmental impacts associated with the implementation of the proposed project. Information regarding the project description, project location, public outreach process, and topics to be addressed in the Draft SEIR is provided below.

While the California Environmental Quality Act (CEQA) Guidelines do not require preparation of a new Notice of Preparation (NOP) and subsequent scoping meeting for a subsequent EIR or supplemental EIR, the City of Brentwood has elected to issue this NOP and hold a scoping meeting to provide Responsible Agencies, Trustee Agencies, and other Interested Organizations and Persons with an opportunity to comment on the range of environmental issues that the public believes should be studied in the subsequent environmental document.

### **Background**

The project site was originally evaluated in the 2004 Vineyards at Marsh Creek and Annexations Sites EIR, which included a 481-acre mixed-use development. The 2004 Vineyards at Marsh Creek project included

approximately 1,100 active adult lots, 150 single-family lots, 150 senior apartments, and a Village Center that could include commercial and office development, a hotel and conference center, a congregate care facility, and multi-family residential units. The EIR also considered the annexation of two sites outside of the Vineyards at Marsh Creek project site: an approximate 40-acre site including the historic John Marsh Home, and a 60-acre site, limited to development of a 30-acre community college campus. Specifically, the EIR considered the potential for development of a community college that could serve up to 5,000 students.

The 2004 Vineyards at Marsh Creek and Annexation Sites EIR anticipated development of a winery with a 1,000-seat amphitheater on 31 acres. While the Vineyards at Marsh Creek development is nearly built-out, the winery and amphitheater have not been developed.

In situations when a lead agency has certified an EIR for a project, and then the project is modified, requiring additional environmental review, the lead agency may prepare an Addendum, a Supplement to the EIR, or a SEIR. According to Section 15164 of the CEQA Guidelines, a lead agency can prepare an Addendum to a previously certified EIR if some changes or additions to an EIR are necessary, but none of the conditions described in Section 15162 calling for preparation of a SEIR have occurred. The City of Brentwood has decided to take a conservative approach for the Vineyards at Marsh Creek Amphitheater project and assume the project may result in new significant impacts or a substantial increase in the severity of significant impact(s) previously identified in the 2004 Vineyards at Marsh Creek and Annexation Sites EIR. It is anticipated that the environmental baseline for the analysis in the SEIR will consist of the approved 2004 Vineyards at Marsh Creek and Annexation Sites project, as is allowable pursuant to CEQA. The details of the environmental baseline will be defined in the SEIR.

## **Project Location**

The proposed project site is located within the southwest corner of the Vineyards at Marsh Creek Master Planned Development area in the city of Brentwood, California. The 31-acre irregularly shaped site within the Vineyards at Marsh Creek mixed-use development is located along the southwestern side of Vineyards Parkway between Old Vine Place and Miwok Avenue (see Figure 1 and Figure 2). The project site is identified by Assessor Parcel Numbers (APNs) 007-640-012, -013, -014, -015 and -016.

## **Project Description Summary**

The Vineyards at Marsh Creek Amphitheater (the Project) is a proposed development of a portion of the 31-acre project site to create a 1,000-seat Amphitheater and 10,000-square-foot (sf) event center facilities in two phases. The amphitheater would host a theatrical support space, an event promenade, an expansive 18,000-sf event lawn with a wedding pavilion, a vendor pavilion, playground, and sculpture garden; and would include a stage, greenroom, storage room, and a loading zone. Primary site access will be provided by two driveway openings off Vineyard Parkway, one at Old Vine Place and the other located approximately 600 feet west of Miwok Avenue. Both intersections will be analyzed for a traffic signal as part of the proposed project, and drive aisles would extend southwest from Vineyards Parkway into the project site where a surface parking lot would accommodate 250 vehicles on the project site including accessible parking and electrical vehicle (EV) charging stations.

For further details, please see the Detailed Project Description below.

## Public Review and Comment Period

Notice is hereby given that the City invites comments on the scope and content of the SEIR in response to this NOP. Pursuant to Section 15082 of the CEQA Guidelines, this NOP will be circulated for a 30-day review period. At a minimum, responses to this NOP should focus on the potentially significant environmental effects that the proposed project may have on the physical environment and that should be addressed in the SEIR, ways in which those effects might be minimized, and potential alternatives to the proposed project that should be addressed in the SEIR. In your response, you are requested, but not required, to include your name, the name of your agency or organization (if applicable), and contact information.

