

CEQA ENVIRONMENTAL CHECKLIST FORM

1. **Project Title:** Surmont Drive Minor Subdivision
County File #CDMS22-00007
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:** Adrian Veliz, Senior Planner – (925) 655-2879
adrian.veliz@dcd.cccounty.us
4. **Project Location:** 3253 Surmont Drive, Lafayette, CA 94549
APN: 166-342-007
5. **Project Sponsor's Name and Address:** Surmont Hilltop, LLC
3253 Surmont Drive
Lafayette, CA 94549
6. **General Plan Designation:** Single-Family Residential-Low Density (SL)
7. **Zoning:** Single-Family Residential (R-20)
8. **Description of Project:** The applicant requests approval of a Vesting Tentative Map to subdivide an approximately 3.6-acre lot into four (4) parcels ("Parcel A", "Parcel B", "Parcel C" and "Parcel D"). The proposed four parcels range from 24,712 to 49,546 square feet in area. An existing single-family residence in the area of proposed Parcel A would remain on that parcel. If approved, the three resultant vacant parcels may be developed with a single-family residence, or other permitted uses within the R-20 Single-Family Residential Land Use District. In addition to the proposed subdivision, the project consists of the following elements:
 - Private Access Improvements: The subject property presently gains access via Surmont Drive, which bounds the project site to the east. The project proposes constructing an on-site private road to provide access to all four parcels resulting from the proposed subdivision. The private road has a 22-foot-wide travel way within a 30-foot private access and utility easement.
 - Site grading: The project requires grading on the subject property involving approximately 4,050 cubic yards of combined earth quantities (1,350 C.Y. Cut / 2,700 C.Y. Fill) for the proposed roadway and for preparation of the individual building pads identified on each proposed parcel, excepting Parcel A which has been previously developed with a single-family residence.

- Site Drainage: The project proposes onsite detention and a manifold/dissipation system to mitigate stormwater runoff from the increased impervious surface area that would result from the subdivision. The proposed site drainage requires approval of an exception to the County's Collect and Convey Ordinance (Division 914 of the County Ordinance Code), which requires all storm water entering and/or originating on the subject property to be collected and conveyed without diversion and within an adequate storm drain system which conveys the storm water to an adequate natural water course.
 - Service Connections for Utilities: All utility connections serving the subdivision would be located underground. The subject property is presently served by existing water and sanitary sewer mains located within the Surmont Drive right-of-way. The project includes connection to these existing mains and extension westward within a 30-foot private access and utility easement to provide sanitary sewer and water service to the subdivision. Electrical distribution lines exist underground within the Surmont Drive right-of-way. The proposed access and utility easement includes a joint trench, where underground electrical and communication lines would be extended from the public right-of-way to establish service connections within the subdivision.
 - Tree Impacts: Tree permit approval is requested for the removal of five code protected Coast Live Oak trees. Three of the trees proposed for removal are located within the path of the proposed private roadway improvements, while an additional two code-protected trees that are proposed for removal due to declining health.
- 9. Surrounding Land Uses and Setting:** The subject property is located in an established residential neighborhood which is nestled amongst the nearby Briones Hills. The immediate vicinity consists of low density single-family residential development on parcels generally 10,000 to 20,000 square feet in area or larger. The subject neighborhood has a semi-rural character defined by rolling hillsides connecting to open space areas in the greater project vicinity. The project vicinity generally lacks sidewalk and curb/gutter improvements along public and private roadways serving the area. Danville Boulevard and Interstate 680 are located approximately ½ mile east of the project site.
- 10. Other public agencies whose approval may be required (e.g., permits, financing, approval, or participation agreement):**

County Building Inspection Division
 Contra Costa County Fire Protection District
 Central Contra Costa Sanitary District
 County Department of Public Works
 East Bay Municipal Utility District

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

In accordance with Section 21080.3.1 of the California Public Resources Code, a Notice of Opportunity to Request Consultation was sent on August 1, 2023 to the Villages of Lisjan Nation and to the Wilton Rancheria, the California Native American tribes that have requested notification of proposed projects within unincorporated Contra Costa County. Pursuant to section 21080.3.1(d), there is a 30-day time period for the Wilton Rancheria and/or the Villages of Lisjan Nation to either request or decline consultation in writing for this project. Staff did not receive a request for consultation in response to these notices.

