

**Department of  
Conservation and  
Development**

30 Muir Road  
Martinez, CA 94553

Phone: 1-855-323-2626

**Contra  
Costa  
County**

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July 12, 2023

**NOTICE OF PUBLIC REVIEW AND INTENT TO ADOPT  
A PROPOSED NEGATIVE DECLARATION**

County File No. CDLP22-02050

Pursuant to the State of California Public Resources Code and the "Guidelines for Implementation of the California Environmental Quality Act of 1970" as amended to date, this is to advise you that the Community Development Division of the Department of Conservation and Development of Contra Costa County has prepared an initial study on the following project:

**PROJECT NAME:** County File #CDLP22-02050; Voyager Academy Private School Project

**LOCATION:** **The property is located at 8425 Marsh Creek Road, Clayton, CA 94517**  
**Assessor's Parcel Number: 078-010-010**

**APPLICANT:** Cesyli Gaut, Voyager Academy  
1865 Lowana Circle  
Concord, CA 94521

**LEAD AGENCY:** Contra Costa County, Department of Conservation and Development (925)655-2872  
30 Muir Road, Martinez, CA 94553

**DESCRIPTION:**

Project Description: The project includes a Land Use Permit to establish a private school for up to 24 students and associated activities. A single-family residence on the property would be converted to be used as the school building. No exterior changes or additions to the existing single-family residence or other structures on the property are proposed.

Site and Area Description: The 4.6-acre project site is located at 8425 Marsh Creek Road in unincorporated Clayton. The subject property hosts a 2,421 square foot single-family residence, a 663 square foot barn, and a 440 square foot barn. No expansion of the development on the lot is proposed and the applicant has indicated that the property would not be altered. An existing 300-foot asphalt-paved driveway connects the existing residence to Marsh Creek Road.

The property is surrounded by low-density single-family development, large agricultural properties, and publicly owned recreational and open space areas. Other than residential development, a feed store is located approximately a quarter mile east of the project site on Marsh Creek Road. North of the project site beyond

privately owned agricultural properties, is East Bay Regional Park District's Clayton Ranch Regional Preserve. The City of Clayton boundary is located approximately a quarter mile west of the property.

**ENVIRONMENTAL EFFECTS:**

The initial study for the proposed project that the project would not have a significant effect on the environment. Environmental analysis determined that potential adverse impacts would be at less than significant levels. As a result, a Negative Declaration (ND) has been prepared pursuant to Public Resources Code Section 21080(c), 21063.5, and Article 6 of the California Environmental Quality Act (CEQA) Guidelines.

Pursuant to the requirements of CEQA (CEQA Guidelines Section 15071) the ND describes the proposed project; identifies, analyzes, and evaluates the potential significant environmental impacts, and which may result from the proposed project. As described in the ND, the project is not expected to cause a significant impact on the environment.

A copy of the negative declaration may be reviewed on the Department of Conservation and Development webpage at the following address:

<https://www.contracosta.ca.gov/4841/CEQA-Notifications>

**Public Comment Period** - The period for accepting comments on the adequacy of the environmental documents extends to **Monday, July 31, 2023, at 5:00 P.M.** Following the close of the public comment period, the County will consider adopting the Negative Declaration prior to consideration of the Land Use Permit. Any comments should be in writing and submitted by email to [joseph.lawlor@dcd.cccounty.us](mailto:joseph.lawlor@dcd.cccounty.us) or by post to the following address:

Name: Joseph W. Lawlor Jr, AICP; Project Planner; (925) 655-2872  
Community Development Division  
Contra Costa County, Department of Conservation and Development  
30 Muir Road, Martinez, CA 94553

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Joseph W. Lawlor Jr, AICP  
Project Planner

cc: County Clerk's Office (2 copies)  
Adjacent Occupants and Owners  
Notification List  
Attached: Vicinity Map

Vicinity Map



Legend

- Building Outlines
- Streets
- Maintained Roads
- Water Bodies
- County Boundary
- Bay Area Counties
- Assessment Parcels

Aerials 2019

- Red: Band\_1
- Green: Band\_2
- Blue: Band\_3

World Imagery

- Low Resolution 15m Imagery
- High Resolution 60cm Imagery
- High Resolution 30cm Imagery
- Citations

1: 2,257



0.1 0 0.04 0.1 Miles

WGS\_1984\_Web\_Mercator\_Auxiliary\_Sphere

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

THIS MAP IS NOT TO BE USED FOR NAVIGATION

Notes

Contra Costa County -DOIT GIS

**CALIFORNIA ENVIRONMENTAL QUALITY ACT  
ENVIRONMENTAL CHECKLIST FORM**

1. **Project Title:** Voyager Academy Private School Project  
County File #CDLP22-02050
2. **Lead Agency Name and Address:** Contra Costa County  
Department of Conservation and Development  
30 Muir Rd.  
Martinez, CA 94553
3. **Contact Person and Phone Number:** Joseph W. Lawlor Jr, AICP; (925) 655-2872
4. **Project Location:** 8425 Marsh Creek Road  
Clayton, CA 94517  
Assessor's Parcel Number: 078-010-010
5. **Project Sponsor's Name and Address:** Cesyli Gaut, Voyager Academy  
1865 Lowana Circle  
Concord, CA 94521
6. **General Plan Designation:** The subject property is located within the Single-Family Very-Low Density (SV) General Plan Land Use designation.
7. **Zoning:** The subject property is located within the A-2 General Agricultural (A-2) District.

**8. Description of Project:**

The project includes a Land Use Permit to establish a private school for up to 24 students and associated activities. A single-family residence on the property would be converted to be used as the school building. No exterior changes or additions to the existing single-family residence or other structures on the property are proposed.

- 9. Surrounding Land Uses and Setting:** The 4.6-acre project site is located at 8425 Marsh Creek Road in unincorporated Clayton. The subject property hosts a 2,421 square foot single-family residence, a 663 square foot barn, and a 440 square foot barn. No expansion of the development on the lot is proposed and the applicant has indicated that the property would not be altered. An existing 300-foot asphalt-paved driveway connects the existing residence to Marsh Creek Road.

The property is surrounded by low-density single-family development, large agricultural properties, and publicly owned recreational and open space areas. Other than residential development, a feed store is located approximately a quarter mile east of the project site on Marsh Creek Road. North of the project site beyond privately owned agricultural properties, is East Bay Regional Park District's Clayton Ranch Regional Preserve. The City of Clayton boundary is located approximately a quarter mile west of the property.

**10. Other public agencies whose approval is required (e.g., permits, financing, approval, or participation agreement:**

Contra Costa County Public Works Department, Contra Costa County Department of Health Services, East Contra Costa 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.?**

Notice of the proposed project was sent to Native American tribes, as applicable for consultation with Native American tribes under Public Resources Code Section 21080.3.1 and Government Code Section 65352.3. A Tribal Consultation List from the Native American Heritage Commission, dated September 21, 2022, was used to identify tribes traditionally and culturally affiliated with the project area. No requests for consultation were received.

