

**California Environmental Quality Act  
Environmental Checklist Form**

1. Project Title: Byron Corners General Plan Amendment and Rezone  
County File #'s CDGP10-00003, CDRZ13-03222, and  
CDLP/DP13-02025
2. Lead Agency Name and Address: Contra Costa County  
Department of Conservation & Development  
Community Development Division  
30 Muir Road  
Martinez, CA 94553
3. Contact Person and Phone Number: Francisco Avila, Principal Planner, (925) 655-2866
4. Project Location: 15031 Byron Highway  
Byron, CA 95514  
APN #'s: 002-140-010, 025 and 027
5. Project Sponsor's Name and Address: Jasvir Singh (Owner)  
15031 Byron Highway  
Byron, CA 95514  
  
Tony Singh (Continental Dev. Consultants – Applicant)  
P.O. Box 1924  
Woodland, CA 95776
6. General Plan Land Use Designation(s): The site currently has a General Plan land use designation of Single-Family Residential-High Density (SH). This land use designation allows a density of 5.0 and 7.2 single family units per net acre. Primary land uses which are permitted in this designation include single-family homes and accessory structures, as well as, small residential care and childcare facilities, churches, and other similar places of worship.
7. Zoning: The site has dual zoning of A-2 General Agricultural District (A-2) and R-B Retail Business District (R-B). The A-2 zoning district requires a 5-acre minimum parcel size and the R-B zoning district requires a minimum of 3,500-square-feet in area. The A-2 General Agricultural District is intended to provide areas primarily for the commercial production of food and fiber and other compatible uses. The R-B Retail Business District is intended to provide areas consisting of service orientated activities such as, convenient stores, contractor's yards, and various shops, given that the activity does not create significant amounts of odors, dust, or smoke.
8. Setting, Site Description & Surrounding Land Uses: The subject site consists of three irregularly shaped parcels (APN's: 002-140-010, 002-140-025, and 002-140-027) located in a rural area of Byron. The northern portion of the site is developed with a gas station, convenient store and small restaurant. Access to the gas station is achieved via two driveways, one directly adjacent to Byron Highway and the other on Camino Diablo. The southern portion of the site is developed with a single-family residence. The subject site and surrounding properties are within a Flood Zone B boundary. Parcels in the vicinity range in size from 0.30-acre residential sites, to over 100-acre agricultural operations. Other zoning districts in the immediate vicinity are A-2 General Agricultural District, R-6 Single-Family Residential District, and General Commercial. The Union Pacific Railroad Company owns and operates a railroad directly to the east of the site.

9. Project Description: The applicant is requesting approval of a General Plan amendment (GPA), rezoning and land use permit/development plan to allow for the following:

1. GPA from Single-Family Residential-High Density to Commercial (CO),
2. Rezoning from A-2 General Agricultural District to R-B Retail Business District (R-B),
3. Land Use Permit/Development Plan combination,
4. demolition of a 908 square-foot existing gas pump canopy,
5. demolition of a 2,180 square-foot convenient store,
6. construction of a new 4,652 square-foot gas pump canopy,
7. construction of a new 3,542 square-foot convenient store,
8. construction of a new 1,151 square-foot restaurant.
9. Type 21 Alcohol Sales License - Off Sale General (beer, wine, and distilled spirits for consumption off the premises where sold).

The project will also include 23 off-street parking spaces (2 Americans with Disabilities Act compliant spaces and 2 Electric Vehicle spaces), 12 new gas pumps, a 54 square-foot monument sign, access improvements, drainage improvements, and landscaping. Site preparation will consist of 2,048.77 cubic yards of grading (183.76 cubic yards of cut, and 1,865.01 cubic yards of import) which will result in raising the elevation of the property approximately 2 feet. One existing well will be decommissioned and relocated on the southeastern portion of the site.

10. Other Public Agencies Whose Approval is Required (e.g. permits, financing, approval or participation agreement): Various; General Plan amendments and rezoning applications are a legislative act under the sole purview of the County Board of Supervisors, however, this project includes a land use permit/development plan combination request for the demolition and re-construction of a new gas station, convenient store and restaurant. That land use permit is subject to regulations administered by the Department of Conservation and Development, Building Inspection Division, Contra Costa County Public Works Department, Contra Costa County Health Services Department, Byron Sanitary District, and Consolidated/East Contra Costa County Fire Protection District.

11. Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code Section 21080.3.1? If so, is there a plan for consultation that includes, for example, the determination of significance of impacts to tribal cultural resources, procedures regarding confidentiality, etc.?

In accordance with Section 21080.3.1 of the California Public Resources Code, a Notice of Opportunity to Request Consultation was sent to the Wilton Rancheria and Confederated Villages of Lisjan Nation, the two California Native American tribes that have requested notification of proposed projects within Contra Costa County. No request for consultation has been received to date.

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.

- Aesthetics
- Agriculture & Forest Resources
- Air Quality
- Biological Resources
- Cultural Resources
- Geology & Soils
- Greenhouse Gas Emissions
- Hazards & Hazardous Materials
- Hydrology & Water Quality
- Land Use & Planning
- Mineral Resources
- Noise
- Population & Housing
- Public Services
- Recreation
- Transportation/Traffic
- Utilities & Service Systems
- Mandatory Findings of Significance
- Wildfire
- Energy
- Tribal Cultural Resources

None of the above

DETERMINATION

On the basis of this Initial Study:

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 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 that are imposed upon the proposed project, nothing further is required.