Comments regarding the scope and content of the environmental review to be conducted for the proposed project should be sent to the City in writing by 5:00 PM on February 23, 2023. Please send your written comments to:

**Lead Agency Contact:**

Allen Baquilar, Engineering Manager  
City of Brentwood  
Public Works Department  
150 City Park Way  
Brentwood, CA 94513  
abaquilar@brentwoodca.gov

**Scoping Meeting:** The City will conduct a scoping meeting, which will be held in person and virtually via Zoom, as a part of the regularly scheduled Planning Commission meeting. Agencies, organizations, and the public will have an opportunity to submit verbal comments at the scoping meeting. Further information on the date and time of the scoping meeting and access to participate virtually via Zoom is provided below.

**SEIR Scoping Meeting on the Vineyards at Marsh Creek Amphitheater Project**

Tuesday | February 21, 2023 | 7:00 PM

In-Person Meeting:

City of Brentwood Council Chambers  
150 City Park Way  
Brentwood, CA 94513

or

Virtual Meeting:

<https://www.brentwoodca.gov/government/boards-commissions/planning-commission/planning-commission-meeting-online>

**SEIR Process:** Following the close of the NOP comment period, a Draft SEIR will be prepared that will consider all applicable environmental topic areas in Appendix G of the CEQA Guidelines and take into consideration NOP comments. In accordance with Sections 15105(a) and 15087 of the CEQA Guidelines, the Draft SEIR will be released for public review and comment for the required 45-day review period. Following the close of the 45-day public review period, the City will prepare a Final SEIR that will include responses to all substantive environmental comments received on the Draft SEIR. The Draft SEIR and Final

SEIR will be considered by the Planning Commission and City Council in making the decision to certify the SEIR and to approve or deny the Project.

## **Detailed Project Description**

The following section includes a detailed description of the Project, including project location, existing and adjacent land uses, General Plan land use designations, and detailed descriptions of the Project's components.

### **Project Location**

The proposed project site is located within the southwest corner of the Vineyards at Marsh Creek Master Planned Development area in the city of Brentwood, California. The 31-acre irregularly-shaped site within the Vineyards at Marsh Creek mixed-use development is located along the southwestern side of Vineyards Parkway between Old Vine Place and Miwok Avenue (see Figure 1 and Figure 2). The project site is identified by Assessor Parcel Numbers (APNs) 007-640-012, -013, -014, -015 and -016.

### **Existing and Adjacent Land Uses and Setting**

As can be seen in Figure 2, the project site is generally undeveloped and covered with grass. Current site topography was shaped by previous grading activities in the mid-2000s. The site was originally a rolling hillside that sloped toward the Marsh Creek valley that bounds the southeast margin of the site. Ground surface elevations ranged from approximately 340 feet mean sea level (MSL) at the southwestern corner of the site to approximately 170 feet MSL at the southeastern margin. Post-grading, the site is characterized by a prominent east-facing hillside at the western margin, with large, relatively flat tiers below. Vineyards Parkway was constructed with driveway returns at the north and east corners of the site.

The proposed project site is surrounded on the northwest, north, and northeast by single-family residences within the Vineyards at Marsh Creek development. Surrounding the project site to the west, south, and east are State Park Lands that include the John Marsh Historic House to the southeast and Contra Costa County Flood Control District Marsh Creek Reservoir to the south. Los Medanos College is located further east just beyond the Barcelona single-family residential duet community.

### **General Plan Land Use Designation**

The project site is located in an area designated in the City of Brentwood General Plan as Park (P) and is zoned as Planned Development (PD-64). The General Plan defines the P designation to include existing and future park and recreation facilities of varying size, function, and location to serve the entire community (Brentwood General Plan, page 9-8).

### **Project Components**

The proposed project would be constructed in two phases (see Figure 3 and Figure 4). Phase 1 would include construction of a 750-seat amphitheater, 250 vehicle parking lot, and shaded promenade. Phase 2 would add approximately 250 seats to the amphitheater and include construction of the 10,000-sf event center facility.

The proposed amphitheater would be designed to host various performances including, but not limited to, music concerts, theatrical performances, movie showings and film festivals, lectures, and

conferences/meetings. The amphitheater would include a shade canopy, rigging of truss towers, speaker arrays, production lighting, and audio/visual systems. The amphitheater would include a 1,000-sf stage (40' wide x 25' deep) and be oriented westerly to direct sound away from the adjacent single-family residences. An approximately 1,750-sf stage-support building is included in the amphitheater which would incorporate a manager's office, bathrooms, green room, dressing rooms and lockers, and other technical and operational support.