### Environmental Factors Potentially Affected

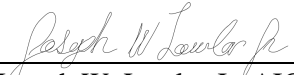
The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

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

### Environmental Determination

On the basis of this initial evaluation:

- I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- I find that, although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

  
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Joseph W. Lawlor Jr, AICP  
Project Planner  
Contra Costa County  
Department of Conservation & Development

07/12/2023  
\_\_\_\_\_  
Date

## ENVIRONMENTAL CHECKLIST

<b>1. AESTHETICS – Except as provided in Public Resources Code Section 21099, would the project:</b>				
<b>Environmental Issues</b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant With Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage points.) If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**SUMMARY:**

- a) *Would the project have a substantial adverse effect on a scenic vista? (No Impact)*

The proposed project is located in a fully developed area, and no development is proposed as part of the project. Thus, the project is not expected to adversely impact scenic resources in the county.

- b) *Would the project substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic building within a state scenic highway? (No Impact)*

The Scenic Routes Map (Figure 5-4) of the County General Plan’s Transportation and Circulation Element identifies scenic routes in the County, including both State Scenic Highways and County designated Scenic Routes. The project site is located along Marsh Creek Road, which is a County designated scenic route. However, given that no modifications to the site are expected, the project would not damage scenic resources. Thus, the project would have no impact on scenic resources.

- c) *In non-urbanized areas, would the project substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage points.) If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality? (No Impact)*

The project is located in an non-urbanized area as designated by the U.S. Census Bureau Urban Area Reference Maps. The project does not propose development and would, thus, not degrade the existing visual character. The site is developed and proposed school would be consistent with other residential and commercial uses in the rural residential area.

- d) *Would the project create a new source of substantial light or glare which would adversely affect day or nighttime views in the area? (Less Than Significant Impact)*

Daytime views of the proposed school would be similar to views of other development in the area and no changes to the development on the site are proposed.

The project is not expected to change in ambient nighttime light levels on the project site, and the extent to which project lighting would spill off the project site and affect adjacent light-sensitive areas, would remain the same.

**Sources of Information**

- Site Plan, 8425 Marsh Creek Road. March 2023. (Project Plans)
- Contra Costa County General Plan, 2005-2020. *Open Space Element*.
- Contra Costa County General Plan, 2005-2020. *Transportation and Circulation Element*.
- U.S. Department of Commerce, Economics & Statistics Administration, U.S. Census Bureau. 2012. *2010 Census - Urbanized Area Reference Map: Antioch, CA*.

<b>2. AGRICULTURAL AND FOREST RESOURCES – Would the project:</b>				
<b>Environmental Issues</b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant With Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>



**SUMMARY:**

- a) *Would the project convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use? (No Impact)*

As shown on the California Department of Conservation's Important Farmland Finder map, the subject property includes land classified as "Grazing Land." "Grazing Land" includes land on which the existing vegetation is suited to the grazing of livestock, and is not considered Prime Farmland, Unique Farmland, or Farmland of Statewide Importance. Thus, the proposed project would not convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance to a non-agricultural use; therefore, no impact is expected.

- b) *Would the project conflict with existing zoning for agricultural use, or a Williamson Act contract? (No Impact)*

The project site is within a A-2 General Agricultural district and has a Single-Family - Very-Low Density General Plan Land Use designation. The proposed school is consistent with the single-family residential and general agricultural designations. The small private school would include two barns for small farm animals and is expected to support the rural residential nature of the area. Furthermore, the property is not included in a Williamson Act contract, and there is no reason to believe the project would conflict with any existing agricultural uses. Therefore, no impact is expected from a conflict with existing agricultural uses.

- c) *Would the project 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) or conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g)? (No Impact)*

The project site is not considered forest land as defined by California Public Resources Code Section 12220(g), timberland as defined by California Public Resources Code Section 4526, or zoned Timberland Production as defined by Government Code section 51104(g). Furthermore, the project site is within the P-1 zoning district and the proposed use is an allowed use within the zoning district. Thus, the project would not conflict with existing zoning for, or cause rezoning of forest land or timberland.

California Public Resources Code Section 12220, under the Forest Legacy Program Act, defines "forest land" as land that can support 10 percent native tree cover of any species, including hardwoods, under natural conditions, and that allows for management of one or more forest resources, including timber, aesthetics, fish and wildlife, biodiversity, water quality, recreation, and other public benefits.

Public Resources Code 4526, under the Forest Practice Act, defines "timberland" as land, other than land owned by the federal government and land designated by the State Board of Forestry and Fire Protection as experimental forest land, which is available for, and capable of, growing a crop of trees of any commercial species used to produce lumber and other forest products, including Christmas trees. Commercial species are determined by the board on a district basis after consultation with the district committees and others.

California Government Code 51104, under the Timberland Productivity Act, defines "timberland" as privately owned land, or land acquired for state forest purposes, which is devoted to and used for growing and harvesting timber, or for growing and harvesting timber and compatible uses, and which is capable of growing an average annual volume of wood fiber of at least 15 cubic feet per acre. "Timberland production zone" or "TPZ" means an area which has been zoned pursuant to Section 51112 or 51113 of the Government Code and is devoted to and used for growing and harvesting timber, or for growing and harvesting timber and compatible uses, as defined in Public Resources Code 4526 or 12220. With respect to the general plans of cities and counties, "timberland preserve zone" means "timberland production zone." As stated in the Contra Costa County General Plan, no land is used for timber harvesting in the County.

- d) *Would the project involve or result in the loss of forest land or conversion of forest land to non-forest use? (No Impact)*

The project site is not considered forest land, as discussed in "c" above.

- e) *Would the project involve other changes in the existing environment, which due to their location or nature, could result in conversion of farmland, to non-agricultural use? (No Impact)*

The proposed project does not include substantial development of the site and the site is already non-agricultural. Thus, no impact is expected.

### **Sources of Information**

- Contra Costa County Code, Title 8, Zoning Ordinance.
- Contra Costa County General Plan 2005-2020. *Land Use Element*.
- California Department of Conservation. Accessed July 7, 2023. *Important Farmlands Viewer*. <https://maps.conservation.ca.gov/DLRP/CIFF/>
- Contra Costa County Department of Conservation and Development. Accessed July 7, 2023. *2016 Agricultural Preserves Map*. <http://www.co.contra-costa.ca.us/DocumentCenter/View/882/Map-of-Properties-Under-Contract?bidId=>

<b>3. AIR QUALITY – Would the project:</b>				
<b>Environmental Issues</b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant With Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**SUMMARY:**

- a) *Would the project conflict with or obstruct implementation of the applicable air quality plan? (Less Than Significant Impact)*

Contra Costa County is within the San Francisco Bay air basin, which is regulated by the Bay Area Air Quality Management District (BAAQMD) pursuant to the Bay Area 2017 Clean Air Plan. The purpose of the Clean Air Plan is to bring the air basin into compliance with the requirements of Federal and State air quality standards. BAAQMD has prepared CEQA Guidelines to assist lead agencies in air quality analysis, as well as to promote sustainable development in the region. The CEQA Guidelines support lead agencies in analyzing air quality impacts. If, after proper analysis, the project’s air quality impacts are found to be below the significance thresholds, then the air quality impacts may be considered less than significant. The Air District developed screening criteria to provide lead agencies and project applicants with a conservative indication of whether the proposed project could result in potentially significant air quality impacts. If all of the screening criteria are met by a proposed project, then the lead agency or applicant would not need to perform a detailed air quality assessment of their project’s air pollutant emissions.