Francisco Avila  
Signature  
Francisco Avila  
Principal Planner  
Contra Costa County Department of Conservation & Development

April 19, 2023  
Date

## SOURCES

In the process of preparing the Initial Study Checklist and conducting the evaluation, the following references, which are available for review either online or at the Contra Costa County Department of Conservation & Development, 30 Muir Road, Martinez, were consulted:

1. General Plan amendment study and application dated December 17, 2010, Rezone and Land Use Permit application dated January 31, 2013 (revised plans dated, September 2020, traffic analysis dated July 2022 and Traffic Technical Memorandum dated January 6, 2023).
2. Contra Costa County General Plan 2005-2020
3. Contra Costa County Code – Title 8 Zoning Ordinance
4. Contra Costa County Geographic Information System
5. Contra Costa County Land Information System
6. *Contra Costa County Important Farmland Map 2008* prepared by the California Department of Conservation
7. Public Resources Code section 12220(g)
8. Public Resources Code section 4526
9. Government Code section 51104(g)
10. California Environmental Quality Act (CEQA) as amended January 1, 2014, and CEQA Guidelines amended as of May 2011
11. Bay Area Air Quality Management District CEQA Guidelines dated May 2017.
12. Bay Area Air Quality Management District proposed Thresholds of Significance for Greenhouse Gas Emissions
13. California Department of Toxic Substances Control website
14. Association of Bay Area Governments Geographic Information Systems, Hazard Maps – Wildland Urban Interface Fire Threat
15. Federal Emergency Management Agency Flood Insurance Rate Map
16. Association of Bay Area Governments Geographic Information Systems, Hazard Maps – Dam Failure Inundation Areas
17. Agency Comments
18. Contra Costa County Code – Title 4 Health and Safety

**EVALUATION OF ENVIRONMENTAL IMPACTS**

**I. AESTHETICS** – Except as provided in Public Resources Code Section 21099, would the project:

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Have a substantial adverse effect on a scenic vista?	_____	_____	_____ ✓ _____	_____
b. Substantially damage scenic resources, including but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	_____	_____	_____	_____ ✓ _____
c. In non-urbanized area, substantially degrade the existing visual character or quality 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?	_____	_____	_____ ✓ _____	_____
d. Create a new source of substantial light or glare that would adversely affect day or nighttime views in the area?	_____	_____	_____ ✓ _____	_____

**Impact: Less Than Significant Impact**

Summary a-d: The subject site is located at the southeast corner of the Byron Highway/Camino Diablo intersection. Both roads are County-designated scenic routes. The vast majority of surrounding properties has been developed with single-family residences and other light industrial uses on the west side of Byron Highway. The act of a GPA and rezoning by itself would not impact trees, rock outcroppings, or other scenic resources, and would not introduce substantial light or glare to the area. However, the applicant is requesting approval of a land use permit/development plan to demolish the existing gas station and convenient store and construct new ones at the subject site. As proposed, the applicant intends to combine the parcels via a lot line adjustment. The northern portion of the site is currently developed with a gas station and convenient store; therefore, no aesthetic impacts are anticipated for that portion of the project as it would be essentially replacing an existing use. However, the southern portion of the site is currently vacant and construction of the new convenient store in this area would result in a minor aesthetic change to the subject intersection. Nevertheless, as mentioned above, the properties surrounding the subject site are completely developed with a variety of uses. Therefore, there are no anticipated significant impacts to the scenic quality or aesthetics of the immediate area.

**II. AGRICULTURE & FOREST RESOURCES** – 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 Dept. of Conservation as an optional model to use in assessing impacts on agricultural and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection and state’s inventory of forest land, including the Forest and Range Assessment Project; and forest carbon

measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	_____	_____	_____	✓
b. Conflict with existing zoning for agricultural use, or a Williamson Act Contract?	_____	_____	_____	✓
c. Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	_____	_____	_____	✓
d. Result in the loss of forest land or conversion of forest land to non-forest use?	_____	_____	_____	✓
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?	_____	_____	_____	✓

**Impact: None**

Summary a-e: The proposed project includes a rezone the site in order to demolish and re-construct an existing gas station and convenient store/restaurant. The California Department of Conservation, 2015 California Important Farmland Map, indicates that the site is designated Urban and Built-Up Land. Thus, there would be no impact to farmland designated Prime Farmland, Unique Farmland, or Farmland of Statewide Importance. There is no Williamson Act contract associated with this property, therefore, no conflict with a Williamson Act contract would occur.

The site does not qualify as forest land under Public Resources Code section 12220(g) and timberland under Public Resources Code 4526. No physical changes are proposed that would directly impact forest/timber resources. Rezoning a portion of the site from A-2 to R-B would not increase the likelihood of conversion of forest land to non-forest use because the site is completely developed and devoid of any realistic timber resources.

III. **AIR QUALITY** – Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Conflict with or obstruct implementation of the applicable air quality plan?	_____	_____	_____	_____ ✓
b. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is in non-attainment under an applicable federal or State ambient air quality standard?	_____	_____	_____ ✓	_____
c. Expose sensitive receptors to substantial pollutant concentrations?	_____	_____ ✓	_____	_____
d. Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	_____	_____	_____ ✓	_____

**Impact: Less Than Significant with Mitigation**

**Bay Area Air Quality Management District CEQA Guidelines**

Management of air quality in the San Francisco Bay Area Air Basin is the responsibility of the Bay Area Air Quality Management District (BAAQMD). The BAAQMD is responsible for bringing and/or maintaining air quality in the Basin within federal and state air quality standards. Specifically, the BAAQMD has the responsibility to monitor ambient air pollutant levels throughout the Basin and to develop and implement attainment strategies to ensure that future emissions would be within federal and state standards.