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 checked="" type="checkbox"/> Biological Resources | <input checked="" 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 checked="" 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.



Adrian Veliz
Senior Planner
Contra Costa County
Department of Conservation & Development

11/28/2023

Date

ENVIRONMENTAL CHECKLIST

Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
1. AESTHETICS – Except as provided in Public Resources Code Section 21099, would the project:				
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 building within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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) **No Impact:** The subject property is located at a semi-urbanized area of the County. Surrounding parcels in each direction have been previously developed with single-family residential uses. There are no scenic ridgeways or scenic routes in the project vicinity. Therefore, the project would have less than significant impacts resulting in substantial adverse impacts on a scenic vista.

- b) **Less Than Significant Impact:** The project will not alter any existing buildings, and there are no rock outcroppings existing on the subject property. The project involves the removal of five code-protected trees, and dripline encroachment of an additional four code-protected trees. The trees proposed for removal are centrally located on the subject property are not visible from publicly accessible vantage points due to topography, existing residential development and vegetation. There are no scenic routes or highways from which the subject property can be viewed. Therefore, in cumulative consideration of the above, the project would have less than significant impact on scenic resources in the County.

- c) **No Impact:** The County does not have any applicable zoning or other regulations governing scenic quality in this urbanized area of the County. Therefore, the project will have no impact in this respect.

- d) **Less Than Significant Impact:** The project involves the creation of four new parcels, three of which (Parcels B, C, & D) would expectedly be developed with a new single-family residence in the future. Typically, the construction of a single-family residence is not associated with the creation of substantial light or glare. Single-family homes generally include exterior light fixtures near garage, patio, and other outdoor yard areas. The use of such lighting for the proposed project would be consistent with the surrounding neighborhood and would not significantly affect

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nighttime views. Therefore, considering the nature and scale of the proposed project, it is not expected to have a significant adverse effect on daytime or nighttime views in the area.

2. AGRICULTURAL AND FOREST RESOURCES – Would the project:				
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-e) **No Impact:** According to the California Department of Conservations 2016 *Contra Costa County Important Farmland* map, the subject property and its immediate surroundings consist of “Urbanized and Built-Up Land”. Neither the subject property, nor its surroundings, are within an agricultural zoning district. No Williamson Act contract exists for the subject property. There are no Forestlands, Timberlands, or Timberland Production zones which could be affected by the proposed project. Therefore, there is no reasonable expectation that the project would have any impact to Agricultural or Forest Resources.

3. AIR QUALITY – Would the project:				
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"/>

Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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) **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 and to protect the climate through the reduction of criteria pollutants and greenhouse gases. The potential air quality impacts for this project were evaluated using the BAAQMD 2022 CEQA guidelines screening criteria. Pursuant to these guidelines, if a project does not exceed the screening criteria size it is generally expected to result in less than significant impacts relating to criteria air pollutants and precursors. The BAAQMD screening criteria for the proposed use (single-family residential) are presented in the table below:

<u>Land Use Type</u>	<u>Operational Criteria Pollutant Screening Size</u>	<u>Construction-Related Screening Size</u>
Single-Family Residential	421 dwelling units	254 dwelling units

As demonstrated in the table above, the project proposal represents a marginal percentage of the screening threshold. Therefore, the project, resulting in up to one new dwelling unit, is not expected to produce criteria pollutants in significant quantities. Since the 2017 Clear Air Plan generally involves a multi-pollutant strategy to reduce ozone, particulate matter and toxic air contaminants, and BAAQMD screening criteria indicate that a development of this scale would not produce significant quantities of such criteria pollutants, the project would not conflict with BAAQMD’s implementation of the Clean Air Plan.