The proposed project does not propose modifications to the existing building on the site. The private school would host a maximum of 24 students per day and thus would also not result in insignificant air impacts from traffic to the site. Therefore, a detailed air quality analysis is not necessary, and the project would not be in conflict with the Clean Air Plan or obstruct its implementation.

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

The region is in nonattainment for the federal and state ozone standards, the state PM10 standards, and the federal and state PM2.5 standards. As discussed above, the proposed project would not

result in significant emissions of criteria air pollutants during the construction period or during project operation. Although the proposed project may contribute small increments to the level of criteria air pollutants in the atmosphere, the project would have a less than significant adverse environmental impact on the level of any criteria pollutant, because it is below the screening threshold.

- c) *Would the project expose sensitive receptors to substantial pollutant concentrations? (Less Than Significant Impact)*

The operation of the private school is not expected to generate any localized emissions that could expose sensitive receptors (e.g., nearby residences, schools) to unhealthy long-term air pollutant levels.

- d) *Would the project result in other emissions (such as those leading to odors) adversely affecting a substantial number of people? (Less Than Significant Impact)*

The proposed project is not expected to result in any adverse emissions. The private school would include general education for children in preschool to 3rd grade. No actives associated with this use are expected to expected to generate odors or other emissions. Thus, a less than significant impact is expected.

**Sources of Information**

- Bay Area Air Quality Management District. 2017. *Bay Area 2017 Clean Air Plan*.
- Bay Area Air Quality Management District. 2017. *Air Quality Guidelines*.

<b>4. BIOLOGICAL RESOURCES – Would the project:</b>				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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 Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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 wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**SUMMARY:**

- a) *Would the project have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service? (No Impact)*

According to the California Department of Fish and Wildlife (CDFW) Public Access Lands map, the project site is not located in or adjacent to an area identified as a wildlife or ecological reserve by the CDFW. According to the Significant Ecological Areas and Selected Locations of Protected Wildlife and Plant Species Areas map (Figure 8-1) of the County General Plan, the project site is not located in or adjacent to a significant ecological area. Furthermore, the site is already developed, and no new development is proposed. Thus, the project is not expected to have an adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service. Thus, pursuant to CEQA, no impact is expected from implementation of the proposed project.

- b) *Would the project 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 Department of Fish and Game or U.S. Fish and Wildlife Service? (No Impact)*

According to the California Department of Fish and Wildlife (CDFW) Public Access Lands map, the project site is not located in or adjacent to an area identified as a wildlife or ecological reserve by the CDFW. According to the Significant Ecological Areas and Selected Locations of Protected Wildlife and Plant Species Areas map (Figure 8-1) of the County General Plan, the project site is not located in or adjacent to, a significant ecological area. Thus, the project would not 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 Department of Fish and Wildlife or U.S. Fish and Wildlife Service.

- c) *Would the project have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means? (No Impact)*

Section 404 of the Clean Water Act uses the Army Corps of Engineers definition of wetlands, which are defined as, “areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, and similar areas.” There are no isolated wetlands on the project site. Therefore, no substantial adverse effects on federally protected wetlands are expected.

- d) *Would the project 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 wildlife nursery sites? (Less Than Significant Impact)*

Based on the altered nature of the subject site and surroundings, the possibility that the project would interfere with any resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of wildlife nursery sites, is unlikely. Furthermore, the project does not include any proposed development that could interfere with the movement of wildlife. Therefore, the project would have a less than significant impact on the movement of any native resident of migratory fish or wildlife species, or with established native resident or migratory wildlife corridors, or nursery sites.

The Migratory Bird Treaty Act of 1918 (16 U.S.C. §§ 703-712, July 3, 1918, as amended 1936, 1960, 1968, 1969, 1974, 1978, 1986 and 1989) makes it unlawful to “take” (kill, harm, harass, shoot, etc.) any migratory bird listed in Title 50 of the Code of Federal Regulations, Section 10.13, including their nests, eggs, or young. Migratory birds include geese, ducks, shorebirds, raptors, songbirds, wading birds, seabirds, and passerine birds (such as warblers, flycatchers, swallows, etc.). Further, California Fish and Game Code sections §3503, 3503.5, 3511, and 3513 prohibit the “take, possession, or destruction of birds, their nests or eggs.” Disturbance that causes nest abandonment and/or loss of reproductive effort (killing or abandonment of eggs or young) is considered “take.” Given that the project does not include new development, it is reasonable to expect that no birds will be impacted by the project.

In 1984, the State legislated the California Endangered Species Act (CESA) (Fish and Game Code §2050). The basic policy of CESA is to conserve and enhance endangered species and their habitats. State agencies will not approve private or public projects under their jurisdiction that would impact threatened or endangered species if reasonable and prudent alternatives are available. According to County records, no state listed species are known to occur in the immediate vicinity of the project site. Thus, it is not expected that any listed species will be affected by the proposed project.

Given the above, the project can be expected to have a less than significant impact in regards to interference 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 wildlife nursery sites.

- e) *Would the project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? (Less Than Significant Impact)*

The Conservation Element of the County’s General Plan addresses the County’s policies regarding the identification, preservation and management of natural resources in the unincorporated County. Within the Conservation Element, the “Significant Ecological Areas and Selected Locations of Protected Wildlife and Plant Species Areas” (Figure 8-1) identifies significant resources throughout the County. The map shows no resources in the vicinity of the project site. The entirety of the property where work is to take place is disturbed and would not be considered native habitat, and the property is not located in or adjacent to any identified significant ecological resource. Thus, the project is not expected to conflict with any local policies or ordinances protecting biological resources.

The Contra Costa County Tree Protection and Preservation Ordinance provides for the protection of certain trees by regulating tree removal while allowing for reasonable development of private property. On any developable undeveloped property, the Ordinance requires tree alteration or removal to be considered as part of the project application. No development is proposed as part of the project; thus, no protected trees would be impacted.

f) *Would the project conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan? (No Impact)*

There is one adopted habitat conservation plan in Contra Costa County: the East Contra Costa County Habitat Conservation Plan / Natural Community Conservation Plan (HCP/NCCP). The plan was approved in May 2007 by the East Contra Costa County Habitat Conservancy, comprised of the cities of Brentwood, Clayton, Oakley, and Pittsburg, and Contra Costa County. The HCP/NCCP establishes a coordinated process for permitting and mitigating the incidental take of endangered species in East Contra Costa County. The plan lists Covered activities that fall into three distinct categories: (1) all activities and projects associated with urban growth within the urban development area (UDA); (2) activities and projects that occur inside the HCP/NCCP preserves; and (3) specific projects and activities outside the UDA. As the project does not fall into any of these categories, the project is not covered by, or in conflict with the adopted HCP.

**Sources of Information**

- Site Plan, 8425 Marsh Creek Road. March 2023. (Project Plans)
- East Contra Costa County Habitat Conservancy. Accessed May 30, 2022.  
<http://www.co.contra-costa.ca.us/depart/cd/water/HCP/>.