In April 1996 the BAAQMD prepared its *BAAQMD CEQA Guidelines* as a guidance document to provide lead government agencies, consultants, and project proponents with uniform procedures for assessing air quality impacts and preparing the air quality sections of environmental documents for projects subject to CEQA. The *Guidelines* were revised by the BAAQMD in May 2011 and again in 2017. This document describes the criteria that the BAAQMD uses when reviewing and commenting on the adequacy of environmental documents. The *Guidelines* recommend thresholds for use in determining whether projects would have significant adverse environmental impacts, identify methodologies for predicting project emissions and impacts, and identify measures that can be used to avoid or reduce air quality impacts. This Initial Study section was prepared in accordance with the principles outlined in the *Guidelines*.

Summary a-b: The project includes a GPA to change the current SH designation to CO and to rezone a portion of the site from A-2 to R-B. Although the CO and R-B designations allow certain land uses that are more intense than the uses allowed in the SH and A-2 designations, the likelihood of those uses being developed is extremely low because of the subject proximity to residential uses. It is far more reasonable to expect that the property will remain a gas station/convenient store/restaurant use as the capital investment to re-develop the site once established will be a considerable hurdle for future projects.

Even if the property were eventually developed with some of the more intense uses allowed in the CO and R-B designations (such as a contractor's yard), it is extremely unlikely that emissions would result in significant impacts. Table 6 of the *BAAQMD CEQA Guidelines* lists projects likely to generate potentially significant emissions of NO<sub>x</sub>. Such projects include single-family residential developments of 320 units, supermarkets of 24,000 square feet, office parks of 210,000 square feet, and hotels containing 460 rooms. While Table 6 addresses only one of the criteria pollutants, the *Guidelines* state that Table 6 may be used to screen projects to determine the likelihood that the significance thresholds might be exceeded. As nothing of that scale could reasonably be expected to be developed at the subject property, the County has determined that even in the worst-case scenario, the proposed GPA and rezoning would not lead to production of significant amounts of criteria pollutants and thus the individual impact on air quality would be less-than-significant. Furthermore, a search for other projects in the immediate area resulted in no projects that could cumulatively result in a significant impact when considered with this project.

Summary c-d: Potential impacts to air quality which may affect sensitive receptors, or the general public would be from exhaust emissions from equipment related to pre-development improvements (e.g. demolition and grading), and the construction of the project, which would occur over a limited period of time. As mentioned above, the Bay Area Air Quality Management District (BAAQMD) is the agency responsible for maintaining federal and state air quality standards within the San Francisco Bay Area Air Basin. Exhaust emissions and particulate matter (such as those from demolition equipment) produced by construction activities are regarded by BAAQMD as less than significant if dust and particulate control measures are implemented. During the operational phase of the project, idling diesel trucks during re-fueling would emit toxic air pollution. Effective February 1, 2015, the California Air Resources Board, adopted the Airborne Toxic Control Measure to Limit Diesel-Fueled Commercial Motor Vehicle Idling (Measure). The purpose of the Measure is to reduce the exposure of the public to diesel emissions by limiting the idling of diesel-fueled commercial motor vehicles to no more than 5 minutes. The following air quality management mitigations will ensure that air quality standards are maintained during construction and operational activities related to the project.

**Potential Impact (3 - 1)**: *Exhaust emissions and particulates produced by demolition and construction related to the project may cause exposure of the public or sensitive receptors to significant amounts of pollutants or objectionable odors.*

**Mitigation Measure AIR-1**: The following Bay Area Air Quality Management District, Basic Construction mitigation measures shall be implemented during project demolition and construction and shall be included on all construction plans:

- a. All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day.
- b. All haul trucks transporting soil, sand, or other loose material off-site shall be covered.
- c. All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.
- d. Sweep daily (with water sweepers) all paved access roads, parking areas and staging areas at construction sites.
- e. Hydroseed or apply (non-toxic) soil stabilizers to inactive construction areas (previously graded areas inactive for ten days or more).

- f. Enclose, cover, water twice daily or apply (non-toxic) soil binders to exposed stockpiles (dirt, sand, etc.).
- g. Install sandbags or other erosion control measures to prevent silt runoff to public roadways.
- h. Replant vegetation in disturbed areas as quickly as possible.
- i. All vehicle speeds on unpaved roads shall be limited to 15 mph.
- j. All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.
- k. Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations [CCR]). Clear signage shall be provided for construction workers at all access points.
- l. All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation.
- m. Post a publicly visible sign with the telephone number and person to contact at the lead agency regarding dust complaints. This person shall respond and take corrective action within 48 hours. The Air District's phone number shall also be visible to ensure compliance with applicable regulations.

**IV. BIOLOGICAL RESOURCES – Would the project:**

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Dept. of Fish and Game or U.S. Fish & Wildlife Service?	_____	_____	_____	_____ ✓
b. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Dept. of Fish and Game or U.S. Fish & Wildlife Service?	_____	_____	_____	_____ ✓
c. Have a substantial adverse effect on federally protected wetlands (including but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	_____	_____	_____	_____ ✓

d. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?				✓
e. Conflict with any local policies or ordinances protecting biological resources, such as tree preservation policy or ordinance?				✓
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?				✓

**Impact: No Impact**

Summary a-e: Each portion of the project site has been completely disturbed for many decades (covered with asphalt, etc.). No riparian, wetland or sensitive natural community is located on or near the project location. As explained in the project description above, the project is to expand uses that are currently located on the project site. No potential future uses could realistically be established under the proposed R-B zoning that would affect biological resources because none exist at this location. Therefore, the GPA, rezoning and project construction poses no realistic threat to biological resources.

Summary f: No Habitat Conservation Plan, Natural Community Conservation Plan, or other local, regional, or state habitat conservation plan has been approved or adopted for the project site or its vicinity.