Phase 2 would add approximately 250 seats to the amphitheater and include the construction of a 10,000-sf event center facility (see Figure 5). The event center would be designed to host weddings and wedding receptions, corporate events, art exhibitions, classes, camps, conferences, trade shows, and festivals. The event center facility would be rectangular, with a height of approximately 45 feet. Hardscape and landscape improvements would be installed to create plazas and outdoor spaces.

The project includes a promenade area next to the parking lot as an entry point to the various facilities and amenities within the project. The promenade area will include a box office and shaded 5,000-sf area for small gatherings and an area for vendors to sell goods or share information.

An expansive 18,000-sf lawn area, arts/sculpture playground, and wedding pavilion is included in the project. The parking lot and wedding pavilion would be open to the public during normal park operating hours. The wedding pavilion would be able to accommodate up to 40 persons for a small wedding or gathering.

Public access to the parking lot, promenade, lawn area, and adventure/arts playground would be open dawn to dusk daily plus event hours. The hours of event operations for the amphitheater would be 8:00 AM to 11:00 PM daily and up to 1:00 AM for the event center. The maximum attendance for the largest single function at the Phase 1 and Phase 2 buildout of the amphitheater would be 750 and 1,000 persons, respectively. The 10,000-sf event center would have a maximum capacity of 500 persons for a wedding ceremony and reception. When the amphitheater is maximized, seating would be handled through a combination of fixed and lawn seating (see Figure 6). It is anticipated that concurrent events generating the 1,500-person maximum capacity at both venues would be infrequent – an average of 12 times per year. However, the wedding venue, promenade, and food truck area may be booked or utilized at the same time. The average peak attendance; however, is expected to be approximately 850 persons anticipating that wedding ceremonies and receptions at the event center may not coincide with a separate use of the amphitheater. Conservatively, the SEIR will evaluate a maximum attendance scenario of 1,600 persons, which includes 50 staff or volunteers and another 50 persons that may be on-site for other gatherings or uses at one time.

Table 1 provides the typical annual schedule of events, which is summarized as follows:

- Average of 12, 1,600-person maximum events per year.
- Large events are defined as events that have a greater than 50 percent chance to draw an attendance that meets the capacity of the amphitheater and event center.
- Non-large events would occur up to 331 days annually.
- Daily uses would include open use of the park, promenade, and lawn areas with possible camp uses during the summer and Farmer's Market in the food truck area and promenade.

<b>Table 1 Programming for Amphitheater and Events Center</b>				
<b>Activity</b>	<b>Season</b>	<b>Timeframe</b>	<b>Maximum Attendance</b>	<b>Anticipated Number of Events</b>
<b>Amphitheater</b>				
Youth Drama Camp	Summer	Mon.-Fri. 9 AM-Noon	50	4 Weeks
Private Events (i.e., Churches, Weddings, Nonprofits, etc.)	Year-Round	Sun.-Sat. 8 AM-11 PM	1,000	30 Days
Outdoor Movies/Film Festival	Spring-Fall	Sun.-Sat. Dusk-10 PM	750	10 Days
Outdoor Concerts	Spring-Fall	Sun.-Sat. 6 PM-10 PM	750	10 Days
Food Truck/Culinary Event	Year-Round	Sun.-Sat.	750	20 Days
All-Day Festivals (i.e., Art, Music, etc.)	Year-Round	Sat.-Sun. 10 AM-6 PM	1,000	10 Weekends
Nature/Interpretive Series	Year-Round	Sun.-Sat. 9 AM-4 PM	25	20 Days
Wine Trolley	Spring-Fall	Sat.-Sun. 11 AM-5 PM	500	10 Weekends
U Pick Event/Farm Trolley	Spring-Fall	Sat.-Sun. 9 AM-5 PM	500	10 Weekends
Farmers Market	Spring-Fall	Mon.-Fri. 4 PM-8PM	1,000	20 Days
Makers Boulevard/Craft Vendors	Year-Round	Sat.-Sun. 10 AM-4 PM	1,000	12 Weekends
Ghostlight Theatre (Rehearsal and Performance)	Spring-Fall	Sun.-Sat. 4 PM-10PM	750	25 Days
Brentwood Community Chorus (Rehearsal and Performance)	Spring-Fall	Sun.-Sat. 4 PM-10PM	750	10 Days
Brentwood Concert Band (Rehearsal and Performance)	Spring-Fall	Sun.-Sat. 4 PM-10PM	750	10 Days
Brentwood Teen Theater (Rehearsal and Performance)	Spring-Fall	Sun.-Sat. 4 PM-10PM	750	25 Days
PAL Bands (Rehearsal and Performance)	Spring-Fall	Sun.-Sat. 4 PM-10PM	750	25 Days
Other Local Performing Groups (i.e., Schools, Individuals, Nonprofits, etc.)	Spring-Fall	Sun.-Sat. 4 PM-10PM	750	20 Days
<b>Events Center</b>				
Youth Camps	Summer & School Breaks	Mon.-Fri. 8 AM-3 PM	50	8 Weeks
Private Events (i.e., Churches, Fundraisers, etc.)	Year-Round	Sun.-Sat. 8 AM-12 PM	500	50 Days
Art Classes	Year-Round	Sun.-Sat. 8 AM-8PM	35	90 Days
Art Exhibitions	Year-Round	Sun.-Sat. 8AM-8 PM	500	24 Days
City Events and Trainings	Year-Round	Sun.-Sat. 8 AM-10 PM	500	12 Days
School District Events and Trainings	Year-Round	Mon.-Fri. 8 AM-8 PM	500	12 Days
Local/Regional Indoor Performances and Lectures	Year-Round	Sun.-Sat. 8 AM-11 PM	500	24 Days