<b>5. CULTURAL RESOURCES – Would the project:</b>				
<b>Environmental Issues</b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant With Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
a) Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**SUMMARY:**

- a) *Would the project cause a substantial adverse change in the significance of a historical resource pursuant to California Environmental Quality Act Guidelines Section 15064.5? (No Impact)*

Historical resources are defined in the California Environmental Quality Act Guidelines Section 15064.5 as resources that fit any of the following definitions:

- Is listed in the California Register of Historic Places and has been determined to be eligible for listing by the State Historic Resources Commission;
- Is included in a local register of historic resources, and identified as significant in a historical resource survey that has been or will be included in the State Historic Resources Inventory; or
- Has been determined to be historically or culturally significant by a lead agency.

The existing structure on the project site is contemporary and does not have historical significance; thus, the project would not impact any known historical or culturally significant resources.

No soil disturbance is proposed as part of the project, thus, no impact to any previously undiscovered resources would be expected from the project.

- b) *Would the project cause a substantial adverse change in the significance of an archaeological resource pursuant to California Environmental Quality Act Guidelines Section 15064.5? (No Impact)*

As stated previously, the project site does not appear to host any historical resources. Furthermore, no subsurface construction activities are proposed that could potentially damage or destroy previously undiscovered historic and prehistoric resources. Thus, no impact is expected.

- c) *Would the project disturb any human remains, including those interred outside of formal cemeteries? (No Impact)*



No subsurface construction activities are proposed that could potentially damage or destroy previously undiscovered human remains. Thus, no impact is expected.

**Sources of Information**

- Contra Costa County General Plan 2005-2020. *Open Space Element*.

<b>6. ENERGY – Would the project:</b>				
<b>Environmental Issues</b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant With Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**SUMMARY:**

- a) *Would the project result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation? (Less Than Significant Impact)*

Environmental effects related to energy include the project’s energy requirements and its energy use efficiencies by amount and fuel type during construction and operation; the effects of the project on local and regional energy supplies; the effects of the project on peak and base period demands for electricity and other forms of energy; the degree to which the project complies with existing energy standards; the effects of the project on energy resources; and the project’s projected transportation energy use requirements and its overall use of efficient transportation alternatives, if applicable. The following factors demonstrate a project’s significance in relation to these effects: (1) Why certain measures were incorporated in the project and why other measures were dismissed; (2) The potential of siting, orientation, and design to minimize energy consumption, including transportation energy, increase water conservation and reduce solid-waste; (3) The potential for reducing peak energy demand; (4) Alternate fuels (particularly renewable ones) or energy systems; and (5) Energy conservation which could result from recycling efforts.

New energy consumption includes energy required for operation of the private school that was above that of the existing single-family residence. Given that the school will be operating during limited hours and within the existing development on the site, it is not expected to consume energy beyond previous levels.

The proposed project’s energy demand would be typical for a development of this scope and nature and would comply with current state and local codes concerning energy consumption,

including Title 24 of the California Code of Regulations, enforced by the Building Inspection division. That the Legislature added the energy analysis requirement in CEQA at the same time that it created an Energy Commission authorized to impose building energy standards indicates that compliance with the building code is a necessary but not exclusive means of satisfying CEQA's independent requirement to analyze energy impacts broadly. Thus, this report also considers energy consumption related to transportation and efficiency measures not included in the building design.

Other measures that are included in the project that demonstrate the projects efficiency include the location of the facility within the expected community to be served, which would reduce the expected travel distances to for customers of the services. Given the above considerations, the project would have a less than significant impact due to energy consumption.

b) *Would the project conflict with or obstruct a state or local plan for renewable energy or energy efficiency? (Less Than Significant Impact)*

The Contra Costa County Climate Action Plan includes several Green House Gas (GHG) emission reduction strategies. The strategies include measures such as implementing standards for green buildings and energy-efficient buildings, reducing parking requirements, and reducing waste disposal. Green building codes and debris recovery programs are among the strategies currently implemented by the County.

The project would not conflict with the policies outlined in the CAP. Furthermore, as the polices in the CAP are recommendations and not requirements, the project would not conflict with the CAP. Thus, the project would not be considered to have a significant impact. Furthermore, as previously stated, the proposed project's energy demand would be typical for a development of this scope and nature and would comply with current state and local codes concerning energy consumption, including Title 24 of the California Code of Regulations, enforced by the Building Inspection division.

**Sources of Information**

- Contra Costa County, 2015. *Municipal Climate Action Plan*.

<b>7. GEOLOGY AND SOILS – Would the project:</b>				
<b>Environmental Issues</b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant With Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**SUMMARY:**

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

i) *Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? (Less Than Significant Impact)*

The California Geological Survey (CGS) has delineated Alquist-Priolo (A-P) zones along the known active faults in California. The nearest fault considered active by CGS is the Concord fault, which is mapped approximately 5 miles west of the project site. However, because the site is not within the Concord Fault A-P zone, the risk of fault rupture is generally regarded as low. As a result, the potential impact from surface fault rupture would be less than significant.

ii) *Strong seismic ground shaking? (Less Than Significant Impact)*

Figure 10-4 (Estimated Seismic Ground Response) of the County General Plan Safety Element identifies the site in an area rated “Lowest” damage susceptibility. The risk of structural damage from ground shaking is regulated by the building code and the County Grading Ordinance. The building code requires use of seismic parameters which allow structural engineers to design structures based on soil profile types and proximity of faults deemed capable of generating strong violent earthquake shaking. Quality construction, conservative design and compliance with building and grading regulations can be expected to keep risks within generally accepted limits. Additionally, no development is proposed as

part of the project. Thus, the environmental impact from seismic ground shaking would be considered to be less than significant.

*iii) Seismic-related ground failure, including liquefaction? (Less Than Significant Impact)*

The California Seismic Hazards Mapping Act requires that city, county, and state agencies use the Seismic Hazard Zone maps in their land-use planning and permitting processes. They must withhold building permits for sites being developed within Earthquake Zones of Required Investigation (EZRI) until the geologic and soil conditions of the project site are investigated and appropriate mitigation measures, if any, are incorporated into development plans. Projects include any subdivision of land which is subject to the Subdivision Map Act, and which contemplates the eventual construction of structures for human occupancy.

The California Geological Survey (CGS) provides EZRI maps, which include Seismic Hazard Zones. According to the map, the project site is located near an area with historical occurrence of liquefaction, or local geological, geotechnical and ground water conditions indicate a potential for permanent ground displacements. However, the project site is outside of this mapped area, and developed and the proposed school would occupy the existing building. All future modifications to the building would be evaluated by the Building Inspection Division for compliance with the current building code and any seismic-related measures would be implemented. Given that the project site is developed, the project would not expose individuals to seismic risk. Thus, the impact from seismic-related ground failure, would be considered to be less than significant.