**V. CULTURAL RESOURCES – Would the project:**

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Cause a substantial adverse change in the significance of a historical resource pursuant to Section 15064.5?		✓		
b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?				✓
c. Disturb any human remains, including those interred outside of formal cemeteries?		✓		

**Impact: Less Than Significant With Mitigation**

Summary a-c: CEQA Guidelines Section 15064.5 defines historical resources as follows:

*“a) For purposes of this section, the term "historical resources" shall include the following:*

- (1) *A resource listed in, or determined to be eligible by the State Historical Resources Commission, for listing in the California Register of Historical Resources (Pub. Res. Code, § 5024.1, Title 14 CCR, Section 4850 et seq.).*
- (2) *A resource included in a local register of historical resources, as defined in section 5020.1(k) of the Public Resources Code or identified as significant in an historical resource survey meeting the requirements section 5024.1(g) of the Public Resources Code, shall be presumed to be historically or culturally significant. Public agencies must treat any such resource as significant unless the preponderance of evidence demonstrates that it is not historically or culturally significant.*
- (3) *Any object, building, structure, site, area, place, record, or manuscript which a lead agency determines to be historically significant or significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural annals of California may be considered to be an historical resource, provided the lead agency's determination is supported by substantial evidence in light of the whole record. Generally, a resource shall be considered by the lead agency to be "historically significant" if the resource meets the criteria for listing on the California Register of Historical Resources (Pub. Res. Code, § 5024.1, Title 14 CCR, Section 4852) including the following:*
  - (A) *Is associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage;*
  - (B) *Is associated with the lives of persons important in our past;*
  - (C) *Embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possesses high artistic values; or*
  - (D) *Has yielded, or may be likely to yield, information important in prehistory or history."*

No historical resources are apparent onsite and no substantial excavation is expected as a result of the project. Therefore, there would be little potential to impact historical resources as a result of the proposed GP, rezoning and related construction. Nevertheless, the following mitigation will address the potential that unforeseen resources are discovered, thus, resulting in a less than significant impact for the project.

**Potential Impact (5 - 1):** *During the construction phases of the project, there is a potential to discover unexpected human remains or historic resources.*

**Mitigation Measure CUL-1:** Stop work and conduct an evaluation of accidental discovery of human remains or find.

Section 7050.5 of the California Health and Safety Code states that in the event of discovery or recognition of any human remains in any location other than a dedicated cemetery, there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains until the coroner of the county in which the human remains are discovered has determined whether or not the remains are subject to the coroner's authority.

If human remains are encountered, work shall halt within 50-feet of the find and the County Coroner notified immediately. At the same time, an archaeologist should be contacted to evaluate the situation. If the human remains are of Native American origin, the Coroner must notify the Native American Heritage Commission within 24 hours of this identification. The Native American Heritage Commission will identify a Native American Most Likely Descendent to inspect the site and provide recommendations for the proper treatment of the remains and associated grave goods. All work shall be postponed until a qualified archaeologist has had an opportunity to evaluate any potential find.

**VI. ENERGY** – Would the project:

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	_____	_____	_____ ✓ _____	_____
b. Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	_____	_____	_____	_____ ✓ _____

**Impact: Less Than Significant Impact**

Summary a: The project includes demolition and rebuilding of a gas station, convenient store and restaurant. As part of the construction phase of the project, employees and/or contractors would be required to comply with the CalGreen/Construction and Demolition Debris Recovery Program. The program requires at least 65% by weight of job site debris to be recycled, reused, or otherwise diverted from landfill disposal. The end use of the project is similar to the current use, which will not significantly increase energy use. Compliance with CalGreen and the lack of substantial energy needs during construction or post-construction operation of the site suggests the project would have a less than significant impact regarding wasteful use of energy resources.

Summary b: The State of California has taken steps to increase the efficiency of vehicles and other construction equipment to provide more renewable energy. Legislation is routinely passed and codified to address climate change and clean energy production. Based on the fact that no new uses are proposed and construction equipment would be required to meet energy efficiency standards, there is no part of the proposed project that suggests it would impede any State or Local initiatives that are aimed at increasing renewable energy or efficiency. Therefore, the project would result in a less than significant impact.

**VII. GEOLOGY AND SOILS** – Would the project:

	Potentially Significant Impact	Less Than Significant With 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:				

1. 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.	_____	_____	_____	✓
2. Strong seismic ground shaking?	_____	_____	_____	✓
3. Seismic-related ground failure, including liquefaction?	_____	_____	_____	✓
4. Landslides?	_____	_____	_____	✓
b. Result in substantial soil erosion or the loss of topsoil?	_____	_____	_____	✓
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 onsite or offsite landslide, lateral spreading, subsidence, liquefaction or collapse?	_____	_____	_____	✓
d. Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1998), creating substantial risks to life or property?	_____	_____	_____	✓
e. Have soils incapable of adequately supporting the use of septic tanks or alternative waste disposal systems where sewers are not available for the disposal of wastewater?	_____	_____	_____	✓
f. Directly or indirectly destroy a unique paleontological resource or site or unique geological feature?	_____	_____	_____	✓

**Impact: None**

Summary a-d: The subject site is not located near any known earthquake faults or steep topography. Changing the zoning from one district to another can't realistically be expected to expose people or structures to substantial adverse effects, including the risk of loss, injury, or death, involving rupture of a known earthquake fault, strong seismic ground shaking, seismic-related ground failure, or landslide. No significant physical elevation changes to the site are proposed. Therefore, no erosion or loss of topsoil would occur. Nevertheless, all future development would be required to pass the Building Inspection Division plan check process to obtain permits and would be required to address any issues of geologic concern.