- b) **Less Than Significant Impact:** As discussed above, pursuant to BAAQMD screening criteria, the proposed project would not result in significant emissions of criteria air pollutants during the construction period or during project operation (i.e., occupancy of three additional dwelling units). Although the proposed project would contribute incrementally to the level of criteria air pollutants in the atmosphere, the project would expectedly have a less than significant adverse environmental impact on the level of any criteria pollutant.
- c-d) **Less Than Significant Impact:** The type and scale of the project proposal is not typically associated with the generation of criteria pollutants in any significant quantity. If approved, the expected activities would include the construction and occupancy of three additional dwelling units within an established single-family residential neighborhood. Land uses that involve processes, which could potentially result in the substantial concentration of air pollutants and/or malodors, are generally not allowed in the single-family residential (R-20) zoning district in which

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the subject property is located. Therefore, if approved, the project is not expected to cause significant localized emissions that could expose sensitive receptors to substantial pollutant concentrations or malodors.

Likewise, the scale of the project represents a small fraction of the construction-related screening thresholds for criteria pollutants. Consequently, the expected temporary impacts to air quality are also considered less than significant, pursuant to BAAQMD screening guidelines.

4. BIOLOGICAL RESOURCES – Would the project:				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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-b) **Less Than Significant with Mitigation:** The project site consists of a 3.62-acre parcel which has been previously developed with a single-family residence, swimming pool and associated access improvements. Existing structural development is limited to easterly portions of the subject property. The project would result in three new parcels west of the existing home on the undeveloped portion of the lot situated on lands sloping steeply downwards to the west.

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The project site is essentially surrounded by dense urban development and residential communities. According to the 2005-2020 Contra Costa County General Plan, the site is not within an identified “Significant Ecological Resource Area”. A Biological Resources Assessment (BRA) was conducted on adjacent lands immediately south of the project site by Monk & Associates Environmental Consultants. The May 9, 2016, Monk & Associates BRA included an assessment of special status plant and animal species with the potential to occur and field reconnaissance visits to observe flora and fauna on the lands immediately south of the project site. The BRA identified the non-native grasslands as the only plant community onsite with both naturalized horticultural tree species and native tree species sporadically dotting the grassland community. The BRA notes that no special-status plant species have been mapped on or adjacent to the project site and identified a total of 18 special-status plant species known to occur in the vicinity. Most of these plant species occur in specialized habitats such as alkaline soils, vernal pools, or serpentine grassland, none of which were present in the study area. Accordingly, each of the 18 special status plant species known to occur in the area were characterized as having no potential to occur in the study area. Considering that the current project is contiguous to the study area and also consists predominantly of non-native grasslands along the same hillside, the project would not expectedly result in significant impacts to special status plant species due to the lack of suitable habitat and geological conditions.

There are no known candidate, sensitive, or special status species in the immediate project vicinity and the project site lacks creeks or waterways that could comprise a riparian habitat. The 2016 BRA concluded developing the vacant hillside area immediately adjacent to the project site would not interfere with the movement of native wildlife due to the fact that the study area is essentially surrounded by development, effectively isolating it from long distance wildlife movements. Since the 2016 study area is immediately adjacent to the current project, it follows that the current project would not have a significant impact on wildlife corridor due to the infill nature of the project within a developed residential neighborhood. Additionally, the 2016 BRA identifies a total of 9 special status species known to occur in the region, most of which were considered to have no potential to occur in the study area due to the lack of suitable habitat. Two special status-species, the Pallid Bat and the Big Free-Tailed Bat, with documented occurrences within 1.5 and 4.8 miles of the site respectively, are characterized as having low potential to occur in tree cavities on site. Additionally, nesting raptors may utilize trees on site for nesting and forage in grasslands. Thus, a preconstruction survey will be necessary to ensure that no special status bat species or nesting raptors are present on site prior to tree removal and/or ground disturbing activities. Accordingly, project impacts on special status Bat species, nesting raptors would be less than significant with the implementation of mitigation measures **BIO-1** through **BIO-3**.