Activity	Season	Timeframe	Maximum Attendance	Anticipated Number of Events
Business meetings, Conferences, Mixers, Trade Shows	Year-Round	Mon.-Fri. 8 AM-6 PM	500	24 Days
Weddings	Year-Round	Sun.-Sat. 8 AM-12 AM	500	40 Days

The programming included in Table 1 represents the City’s current plans. In the event additional events or occurrences were to be planned, additional CEQA review may be necessary.

**Landscaping**

The proposed project would include various landscaping improvements throughout the project site. Most of the landscape area between the parking lot and Vineyards Parkway would remain natural grasslands with the enhanced landscape being confined to the entry drive corner. The parking lot would have planter islands with trees throughout to provide shade. At the center of the site is a lawn area that would extend down the slope from the promenade and would be a passive open space area for visitors to use. Also contained in this area would be a separate, arts-funded, children’s adventure play area and sculpture garden along with a wedding pavilion. Play elements manufactured to resemble natural elements like hollow logs, climbing boulders, and giant bird’s nests, would be situated among areas that would house public art. An arroyo would also be located in this area winding in, and around, the amphitheater aesthetically tying the amphitheater and event center to the lawn area. A series of sloped walks that traverse the arroyo in several spots would guide visitors down to the amphitheater lawn. The amphitheater lawn would consist of concentric arching pathways filled in between with a gentle sloped lawn. The arched pathways would accommodate visitors with disabilities and be fully accessible. The landscape surrounding the amphitheater lawn would transition to be more natural in its appearance and would be highlighted by the outer oak woodland that serves as that thematic backdrop as well as a method for providing shade for the amphitheater seating areas. Shade trees would also be planted at the rear of the amphitheater lawn seating area to provide protection from the direct sunlight.

**Access and Circulation**

Primary access to the proposed project site would be along Vineyards Parkway at the two existing driveway openings, one at Old Vine Place and the other located approximately 600 feet west of Miwok Avenue. One of the intersections would be signalized as part of the proposed project, and drive aisles would extend southwest from Vineyards Parkway into the project site. Both drive aisles and trails would bring visitors to the parking lot. In addition, the westerly drive aisle would provide direct access to the event center and the easterly drive aisle would also provide access to the amphitheater for loading/unloading needs at either facility.

A continuous multi-use trail for pedestrians and bicyclists would be installed within the project site connecting both Vineyards Parkway entry locations to the promenade area and also provide views of rolling hills and the John Marsh House to the southeast.