Summary e: The site is currently serviced by existing sanitary infrastructure in the area. Therefore, there is no potential for impacts regarding soil's inability to support a waste disposal system.

Summary f: The County General Plan has identified areas where paleontological resources or unique geological features are present. The project site is not located in or near any of these areas.

Furthermore, the site has been developed for many decades which suggests that no resources will be found or disturbed as result of the expansion of the existing business on-site.

**VIII. GREENHOUSE GAS EMISSIONS** – Would the project:

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	_____	_____	_____ ✓ _____	_____
b. Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	_____	_____	_____	_____ ✓ _____

**Impact: Less Than Significant**

Summary a: The BAAQMD has developed significance thresholds for greenhouse gas emissions as well as screening criteria to assist local agencies in determining whether a project could potentially exceed those thresholds. As the project does not include any elements that exceed those thresholds, it would be unrealistic to determine that this GPA and rezoning application could result in a potentially significant greenhouse gas emission impact.

Summary b: BAAQMD guidelines also consider a project less than significant if it is consistent an adopted qualified GHG Reduction Strategy. The County Climate Action Plan (CAP), adopted in December 2015, contains a GHG Reduction Strategy. The project does not conflict with any of the land use and planning policies in the CAP.

**IX. HAZARDS AND HAZARDOUS MATERIALS** – Would the project:

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Create a significant hazard to the public or the environment through the routine transport, use or disposal of hazardous materials?	_____	_____ ✓ _____	_____	_____
b. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	_____	_____ ✓ _____	_____	_____
c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances or waste within one-quarter mile of an existing or proposed school?	_____	_____	_____ ✓ _____	_____
d. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65862.5 and, as a result, would it create a significant hazard to the public or the environment?	_____	_____	_____	_____ ✓ _____

e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?				✓
f. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?				✓
g. Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?				✓

**Impact: Less Than Significant With Mitigation Incorporated**

Summary a-d: The project site is located immediately adjacent to the Byron Highway, which is a well-traveled roadway. The project will expand an existing gas station from 2 pump stations to 6 on a site that has been developed with similar uses for decades. Therefore, it is expected that the project proponent will utilize existing underground storage tanks and related chemicals. Gasoline and diesel would be routinely transported to the site. Typically, gas station fuel systems consist of double wall fiberglass storage tanks. Fuel dispensers and underground piping would also be double walled and include a monitoring and automatic cutoff system. These detailed project elements are regulated by California codes which are typically more stringent than Federal standards. Given compliance with these standards, the project will represent minimal risk of exposure to the public within the immediate area. Implementation of the following mitigation measure would ensure that the routine use, transport, storage, and disposal of hazardous materials would not create a significant hazard to the public or the environment.

***Potential Impact (8 – 1):** Operation of the gas station and other related retail businesses will involve the routine delivery, storage and use of hazardous materials.*

**Mitigation Measure HAZ-1:** The project applicant/or owners and operators of businesses on the site shall obtain all required permits and follow all applicable County, State, and Federal regulations regarding the use, storage and disposal of hazardous materials and shall conduct their operations in compliance with such permits and regulations.

Summary e: The subject property is not located within an airport land use plan area.

Summary f: The proposed gas station project will be located completely within the boundaries of the subject property, and will not interfere with transport or access along any roadways or waterways that may be part of an emergency response or evacuation plan. The proposed project does not propose to remove or alter any existing structures that may be an element of any existing emergency response or evacuation plans. Lastly, the proposed project will not negatively impact any communications methods that may be used during an emergency situation.

Summary g: Figure 10-10 in the Safety Element of the County General Plan indicates that the subject site is within a “local responsibility area.” Approval of the proposed rezone would not change the site’s physical characteristics as they pertain to fire hazards, and would not result in substantial

intensification of land use. Any future development must meet the requirements of the local fire district. Nevertheless, the site does not contain vegetation which would contribute to risk of wildfire.

**X. HYDROLOGY AND WATER QUALITY – Would the project:**

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	_____	_____	_____	_____ ✓
b. Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	_____	_____	_____ ✓	_____
c. Substantially alter the existing drainage pattern of 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;	_____	_____	_____ ✓	_____
ii. Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite;	_____	_____	_____ ✓	_____
.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; or	_____	_____	_____	_____ ✓
iv. Impede or redirect flood flows?	_____	_____	_____	_____ ✓
d. In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	_____	_____	_____	_____ ✓

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

			✓

**Impact: Less Than Significant**

Summary a: In the San Francisco Bay Region, the Regional Water Quality Control Board (RWQCB) includes permit requirements for stormwater runoff under the National Pollution Discharge Elimination System (NPDES) program. The RWQCB regulates stormwater runoff from construction activities under the NPDES permit from the State Water Resources Control Board (SWRCB). The Contra Costa County Watershed Program administers the stormwater program for a project after it is constructed.

The RWQCB administers the NPDES stormwater-permitting program in the Bay Area. Under current regulations, construction activities of 1 acre or more are subject to the permitting requirements of the NPDES General Permit for Discharge of Stormwater Runoff Associated with Construction Activity (General Construction Permit). Since the project would involve 0.98 acres (plus roadway improvements) of construction activities, it may be subject to these regulations, subject to the review of the RWQCB. Typically, the project applicant must submit a Notice of Intent (NOI) to the SWRCB to be covered by the General Construction Permit prior to the beginning of construction. The General Construction Permit requires the preparation and implementation of a Stormwater Pollution Prevention Program (SWPPP).