*iv) Landslides? (Less Than Significant Impact)*

In 1975 the United States Geological Survey (USGS) issued photo-interpretation maps of landslide and other surficial deposits of Contra Costa County. This mapping is presented on page 10-24 of the Safety Element of the County General Plan. According to this USGS map, the project site includes a landslide area. It should be recognized that the USGS landslides are mapped solely on the basis of geologic interpretation of stereo pairs of aerial photographs analyzed by an experienced USGS geologist. The mapping was done without the benefit of a site visit or any subsurface data. Furthermore, landslides mapped by the USGS are not classified on the basis of the (a) activity status (i.e. active or dormant), (b) depth of slide plane (shallow or deep seated), or (c) type of landslide deposit, and they do not show landslides that have formed since 1975. Consequently the USGS map is not a substitute for a detailed site-specific investigation. Nevertheless, the map fulfills its function, which is to flag sites that may be at risk of landslide damage, where detailed geologic and geotechnical investigations are required to evaluate risks and develop measures to reduce risks to a practical minimum. Given that the project does not involve development, no impact is expected from landslides as a result of the project. Thus, a less than significant impact can be expected regarding landslide hazards.

- b) *Would the project result in substantial soil erosion or the loss of topsoil? (No Impact)*

The project site is developed, and the proposed project does not include ground disturbance activities or other activities that may cause impacts to soil erosion or loss of topsoil. Thus, no impact is expected.

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

Building and grading regulations can be expected to keep risks within generally acceptable limits. Thus, the environmental impact from an unstable geologic unit or soil would be considered to be less than significant.

- d) *Would the project be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property? (No Impact)*

The project site is fully developed and any future modifications to the building would be required to conform to the California Building Code. Thus, the project would not result in creating substantial direct or indirect risks to life or property from expansive soil.

- e) *Would the project have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater? (No Impact)*

The site is currently serviced by existing sanitary septic system. No new development is proposed. Therefore, there is no potential for impacts regarding soil's inability to support a waste disposal system.

- f) *Would the project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? (No Impact)*

No soil disturbance is proposed as part of the project, thus, no impact to any previously undiscovered resources would be expected from the project.

#### **Sources of Information**

- California Geological Survey, 1992. *Earthquake Zones of Required Investigation*.
- Contra Costa County General Plan, 2005-2020. *Safety Element*.

<https://websoilsurvey.sc.egov.usda.gov/App/WebSoilSurvey>

<b>8. GREENHOUSE GAS EMISSIONS – Would the project:</b>				
<b>Environmental Issues</b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant With Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**SUMMARY:**

- a) *Would the project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment? (Less Than Significant Impact)*

Greenhouse gases are gases that trap heat in the atmosphere and contribute to global climate change. Greenhouse gases include gases such as carbon dioxide, methane, nitrous oxide, and various fluorocarbons commonly found in aerosol sprays. Typically, a single residential or commercial construction project in the County would not generate enough greenhouse gas (GHG) emissions to substantially change the global average temperature; however, the accumulation of GHG emissions from all projects both within the County and outside the County has contributed and will contribute to global climate change.

Senate Bill 97 directed the Governor’s Office of Planning and Research (OPR) to develop CEQA Guidelines for evaluation of GHG emissions impacts and recommend mitigation strategies. In response, OPR released the Technical Advisory: CEQA and Climate Change, and proposed revisions to the State CEQA guidelines (April 14, 2009) for consideration of GHG emissions. The California Natural Resources Agency adopted the proposed State CEQA Guidelines revisions on December 30, 2009 and the revisions were effective beginning March 18, 2010.

The bright-line numeric threshold of 1,100 MT CO<sub>2</sub>/yr is a numeric emissions level below which a project’s contribution to global climate change would be less than “cumulatively considerable.” This emissions rate is equivalent to a project size of approximately 60 single-family dwelling units. Future operation of the school would generate some GHG emissions; however, the amount generated would not result in a significant adverse environmental impact. As the project does not exceed the screening criteria, the project would not result in the generation of GHG emissions that exceed the threshold of significance.

- b) *Would the project conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases? (Less Than Significant Impact)*

At a regional scale, the BAAQMD adopted the Bay Area 2017 Clean Air Plan that addresses GHG emissions as well as various criteria air pollutants. The BAAQMD Plan included a number of pollutant reduction strategies for the San Francisco Bay air basin, many of which would be

included in the project through Title 24 energy efficiency requirement for the expected building tenant improvements.

Within Contra Costa County, the Contra Costa County Board of Supervisors convened a Climate Change Working Group (CCWG) in May 2005, to identify existing County activities and policies that could reduce GHG emissions. In November 2005, the CCWG presented its Climate Protection Report to the Board of Supervisors, which included a list of existing and potential GHG reduction measures. This led to the quantification of relevant County information on GHGs in the December 2008 Municipal Climate Action Plan.

In April 2012, the Board directed the Department of Conservation and Development to prepare a Climate Action Plan (CAP) to address the reduction of GHG emissions in the unincorporated areas of the County. In December 2015, the Climate Action Plan was adopted by the Board of Supervisors. The Climate Action Plan includes a number of GHG emission reduction strategies. The strategies include measures such as implementing standards for green buildings and energy-efficient buildings, reducing parking requirements, and reducing waste disposal. Green building codes and debris recovery programs are among the strategies currently implemented by the County.

The project does not conflict with the policies outlined in the CAP. The project will incorporate Contra Costa County Climate Action Plan (CCC) emission reduction measures (as referenced in Appendix E “Developer Checklist” of the CCC). Implementation of these emission reduction measures is considered a Qualified GHG Reduction Strategy under the CCC and therefore meets the BAAQMD’s GHG threshold. Furthermore, as other measures identified in the CAP are recommendations and not requirements, the project would not conflict with the CAP and thus would not be considered to have a significant impact.

### **Sources of Information**

- Bay Area Air Quality Management District, 2017. *Bay Area 2017 Clean Air Plan*.
- Bay Area Air Quality Management District, 2017. *Air Quality Guidelines*.
- Contra Costa County Code, *Title 8. Zoning Ordinance*.
- Contra Costa County, 2008. *Municipal Climate Action Plan*. Contra Costa County, 2015. *Climate Action Plan*.

<b>9. HAZARDS AND HAZARDOUS MATERIALS – Would the project:</b>				
<b>Environmental Issues</b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant With Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**SUMMARY:**

- a) *Would the project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials? (No Impact)*

The proposed project includes reuse of an existing single-family residence as a private school. No construction is proposed and the school is not expected to transport, use, or dispose of hazardous materials.

- b) *Would the project create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the likely release of hazardous materials into the environment? (No Impact)*

The proposed school would not involve handling, use, or storage of substances that are acutely hazardous. Thus, the project would have no impact.



- c) *Would the project emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school? (No Impact)*

The site would be the location of a new school. As such, hazardous emissions or the handling of hazardous materials would not occur on site.

- d) *Would the project be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment? (Less Than Significant Impact)*

The property currently hosts a single-family residence and two animal barns. A review of regulatory databases maintained by County, State, and federal agencies found no documentation of hazardous materials violations or discharge on the subject property. The site is not listed on the State of California Hazardous Waste and Substance Sites (Cortese) List. California Government Code section 65962.5 requires the California Environmental Protection Agency to develop at least annually an updated Cortese List. The Cortese List is a planning document with hazardous material contaminated site information, used by the State, local agencies and developers to comply with the California Environmental Quality Act. Thus, the project is not expected to result in 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 or excessive noise for people residing or working in the project area? (No Impact)*

The project site is not within an airport influence area, not within an airport safety zone, and outside of the 55-60 dB CNEL airport noise contour. Thus, there would be no hazard related to a public airport or public use airport.