**Parking**

Phase 1 of the proposed project would include 250 on-site parking spaces comprised of a combination of asphalt concrete and gravel. Paved parking spaces would be nine feet by 20 feet. For conservative

purposes, this SEIR assumes a maximum available parking supply of 250 total parking spaces, which would include seven total Accessible parking stalls with two identified as Van Accessible. The parking would also include a minimum of 16 designated electric vehicle spaces. The 250 total parking stalls would provide sufficient parking for all anticipated events for the first phase of the project assuming an average of 3 persons for vehicle attending a 750-person capacity event. For maximum attended concurrent events held at both the amphitheater and event center, the City would require the operator to implement an event Transportation Management Plan (TMP). During such events requiring the implementation of a TMP, off-site parking may be used to meet the demand for event parking.

Through proactive traffic and parking management, the TMP would seek to minimize conflicts between vehicles, pedestrians, bicycles, and transit riders, while providing access to the project site via each of these travel modes. The TMP is intended to be a flexible document, which would be amended as conditions change and as the City learns more about the traffic and parking characteristics of the various events being held at the facility. The TMP framework would consist of traffic management, pre-event conditions, post-event conditions, parking management, travel by off-site shuttle, and ride hailing (e.g., Uber and Lyft).

Travel by off-site shuttle systems may be used as needed to transport event attendees to and from existing parking areas located outside of the project site, within the city of Brentwood. Through an agreement between the event organizer or City and Los Medanos College, parking outside of the project site that could be utilized may include the Los Medanos College parking lot.

**Utilities**

The City of Brentwood would provide potable and non-potable (for irrigation) water service to the project site, which would be delivered to the site via existing 12-inch potable and non-potable water lines within the Vineyards Parkway at Old Vine Place intersection. The on-site fire system would range in size from eight-inch to 12-inch lines, including new fire hydrants and building sprinkler connections. The project site's potable (non-fire flow) and non-potable system would connect directly to the public water system (either existing or proposed), pass through a water meter assembly, and be piped on-site to the desired location.

The proposed project is located within the City of Brentwood's Wastewater Treatment Plant service area. The project would connect to the existing eight-inch sewer line located at the easterly driveway opening on Vineyards Parkway. According to the Sewer Study prepared for the Vineyards at Marsh Creek Development and 2017 Sewer Master Plan, capacity exists within the existing sewer line exiting the site.

The proposed project would include the construction of on-site stormwater drainage and treatment facilities appropriately-sized to manage runoff from all impervious areas on the project site. The project is subject to the National Pollutant Discharge Elimination System (NPDES) Phase II MS4 Permit and would be designed to meet the requirements of this State Regional Water Quality Control Board permit. Bio-retention facilities would capture and treat on-site runoff prior to being discharged to the City's storm water system. Detention would be provided by the existing City maintained stormwater basin next to Los Medanos College to manage peak flow runoff for the overall Vineyards at Marsh Creek development.

The proposed project would include new connections to the gas main in order to receive natural gas service. Both driveway connections along Vineyards Parkway have existing stubs to which the project would connect.



Solid waste services for the project site would be provided by the City of Brentwood. Following implementation of the proposed project, solid waste generated at the project site would continue to be collected by the City of Brentwood.

### **Construction and Phasing**

The proposed project would be constructed in two phases. Phase 1 is anticipated to commence in 2023, while Phase 2 would occur at an unspecified date in the future. For the purpose of this analysis, Phase 1 and Phase 2 are assumed to consist of the following components.

#### Phase 1

- Clearing, grubbing, and grading of approximately 228,000 sf.
- Construction of a 750-seat amphitheater, 5,000-sf promenade including a 1,350-sf support structure, 18,000-sf lawn area, 40-seat wedding venue, adventure/art playground, including hardscape, landscape, and adjacent parking lot.
- Signalization of one of the identified access points along Vineyards Parkway.

#### Phase 2

- Construction of a 10,000-sf arts and event center.
- Expansion of the amphitheater by 250 seats to accommodate up to 1,000 attendees.

### **Project Approvals**

The following are the City of Brentwood approvals that would be required for the proposed project:

- Certification of the SEIR, including adopting Findings of Fact, a Statement of Overriding Considerations (if needed), and a Mitigation Monitoring Plan;
- Design Review of proposed structures; and
- Approval of construction drawings and construction contract.

The Project may also require concurrent or subsequent discretionary approvals or permits from other federal, state, and regional agencies including:

- Section 401 water quality certification from the Regional Water Quality Control Board;
- NPDES Construction General Permit from the Regional Water Quality Control Board; and
- General construction permit from the Bay Area Air Quality Management District.