The project applicant will be required to prepare a Storm Water Pollution Prevention Program (SWPPP) as part of the construction phase of the project. The SWPPP will include specifications for Best Management Practices (BMPs) to be implemented before, during and after project construction to control surface discharge and pollutants. Post construction drainage control will be managed by a system of sub drains, area drains, driveway culverts, and bio-retention/detention basins. These drainage control features are included as part of the Storm Water Control Program (SWCP) which has been reviewed by the Public Works Department. Routine maintenance of the basins/swales will generally involve maintaining unobstructed flow in the swale, preventing and repairing any erosion in the swale, and maintaining healthy vegetation in the swale. Typical routine maintenance will involve the following activities:

- Inspecting swales for erosion and exposure of soils, removal of accumulated sediment, and repair of exposed areas;
- Periodic inspection of subdrain pipes and driveway culverts beneath the swales for evidence of sediment accumulation or other flow obstructions. Removal of accumulated sediment or flow obstructions;
- Inspection and monitoring of soil at the bottom of the swale to maintain uniform percolation. If areas of the swales are not percolating within 48-hours after a storm, the soil would be tilled and replanted;
- Periodic examination of vegetation to ensure that it is healthy and dense enough to provide the required filtration and to prevent soil erosion within the swale. Mulch should be replenished, and any fallen leaves or debris should be removed from the swale. Routine

maintenance will also include mowing the vegetation, which should be limited to removing no more than 1/3 of the height of grasses. Irrigation would be performed so as not to be excessive, but to maintain healthy vegetation; and

- As part of vector control activities, any holes in the swale, or areas where water could pond for more than 48-hours, would be promptly backfilled or repaired. If any mosquito larvae are present and persistent, the Contra Costa Mosquito and Vector Control District would be contacted for information and advice. The use of larvicide and other pesticides would be kept to an absolute minimum and applied only when necessary by a licensed individual or contractor.

The selection, sizing, and preliminary design of the water treatment BMPs identified in the Stormwater Control Plan for the project will be required to meet the requirements of the Regional Water Quality Control Board Order R2-2003-022 as part of the plan's final review prior to initiation of the project.

Contra Costa County Standards and Waste Discharge Requirements. Contra Costa County has jurisdiction over discharge of storm-water runoff as well as drainage facilities within the boundaries of the project site. The Contra Costa County Clean Water Program is the local entity responsible for implementing compliance with the federal Clean Water Act to control stormwater pollution. The Program is comprised of Contra Costa County, 17 incorporated cities, and the Contra Costa County Flood Control and Water Conservation District. The Program complies with the Joint Municipal NPDES permit issued by the San Francisco Bay and Central Valley RWQCBs. The permits mandate that participating municipalities implement their approved Stormwater management Plan. The program includes the implementation of BMPs that include construction controls (such as model grading ordinances), legal and regulatory approaches (such as stormwater ordinances), public education and industrial outreach (to encourage reduction of pollutants at various sources), public activities, wet weather monitoring, and special studies. All stormwater controls have been designed in accordance with Contra Costa County C.3 handbook guidelines. The project would not violate the provisions of the County's Clean Water Program.

Summary b: Groundwater supplies are verified and appropriately monitored by the County Health Services Department, Environmental Health Division. As part of permitting of the proposed project, the developer will need to obtain authorization from the Environmental Health Division prior to issuance of building permits for this project. This suggests that the project will not have an adverse effect on ground water supplies.

Summary c: Although a slight increase in rainwater runoff will be generated as a result of the project, the drainage patterns of the site and area in general will not be significantly altered. The Public Works Department, Engineering Services Division is responsible for review and approval of all drainage improvements for the project. As mentioned above, final drainage plans will need to be reviewed and approved prior to issuance of building permits for the project. Compliance with all applicable codes and regulations suggests that the project's potential to generate additional sources of polluted runoff or otherwise substantially degrade water quality would be negligible.

The project site is not located within a 100-year flood hazard area. However, the site is adjacent to a flood zone X area (an area expected to experience periodic flooding). Nevertheless, this project does include raising the base elevation of the site by two feet which will add further protection from the possibility that flooding would occur.

Summary d: Seiche and tsunami occur in larger bodies of water such as lakes and oceans. There is no threat to the subject site from seiche or tsunami because the types of water bodies where they occur do not exist in the vicinity.

Summary e: The County Health Services Department, Environmental Health Division has reviewed the project and did not raise any concerns that the project will be in conflict with any applicable plans related to groundwater recharge.

**XI. LAND USE AND PLANNING – Would the project:**

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Physically divide an established community?	_____	_____	_____	_____ ✓
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?	_____	_____	_____	_____ ✓

**Impact: None**

Summary a: The subject site is in an area that is comprised of a mix of commercial, residential and agricultural uses. Single-family homes are located to the east and sporadically along Byron Highway. Rezoning the southern parcel to a business district to improve an existing business would not compromise the character of the area or lead to a physical division of the established community.

Summary b: Nothing in the record suggests that the proposed project would conflict with plans, policies, or regulations adopted for the purpose of mitigating environmental impacts. As explained throughout this Initial Study, implementation of the project would result only in a change zoning and general plan designations so a dated business can be demolished and re-built with a new quality establishment for this portion of the County.

**XII. MINERAL RESOURCES – Would the project:**

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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?	_____	_____	_____	_____ ✓
b. Result in the loss or availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?	_____	_____	_____	_____ ✓

**Impact: None**

Summary a-b: According to the Contra Costa County General Plan, there are no mineral resources in the vicinity of the project site.