- f) *Would the project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? (Less Than Significant Impact)*

The proposed project would not impair implementation of or physically interfere with the County's adopted emergency response plan related to Marsh Creek Road or the project site. Thus, project impacts on emergency response would be a less than significant. The project site is adjacent to Marsh Creek Road. In this location, Marsh Creek Road is a largely straight two-lane major arterial with visibility along the roadway. Existing frontage improvements would remain the same.

With respect to proposed onsite improvements, the Contra Costa County Consolidated Fire Protection District was consulted by agency comment request. No comments were provided regarding the project which does not include development.

- g) *Would the project expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires? (Less Than Significant Impact)*

The project site is in a developed area within the non-urbanized community of Contra Costa County, which is designated as an “Very High Fire Hazard” area by the California Department of Forestry and Fire Protection, and therefore, may have a significant risk of wildland fire. However, the project site is already developed and the project does not propose development within the high fire-hazard area. Therefore, there would be a less than significant risk of loss, injury or death involving exposure of people or structures to wildland fires.

**Sources of Information**

- California Department of Forestry and Fire Protection (CalFire). *Fire Hazard Severity Zones Viewer*. <https://egis.fire.ca.gov/FHSZ/>
- Contra Costa County, 2000. *Contra Costa County Airport Land Use Compatibility Plan*.
- Contra Costa County General Plan, 2005-2020. *Transportation and Circulation Element*.

<b>10. HYDROLOGY AND WATER QUALITY – Would the project:</b>				
<b>Environmental Issues</b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant With Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Substantially alter the existing drainage pattern of 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:	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
i) Result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii) Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv) Impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**SUMMARY:**

- a) *Would the project violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality? (Less Than Significant Impact)*

The proposed project would comply with applicable water quality and discharge requirements. Contra Costa County, the Contra Costa County Flood Control and Water Conservation District, and 16 incorporated cities in the county have formed the Contra Costa Clean Water Program. In October 2009, the Regional Water Quality Control Board for the San Francisco Bay Region (RWQCB) adopted the National Pollutant Discharge Elimination System (NPDES) Municipal Regional Permit for the Program, which regulates discharges from municipal storm drains. Provision C.3 of the Municipal Regional Permit places requirements on site design to minimize creation of impervious surfaces and control stormwater runoff. The County has the authority to enforce compliance with its Municipal Regional Permit through the County's adopted C.3 requirements. The C.3 requirements stipulate that projects creating and/or redeveloping at least 10,000 square feet of impervious surface shall treat stormwater runoff with permanent stormwater management facilities, along with measures to control runoff rates and volumes. The proposed project would not modify the square feet of impervious surface area at the project site. Thus, the proposed project would not be required to include stormwater management facilities.

- b) *Would the project substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin? (Less Than Significant Impact)*

The site has onsite well water. The proposed school is not expected to significantly change the amount of water used on the property; thus, the project would not substantially decrease groundwater supplies or interfere with groundwater recharge. Thus, a less than significant impact is expected.

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

- i) *Result in substantial erosion or siltation on- or off-site? (Less Than Significant Impact)*

The project does not include modifications that would result in soil disturbance that could result in substantial erosion or siltation.

- ii) *Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site? (Less Than Significant Impact)*

As described previously, the proposed project would not alter the existing drainage pattern of the site or area. Thus, there would not be a significant risk due to an increase in the project-related volume of runoff that would result in onsite or off-site flooding.

- iii) *Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff? (Less Than Significant Impact)*

No changes are proposed for the permeable surfaces on the site, thus, the proposed project would not exceed the capacity of the stormwater system.

- iv) *Impede or redirect flood flows? (Less Than Significant Impact)*

The project site is developed. No development is proposed as part of the project. Thus, the project would not create any barrier that would impede or redirect flood flows, should flooding occur.

- d) *In flood hazard, tsunami, or seiche zones, would the project risk release of pollutants due to project inundation? (Less Than Significant Impact)*

According to Flood Insurance Rate Map for the area, the project is located in area that is outside of the Special Flood Hazard Area. The proposed project would not be susceptible to inundation by seiche or tsunami. The California Geological Survey (2009) has projected and mapped the tsunami hazard posed by a tidal wave that passes through the Golden Gate and into San Francisco Bay, San Pablo Bay and Carquinez Strait. The project site is not included in the inundation area on any tsunami hazard map.

- e) *Would the project conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan? (Less Than Significant Impact)*

As stated above, the proposed project would comply with applicable water quality and discharge requirements. Provision C.3 of the Municipal Regional Permit places requirements on site design to minimize creation of impervious surfaces and control stormwater runoff. Thus, the project would not conflict with or obstruct implementation of a water quality control plan.

The Sustainable Groundwater Management Act (SGMA), effective January 1, 2015, established a framework of priorities and requirements to facilitate sustainable groundwater management throughout the State. The intent of SGMA is for groundwater to be managed by local public agencies and newly-formed Groundwater Sustainability Agencies (GSAs) to ensure a groundwater basin is operated within its sustainable yield through the development and implementation of a Groundwater Sustainability Plans (GSP). The project is located near the San Joaquin Valley and Clayton Basins, which are designated as Medium and Very Low Priority groundwater basins based on the Groundwater Basin Prioritization by the State Department of Water Resources (DWR).

#### **Sources of Information**

- California Department of Water Resources. <https://water.ca.gov/Programs/Groundwater-Management>

- Federal Emergency Management Agency (FEMA). *National Flood Insurance Rate Map (FIRM)*. <https://www.fema.gov/national-flood-insurance-program-flood-hazard-mapping>.

<b>11. LAND USE AND PLANNING – Would the project:</b>				
<b>Environmental Issues</b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant With Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Cause a significant environmental impact due to conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**SUMMARY:**

- a) *Would the project physically divide an established community? (No Impact)*

Development of the proposed project would not physically divide an established community. The proposed project will occur on a developed parcel within the unincorporated Clayton community. The project would occupy a developed building and provide needed services to the surrounding community.

- b) *Would the project cause a significant environmental impact due to conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect? (Less Than Significant Impact)*

**General Plan**

The project site is located within the Single-Family Residential – Very-Low Density General Plan designation. The SV designation’s primary allowed land uses include detached single-family homes and accessory structures, and the keeping of a limited number of livestock, consistent with a rural lifestyle. Secondary uses generally considered to be compatible with very-low density homes may be allowed, including home occupations, small residential care and childcare facilities, churches and other similar places of worship, secondary dwelling units and other uses and structures incidental to the primary uses. The small private school would be consistent with the designation.

**Zoning**

The project is located in the A-2 General Agricultural land use district. Private school are an allowed use upon the issuance of a land use permit within this district. The project is expected to meet the finings necessary for issuance of a land use permit for this use within the district.

Given the projects conformance with the County General Plan and Ordinance Code, a less than significant impact is expected due to conflict with local land use regulations.