In addition, coordination with PG&E would be required because of a large gas main and easement within the project site. PG&E would need to review and approve any improvements within the easement.

### **Environmental Factors Potentially Affected**

The SEIR will include a summary of the analysis and conclusions, project description, description of the existing environmental setting, and potential environmental impacts and feasible mitigation measures needed to mitigate any significant impacts. Consistent with the CEQA Guidelines, the environmental analysis for the proposed project will focus on potential environmental impacts resulting from the changes

to the proposed project and changes in circumstances under which the project would be undertaken. Therefore, the following environmental factors will be considered in the SEIR:

- Air Quality and Greenhouse Gas Emissions
- Biological Resources
- Cultural and Tribal Cultural Resources
- Noise
- Transportation
- Project Alternatives
- Cumulative Impacts
- Environmental consequences, including: (a) any significant environmental effects that cannot be avoided if the project is implemented; (b) any significant irreversible and irretrievable commitments to resources; (c) growth-inducing impacts of the proposed project; and (d) effects found not to be significant.

The SEIR will also include an analysis of project alternatives.

Figure 1  
Regional Vicinity Map

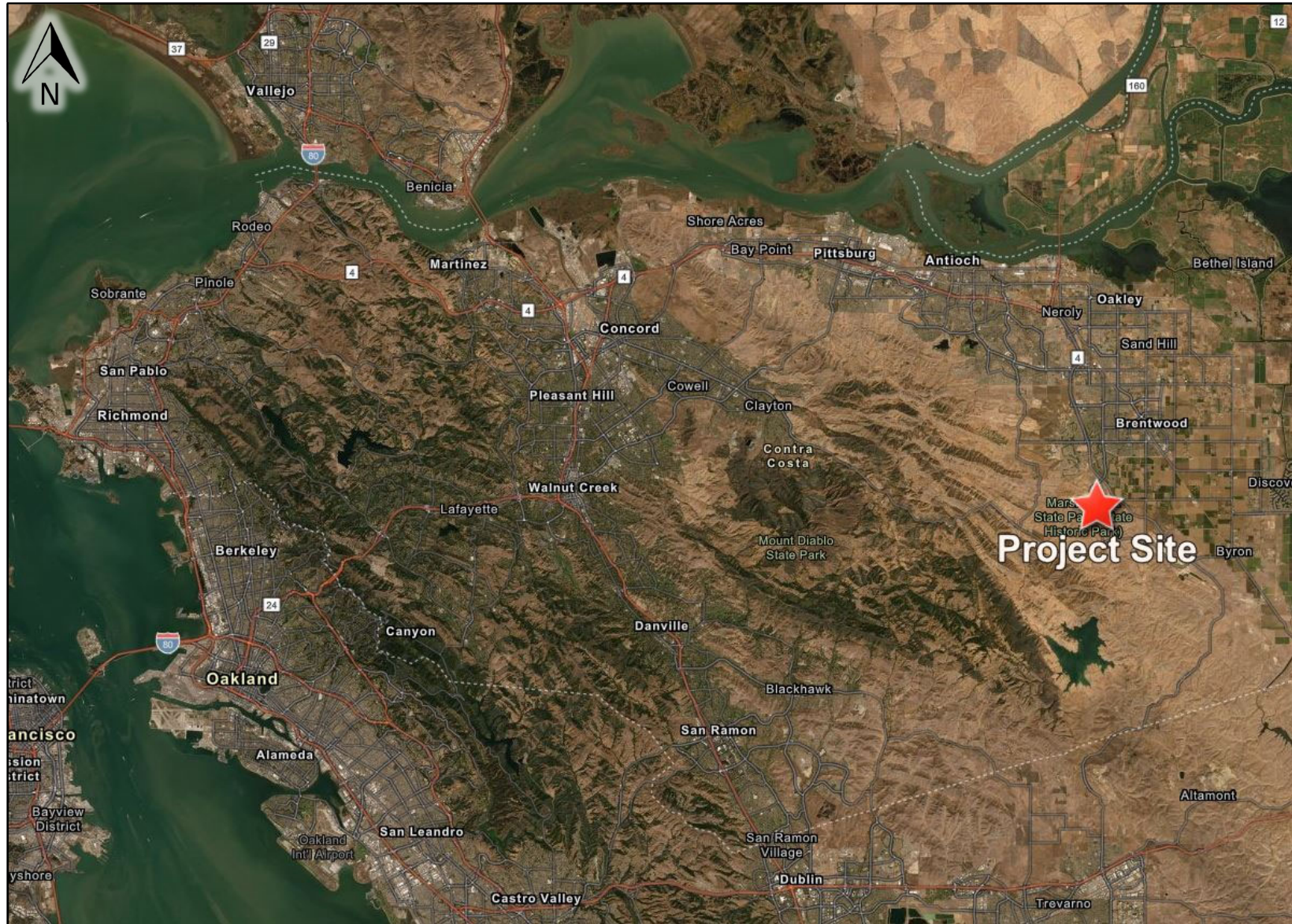


Figure 2  
Project Site Boundaries



Figure 3  
Phasing Plan

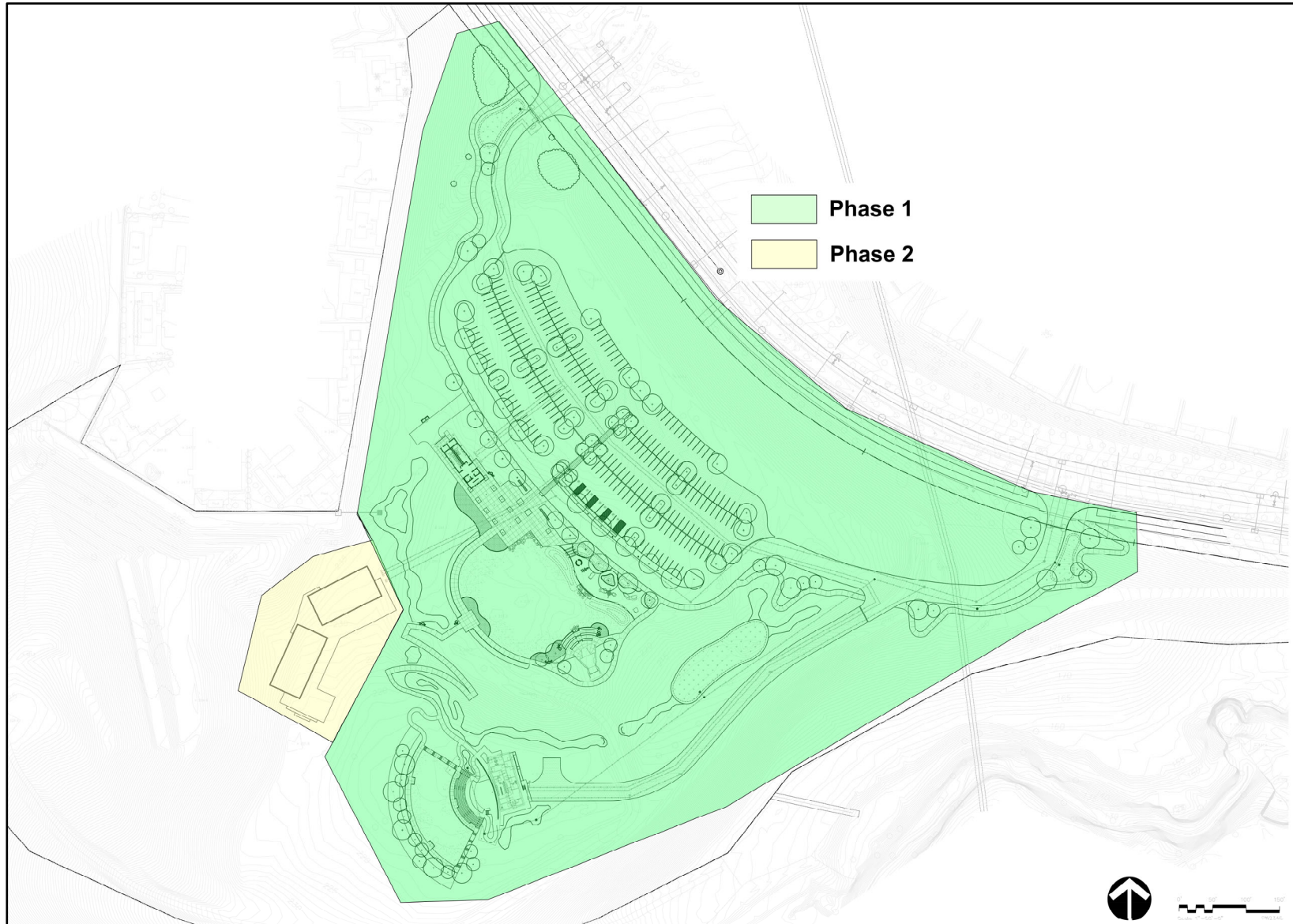


Figure 4  
Overall Site Plan



Figure 5  
Future Event Center

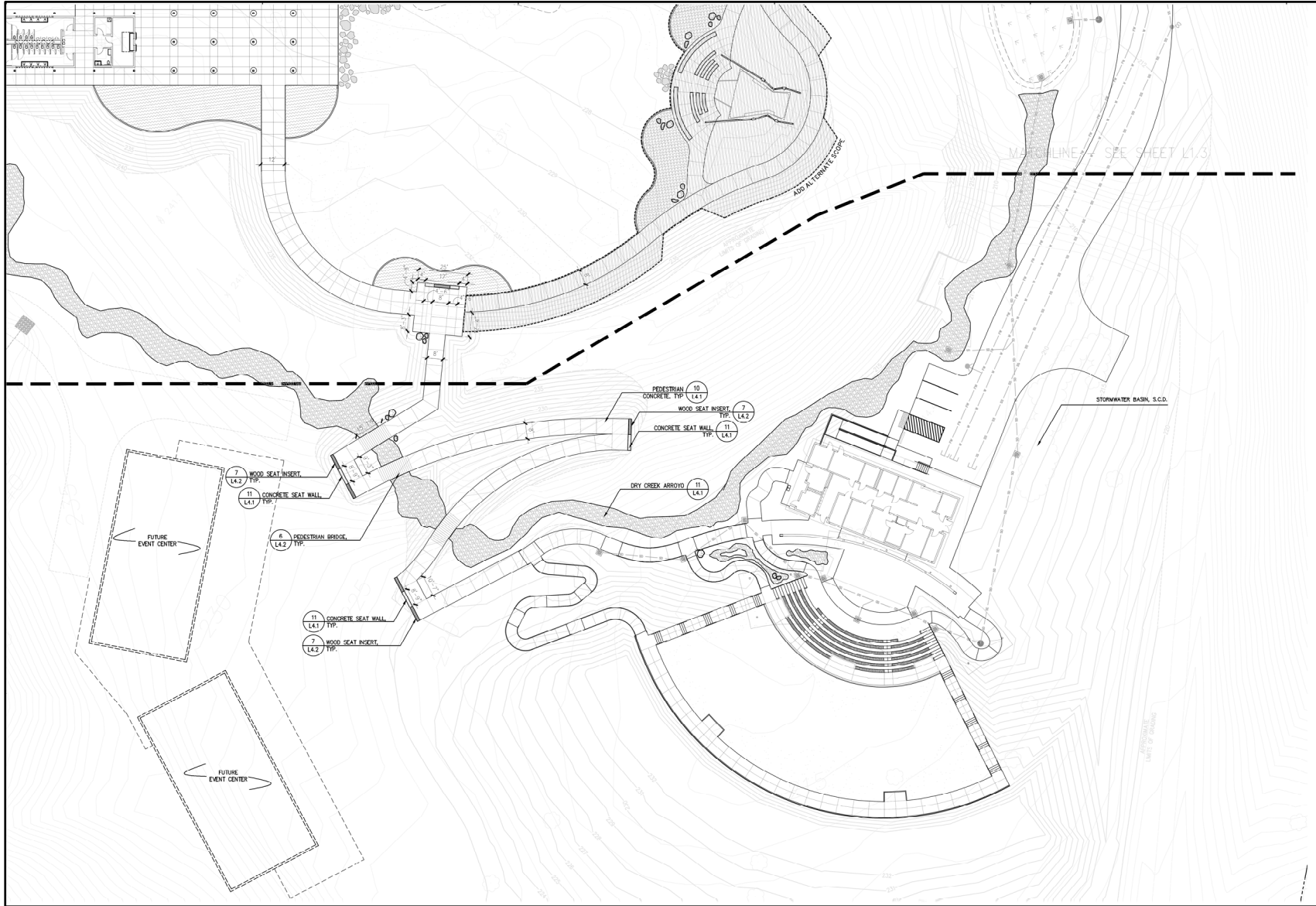


Figure 6  
Amphitheater Fixed and Lawn Seating Rendering