**XIII. NOISE** – Would the project result in:

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	_____	_____	_____	_____ ✓
b. Generation of excessive groundborne vibration or groundborne noise levels?	_____	_____	_____	_____ ✓
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?	_____	_____	_____	_____ ✓

**Impact: None**

Summary a: The General Plan specifies the normally accepted range of community noise exposure due to retail business developments. The subject site is currently within a higher noise contour due to the proximity of Byron Highway. Therefore, the range of potential uses due to the rezoning of the site will remain within the acceptable range of community noise exposure.

Summary b-c: The existing noise environment would not change as a result of the project and the uses allowed by the R-B zoning district. Furthermore, the zoning district restricts uses to those that do not create significant amounts of noise or vibration. The site is not located within an area covered by an airport land use plan.

**XIV. POPULATION AND HOUSING** – Would the project:

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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)?	_____	_____	_____	_____ ✓
b. Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	_____	_____	_____	_____ ✓

**Impact: None**

Summary a: The proposed R-B zoning permits construction of one single-family residence by right. As the subject has been developed with a gas station and convenient store for decades, it is improbable that the site will be converted to residential use compared to its current retail business nature. Nevertheless, establishment of one residence and possibly one residential second unit on a legally created parcel would neither directly nor indirectly induce substantial population growth. Other uses permitted by the proposed zoning are commercial in nature and clearly would not induce substantial population growth.

Summary b: Two of the three subject parcels are occupied with retail business uses and therefore rezoning them clearly would not result in displacement of existing housing or people. The third parcel is vacant. Therefore, no people or current housing stock will be displaced due to the rezoning action.

**XV. PUBLIC SERVICES**

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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:				
1. Fire protection?	_____	_____	_____✓	_____
2. Police protection?	_____	_____	_____✓	_____
3. Schools?	_____	_____	_____	_____✓
4. Parks?	_____	_____	_____	_____✓
5. Other public facilities?	_____	_____	_____	_____✓

**Impact: Less than significant**

Summary a.1: The service standard for fire protection is based on distance. The General Plan states that new development must be located within 1.5 miles driving distance of a fire station or must be equipped with improvements, such as automatic sprinklers and in some cases water storage tanks, to enhance firefighting capabilities. The project will incorporate a water storage tank and sprinklers per the current Building Code. Rezoning the site would neither alter its distance to a fire station nor lessen the requirements for installation of fire suppression equipment.

Summary a.2-4: The service ratios for police protection, schools, and parks are based on population. As no substantial population growth would occur, there would be negligible, if any, impacts to these services.

Summary a.5: As the proposed rezoning would not result in substantial population growth, impacts to other public facilities such as hospitals and libraries would be insignificant.

**XVI. RECREATION**

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

**Impact: No impact**

Summary a: As explained in Section XV above, implementation of the proposed project would not induce substantial population growth. Therefore, use of parks and recreational facilities would not increase, and their deterioration would not be accelerated.

Summary b: The proposed project does not include a proposal for new recreational facilities, and because it would not induce population growth, would not necessitate the expansion of existing facilities.

**XVII. TRANSPORTATION/TRAFFIC** – Would the project:

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

**Impact: Less Than Significant With Mitigation**

Summary a: The project is to demolish and expand a gas station, restaurant and convenient store. Given these uses, the project is estimated to generate 100 or more AM and PM peak-hour trips, therefore, the applicant has contracted TJKM to prepare a Traffic Impact Analysis for the project – dated January 3, 2022 (supplemental Technical Memorandum dated January 6, 2023). The report

analyzed existing conditions, existing with project conditions, cumulative without project and cumulative with project conditions. Key intersections within the immediate area have been studied in preparation of the report, in part using traffic counts during, weekday AM and PM peak hour traffic volumes. According to the report, the project's passenger vehicle trip generation is approximately 1,348 daily trips (1,290 existing minus 2,518 proposed trips equals 1,348 new trips).

Pedestrians will access the site from Byron Highway and Camino Diablo via new sidewalks within a dedicated Right-of-way space along the site's frontage. These sidewalks will connect to existing striped crosswalks at these two intersections. The internal walkways are required to meet American with Disabilities Act standards and will be reviewed as part of the Plan Check Process for the project. On-site bicycle parking has also been identified within the project footprint and will encourage an alternative means of travel other than automotive vehicles.

#### Analysis Methods.

The operations of roadway facilities are described with the term level of service ("LOS", a qualitative description of traffic flow based on such factors as speed, travel time, delay, and freedom to maneuver). Six levels are defined from LOS A, as free-flow operating conditions, to LOS F, or the over-capacity operating conditions. LOS E represents "at-capacity" operations. When traffic volumes exceed intersection capacity, stop-and-go conditions result, and operations are designated as LOS F. Due to the addition of the project related traffic, the following mitigation measures once implemented will maintain acceptable levels of service.

***Potential Impact (16-1):*** *Based on the impact criteria for intersection operations, the proposed project under Existing plus Project Conditions will increase the delay at the intersection of Holway Drive/Camino Diablo by 1.7 seconds resulting in a 40.3 second delay (LOS E).*

**Mitigation Measure TRAFFIC-1:** At least 30-days prior to requesting Final Building Inspections (occupancy), the applicant shall provide evidence for review and approval of CDD staff, that the fair-share payment has been made towards the installation of a traffic signal at the Holway Drive/Camino Diablo intersection.

Installation of the signal light would result improved LOS performance at this intersection, reducing the impact at this intersection to less-than-significant levels.