**Sources of Information**

- Contra Costa County Code, Title 8, Zoning Ordinance.
- Contra Costa County General Plan 2005-2020. *Land Use Element*.

<b>12. MINERAL RESOURCES – Would the project:</b>				
<b>Environmental Issues</b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant With Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**SUMMARY:**

- a) *Would the project result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state? (No Impact)*

Known mineral resource areas in the County are shown on Figure 8-4 (Mineral Resource Areas) of the General Plan Conservation Element. No known mineral resources have been identified in the project vicinity, and therefore the proposed project would not result in the loss of availability of any known mineral resource.

- b) *Would the project result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan? (No Impact)*

The project site is not within an area of known mineral importance according to the Conservation Element of the General Plan, and therefore, the project would not impact any mineral resource recovery site.

**Sources of Information**

- Contra Costa County General Plan, 2005-2020, *Conservation Element*.

<b>13. NOISE – Would the project result in:</b>				
<b>Environmental Issues</b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant With Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**SUMMARY:**

- a) *Would the project result in generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies? (Less Than Significant Impact)*

Activities at the project site are not expected to expose persons to, or generate, noise levels in excess of the Community Noise Exposure Levels shown on Figure 11-6 of the General Plan Noise Element. Figure 11-6 shows that levels of 60 dB or less are normally acceptable and noise levels between 55 dB to 70 dB are conditionally acceptable in single-family residential areas. Types and levels of noise generated from the uses associated with the future school could potentially expose surrounding uses to loud noises from school activities. However, conditions of approval would be included with the project limiting the time and manor of the school activities. These limits would ensure that noises do not result in impacts to adjacent sensitive receptors.

- b) *Would the project result in generation of excessive groundborne vibration or groundborne noise levels? (Less than Significant Impact)*

The project does not include any activities that would include any components (e.g. pile-driving) that would generate excessive groundborne vibration levels. Additionally, normal business activities are not expected to generate groundborne vibrations during project operations.

- c) *For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels? (No Impact)*

As discussed in Section 9.e, the project site is not within an airport influence area, not within an airport safety zone, and outside of the 55-60 dB CNEL airport noise contour. Thus, the project would not expose people residing or working in the project area to excessive noise levels from an airport use.

**Sources of Information**

- Contra Costa County General Plan, 2005-2020, *Noise Element*.
- Contra Costa County, 2000. *Contra Costa County Airport Land Use Compatibility Plan*.

<b>14. POPULATION AND HOUSING – Would the project:</b>				
<b>Environmental Issues</b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant With Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
a) Induce substantial unplanned population growth in an area, either directly (e.g., by proposing new homes and businesses) or indirectly (e.g., through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**SUMMARY:**

- a) *Would the project induce substantial unplanned population growth in an area, either directly (e.g., by proposing new homes and businesses) or indirectly (e.g., through extension of roads or other infrastructure)? (Less than Significant Impact)*

The proposed project would result in the reuse of an existing single-family residence as a private school. According to the applicant, the proposed project would have 24 full-time students, and up to four employees. Using a conservative assumption that no employee is currently a resident of the County and based on the Census 2016-2021 estimate of 2.86 persons per household for Contra Costa County, the population of the area could increase by 12 (less than 0.1% of the County population). Thus, the potential maximum increase in population would be less than significant.

- b) *Would the project displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere? (No Impact)*

The project site is currently developed with a single-family residence, and the proposed project is expected to result in the conversion of the property to a private school. The conversion of one residential unit would not displace substantial number of existing people or housing.

**Sources of Information**

- U.S. Census Bureau, American Community Survey (ACS) QuickFacts. Accessed July 7, 2023. <https://www.census.gov/quickfacts/contracostacountycalifornia>



<b>15. PUBLIC SERVICES – 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:</b>					
		<b>Potentially Significant Impact</b>	<b>Less Than Significant With Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
<b>Environmental Issues</b>					
a) Fire Protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b) Police Protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
c) Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
d) Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
e) Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	

**SUMMARY:**

*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:*

a) *Fire Protection?(Less Than Significant Impact)*

Fire protection and emergency medical response services for the project vicinity are provided by the Contra Costa County Consolidated Fire Protection District. The private school is not expected to impact the service area or provision of the fire protection services provided by the district in the area.

b) *Police Protection? (Less Than Significant Impact)*

Police protection services in the project vicinity are provided by the Contra Costa County Sheriff’s Office, which provides patrol service to the unincorporated Clayton area. The conversion of the site would not significantly affect the provision of police services to the area.

c) *Schools? (Less Than Significant Impact)*

The private school would provide a classroom for up to 24 students, thus, would not be expected to have a significant negative impact on the provision of schools.

d) *Parks? (Less Than Significant Impact)*

The school is not expected to impact the demand for parks. Furthermore, given the amount of available park space compared to the project’s potential small addition to the County’s population, no significant impact on the park facilities would be expected.

e) *Other public facilities? (Less Than Significant Impact)*

Impacts to other public facilities, such as hospitals and libraries are usually caused by substantial increases in population. Implementation of the proposed project is not anticipated to induce population growth. The project is not anticipated to create substantial additional service demands besides those which have been preliminarily reviewed by various agencies of Contra Costa County, or result in adverse physical impacts associated with the delivery of fire, police, schools, parks, or other public services. Therefore, the impact to hospitals, libraries or other public facilities is less than significant

<b>16. RECREATION</b>				
<b>Environmental Issues</b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant With Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**SUMMARY:**

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? (Less Than Significant Impact)*

The school use would not be expected to increase use of parks and recreational facilities in the area. The possible modest increase in population is not expected to impact recreational facilities such that substantial physical deterioration of the facilities would occur or be accelerated. Thus, the impact of this increase in use of the parks and recreational facilities would be less than significant.

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? (Less Than Significant Impact)*

Given the proximity of nearby parks, the school would likely use these nearby facilities. As described above, use of these public recreational facilities would not be expected to result in the construction or expansion of recreational facilities.

<b>17. TRANSPORTATION – Would the project:</b>				
<b>Environmental Issues</b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant With Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
a) Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict or be inconsistent with CEQA Guidelines Section 15064.3(b)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**SUMMARY:**

- a) *Would the project conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities? (Less Than Significant Impact)*

Policy 4-c of the Growth Management Element of the General Plan requires a traffic impact analysis of any project that is estimated to generate 100 or more AM or PM peak-hour trips. The proposed facility would include up to four employees and 24 students for drop off and pick up. Based on the proposed use and operations, the project would not be expected to generate 100 or more AM or PM peak-hours trips. Since the project would yield less than 100 peak-hour AM or PM trips, the proposed project would not conflict with the circulation system in the Clayton area.

- b) *Would the project conflict or be inconsistent with CEQA Guidelines Section 15064.3(b)? (Less Than Significant Impact)*

The proposed project is expected to result in one new 24-student private school at a developed site. As outlined in the Contra Costa County Transportation Analysis Guideline, projects resulting in fewer than 110 daily vehicle trips are expected to cause a less than significant transportation impact. Thus, the trips generated would result in a less than significant impact.