Summary b: TJKM conducted a VMT (Vehicle Miles Traveled) analysis for the proposed project. The project consists of a 3,368 square foot convenience store, 1,145 square foot restaurant and 6 gasoline pumps. Using the Southern California Association of Governments (SCAG) Employment Density Report, the convenience store will have 500 square feet per employee while the restaurant will have 300 square feet per employee. Thus, the project contains a total of 10 employees. For VMT analysis, Contra Costa County Transportation Analysis Guidelines (6/23/20, page 14) recommends that the estimated VMT for a proposed project be obtained by either:

- Utilizing existing average trip length and VMT data of similar TAZ that contains similar mixes of land uses, or;
- Inserting the proposed project into the CCTA Model. Using the CCTA Model to determine both trip generation and trip lengths allows consistent analysis methodology (basically insert the Byron Gas Station into the CCTA Model and let the Model determine trips and VMT).

For the proposed Byron Gas Station Project, the second of the above approaches is used.

CCTA guidance (CCTA Technical Memorandum, 7/1/2020) on VMT analysis for non-regional projects require a base year condition model run along with baseline plus project model run to extract total VMT data for the region that the project is located in. TJKM ran the model with the project inserted into the base year land use and found that the project results in a net decrease in total VMT for the unincorporated Contra Costa County region. Thus, the project is found to have an less than significant impact on VMT in both base year and cumulative year 2040.

Summary c: Design features proposed with the project include site improvements such as grading, repairs, and new connections to public roadways. These improvements have been reviewed by the appropriate County agencies at the time of application and have been deemed preliminarily complete. Additional reviews will be conducted of final building permits to ensure compliance with established standards to prevent the construction of improvements which may cause safety hazards.

Summary d: The project has been reviewed by the Contra Costa County Fire Protection District. The District determined that the project substantially complies with applicable codes and regulations. Nevertheless, the project proponent will have to submit final improvement plans to the District for review and approval prior to obtaining building permits for the project. Therefore, no inadequate emergency access will be created as part of the project.

**XVIII. TRIBAL CULTURAL RESOURCES**

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Would the project 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 the local register of historical resources as defined in Public Resources Code Section 5020.1 (k), or		✓		
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, the lead agency shall consider the significance of the resource to a California Native American tribe.		✓		

**Impact: Less Than Significant with Mitigation Incorporated**

Summary a-(i-ii): The expected construction and grading could cause ground disturbance which may impact heretofore undocumented cultural resources. However, with implementation of Mitigation Measure CUL-1 impacts to tribal cultural resources would be reduced to less than significant.

**XIX. UTILITIES AND SERVICE SYSTEMS – Would the project:**

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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?				✓
b. Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?				✓
c. Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project’s projected demand in addition to the provider’s existing comments?				✓
d. Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impare the attainment of solid waste reduction goals?				✓
e. Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?				✓

**Impact: None**

Summary a-c: Potable water is provided by an on-site well that has been producing for decades. No evidence has been provided to suggest potable water will not be available to the project site in the future. The sewage collection system would transport wastewater from the project site to a Byron Sanitary District facility for treatment. The onsite waste piping system is required to comply with all applicable requirements established by the District. District staff has returned comments indicating that permits are required for the project which suggests that capacity exists in the system to accommodate the project. Therefore, the project related wastewater is not expected to exceed wastewater treatment requirements.

Summary d-e: The proposed project will be served by the Republic Services’ network of collection services, recycling, transfer stations, and landfills. As such, capacity exists within the local landfill system to accommodate the proposed project.

**XX. WILDFIRE** – If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Substantially impair an adopted emergency response plan or emergency evacuation plan?	_____	_____	_____	✓
b. Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby, expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	_____	_____	_____	✓
c. Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	_____	_____	_____	✓
d. Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	_____	_____	_____	✓

**Impact: No Impact**

Summary a-d: The project site is located within a “Urban Unzoned” Fire Hazard Severity Zone in a Local Responsibility Area under the California Department of Forestry and Fire Protection (Cal Fire) Zone Map. This zone represents minimal fire safety hazard risks. Nevertheless, the site currently has electrical power and provisions for emergency water supply. The installation and maintenance of sidewalks, driveway curbs and drainage improvements will not add a fire risk to the site. The project will demonstrate compliance with all applicable fire safety regulations as part of the building permit plan check process. Therefore, the project represents a less than significant impact.

**XXI. MANDATORY FINDINGS OF SIGNIFICANCE**

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

**Impact: LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATED**

Summary a - Less Than Significant With Mitigation Incorporated: The combination of type and location of the proposed project creates a scenario where there is minimal potential for adverse impacts to plant/animal communities, examples of California history, or environment in general. However, the construction phase of the project may have impacts on unforeseen cultural resources yet to be discovered and air quality. To mitigate those potential impacts, mitigation measures have been incorporated into this project that once implemented will reduce potential impacts to less than significant levels. Once constructed, the proposed gas station, restaurant and convenient store will primarily require electrical power for operation and will not produce significant amounts of hazardous waste as a byproduct of its operation.

Summary b - Less Than Significant With Mitigation Incorporated: Construction of the proposed project and associated parking and drainage improvements will not significantly alter the environmental characteristics of the site. The project includes a gas station, restaurant and convenient store which has been addressed in the Traffic Impact Analysis for this proposal. Nevertheless, staff is not aware of any significant projects within the general area that will cumulatively create a scenario where intersection LOS service levels will degrade beyond the conditions described within this evaluation. Therefore, the worst-case scenarios have been evaluated and mitigations have been included as part of this document, that once implemented will reduce any potential impacts to less than significant levels. Therefore, the project as mitigated, would have a less than significant cumulative effect on the environment.

Summary c: The proposed gas station, restaurant, and convenient store will primarily serve local residents and customers that may pass by this location as part of daily activities. Compliance with all local, State, and Federal regulations suggests that the project will pose a less than significant risk to patrons or nearby residents. As of the date of this initial study, staff is unaware of any studies or other reports that have been issued that indicate the project will result in a hazard to humans.