- c) *Would the project substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? (Less Than Significant Impact)*

The project is located in a developed area on a project site that was designed for use as a single-family residence. A long paved driveway is used to access the property off of Marsh Creek Road. No modifications are proposed to the eagerness/ingress on the site. The existing design features for the access were developed to accommodate automobiles and would be able to accommodate pick-ups and drop-offs of students without causing hazardous conditions. Thus, the project would result in a less than significant impact due to design features or incompatible uses.

d) *Would the project result in inadequate emergency access? (Less Than Significant Impact)*

The project is located in an urban area with available emergency services provided by the County Sheriff’s Department and Contra Costa Consolidated Fire Protection District. Thus, a less than significant impact is expected due to emergency access.

<b>18. TRIBAL CULTURAL RESOURCES – 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:</b>				
<b>Environmental Issues</b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant With Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
a) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**SUMMARY:**

*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: (Less Than Significant Impact)*

a) *Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k)? (Less Than Significant Impact)*

As discussed in Sections 5.a through 5.c above, no historical resources are likely to exist on the project site. Further, according to the County’s Archaeological Sensitivities map, Figure 9-2, of the County General Plan, the subject site is located in an area that is considered “Low Sensitivity,” and is generally not considered to be a location with significant archaeological resources. Given all of these factors, there is little potential for the project to impact cultural resources on the site.

Pertaining to the significance of tribal cultural resources, there are no onsite historical resources, pursuant to Public Resources Code section 5020.1(k ) that are included in a local register of historic resources.

Furthermore, the project includes no ground disturbance activities and, thus, is not expected to impact heretofore undocumented cultural resources.

- b) *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? (Less Than Significant Impact)*

As discussed in Sections 5.a through 5.c above, no historical resources are likely to exist on the project site. Further, according to the County’s Archaeological Sensitivities map, Figure 9-2, of the County General Plan, the subject site is located in an area that is considered “Low Sensitivity,” and is not considered to be a location with significant archaeological resources. Thus, there is little potential for the project to impact cultural resources on the site.

It is not likely that the project would cause a substantial adverse change in the significance of a tribal cultural resource that meets the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, for the reasons stated above.

Furthermore, the project includes no ground disturbance activities and, thus, is not expected to impact heretofore undocumented cultural resources.

<b>19. UTILITIES AND SERVICE SYSTEMS – Would the project:</b>				
<b>Environmental Issues</b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant With Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
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 telecommunication facilities, the construction or relocation of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry, and multiple dry years?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Result in a determination by the wastewater treatment provider, which serves or may serve the project that it has adequate capacity to serve the project’s projected demand in addition to the provider’s existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**SUMMARY:**

- a) *Would the project require or result in the relocation or construction of new or expanded water, wastewater treatment, or storm water drainage, electric power, natural gas, or telecommunication facilities, the construction or relocation of which could cause significant environmental effects? (Less Than Significant Impact)*

The project site has been previously developed and is currently connected to septic, electric, gas, and telecommunication facilities. Agency comment letters received thus far have indicated that adequate facilities would be available to accommodate the project. Thus, no significant environmental effects are expected from the conversion of the facility that would be required to provide services to the project.

- b) *Would the project have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry, and multiple dry years? (Less Than Significant Impact)*

The proposed project is located at an developed site, currently serviced by an on-site well. Proposed uses on-site would include a private school with associated landscaping and operational water use. These use requirements are similar to the existing conditions at the site. Accordingly, the impact of providing water service to the proposed project would be less than significant.

- c) *Would the project result in a determination by the wastewater treatment provider, which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments? (Less Than Significant Impact)*

The proposed project is located at an developed site, currently serviced by on-site septic. The wastewater use on the site is not expected to change dramatically. Accordingly, the impact of providing sewer service to the proposed project would be less than significant.

- d) *Would the project generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals? (Less Than Significant Impact)*

The proposed project would generate limited operational solid waste. Waste would be hauled to one of the recycling centers and/or transfer stations located in the area. The recycling center and/or transfer station would sort through the material and pull out recyclable materials. The Debris Recovery Program would reduce the construction debris headed to the landfill by diverting materials that could be recycled to appropriate recycling facilities.

With respect to operational waste, the receiving landfill for operational waste is Keller Canyon, located at 901 Bailey Road in Bay Point. Keller Canyon is estimated to be at 15 percent of capacity. Operational waste from the facility would incrementally add to the operational waste headed to the landfill; however, the impact of the project-related residential waste is considered

to be less than significant. As is the case with construction debris, a portion of the residential waste is expected to be recycled, and would thereby reduce the residential waste headed to the landfill.

- e) *Would the project comply with federal, state, and local management and reduction statutes and regulations related to solid waste? (Less Than Significant Impact)*

The proposed project would be required to comply with applicable federal, state, and local laws related to solid waste. The project includes commercial land uses that would not result in the generation of unique types of solid waste that would conflict with existing regulations applicable to solid waste.

<b>20. WILDFIRE – If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:</b>				
<b>Environmental Issues</b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant With Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**SUMMARY:**

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

As discussed in section 9.g above, the Department of Forestry and Fire Protection’s Very High Fire Hazard Severity Zone Map characterizes this area as an Very High Fire Severity Zone.

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

The project is not expected to impair an adopted emergency response plan. The site is already developed and no improvements are proposed for the facility. The exiting driveway will accommodate traffic coming off and onto the site from Marsh Creek Road.

- 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?*

The project site is developed and the conversion of the single-family residence to a school is not expected to exacerbate the wildfire risk.

- 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?*

The project site is fully developed and the project does not include development of any associated infrastructure.

- 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?*

The project does not propose development and is not expected to exacerbate wildfire risk. Thus, the project would not expose people or structures to significant risks from flooding or landslides as a result of runoff, post-fire slope instability, or drainage changes.

**Sources of Information**

- California Department of Forestry and Fire Protection (CalFire). *Fire Hazard Severity Zones Viewer*. <https://egis.fire.ca.gov/FHSZ/>

<b>21. MANDATORY FINDINGS OF SIGNIFICANCE</b>				
<b>Environmental Issues</b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant With Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Does the project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>



c) Does the project have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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**SUMMARY:**

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

As discussed in individual sections of this Initial Study, the project to convert the single-family residence to a private school may impact the quality of the environment (Air Quality and Noise) but the impact would be expected to be less than significant level. The project is not expected to threaten any wildlife population, impact endangered plants or animals, or affect state cultural resources.

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

The proposed project would not create substantial cumulative impacts. The project site is located on a developed area that allows for the establishment of private school businesses. The proposed project would be consistent with the existing surrounding development and provided needed services to the rural residential area.

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

This Initial Study has disclosed impacts that would be less than significant. As a result, there would not be any environmental effects that would cause substantial adverse effects on human beings, either directly or indirectly.

## **REFERENCES**

In the process of preparing the Initial Study Checklist and conduction of the evaluation, the following references (which are available for review at the Contra Costa County Department of Conservation and Development, 30 Muir Rd., Martinez, CA 94553) were consulted: See individual sections.

## **ATTACHMENTS**

- 1. Vicinity Map**
- 2. Site Plan**
- 3. MMRP**