Although the project site does not provide habitat for does not provide habitat for any federally listed species, the Alameda Whipsnake, a federally listed species known to occur in the region must be addressed due to the proximity of critical habitat, located approximately 0.4 miles west of the project site within the Briones Regional Park. This normally skittish snake would not tolerate the extent and amount of human disturbance that surrounds the project site, however, if

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this snake were to migrate on to the site (which the 2016 BRA report indicates is “not logical or likely”), impacts to this snake could be avoided by installing protective fencing around the project site which would exclude terrestrial wildlife, including snakes, from entering the project site. Additionally, the Western Burrowing Owl is listed by the State of California as a species of special concern has a documented occurrence within 3.6 miles of the project site. Burrowing owls are known to occupy abandoned rodent burrows and cannot be dismissed absent preconstruction surveys on site. Therefore, the project will include mitigation measures **BIO-4** and **BIO-5** including wildlife exclusion fencing and preconstruction surveys in order to ensure that project impacts to these species will occur at less than significant levels (if at all).

Potential Impact BIO-1: *The proposed project’s construction and tree removal activities could result in potentially significant impacts to special-status bats.*

Mitigation Measure BIO-1: *Prior to ground disturbing activities or tree removal, a biologist shall survey all trees on site (not just those proposed for removal) at least 15 days prior to commencing with any tree removal or earthwork that might disturb roosting bats in nearby trees. All bat surveys shall be conducted by a biologist with known experience surveying for bats. If no special status bats are found during the surveys, then there would be no further regard for special-status bat-species.*

If special status bat species are found on the project site, a determination will be made if there are young bats present. If young are found roosting in any tree, impacts to the tree shall be avoided until the young have reached independence. A non-disturbance buffer fenced with orange construction fencing shall also be established around the roost or maternity site. The size of the buffer zone shall be determined by a qualified biologist at the time of the surveys. If adults are found roosting in a tree on the project site but no maternal sites are found, then the adult bats can be flushed, or a one-way eviction door can be placed over the tree cavity prior to the time the tree in question would be removed or disturbed. No other mitigation compensation would be required.

Potential Impact BIO-2: *Development activities occurring during the nesting period for migratory birds, including site grading, soil excavation, and/or tree removal and vegetation pruning/removal poses a potential risk to nesting raptors:*

Mitigation Measure BIO-2: *In order to avoid impacts to nesting raptors, nesting surveys shall be conducted by a qualified biologist prior to commencing with tree removal and construction/grading activities if this work would commence between February 1st and August 31st. The raptor nesting surveys shall include examination of all trees within 200 feet of the project site, not just those slated for removal.*

If nesting raptors are identified during the surveys, the dripline of the nest tree must be fenced with orange construction fencing (provided the tree is located on the project site), and a 200-foot radius around the nest tree must be staked with orange construction fencing. If the tree is located

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off the project site, then the buffer shall be demarcated per above where the buffer occurs on the project site. The size of the buffer may be altered if a qualified biologist conducts behavioral observations and determines the nesting raptor are well acclimated to disturbance. If this occurs, the biologist shall prescribe a modified buffer that allows sufficient room to prevent undue disturbance/harassment to the nesting raptors. No construction or earth moving activity shall occur within the established buffer until it is determined by the consulting biologist that the young have fledged and have attained sufficient flight skills to avoid project construction zones. This typically occurs by August 1st. This date may be earlier or later, and would be determined by the consulting biologist. If a qualified biologist is not hired to watch the nesting raptors then the buffers shall be maintained in place through the month of August and work within the buffer can commence on September 1st.

Multiple surveys may be required to address early and late nesting raptor species. Great horned owls and American kestrels begin nesting in February while red-tailed hawks and red-shouldered hawks begin nesting in early April. Thus, an early survey should be conducted in February if earth moving work or construction is proposed to commence between February 1st and April 1st. If construction has not commenced by the end of March, a second nesting survey shall be conducted in April/May. For construction activities commencing after May but before September 1st, then the second survey shall be conducted within the 30-day period prior to site disturbance.

If early nesting survey identifies a large stick nest or other type of raptor nest that appears inactive at the time of the survey, but there are territorial raptors evident in the nest site vicinity, a protection buffer (as described above) shall be established around the potential nesting tree until the consulting biologist determines that the nest is not being used. In the absence of conclusive observations indicating the nest site is not being used, the buffer shall remain in place until a second follow-up nesting survey can be conducted to determine the status of the nest and eliminate the possibility that the nest is utilized by a late-spring nesting raptor (for example, red-tailed hawk). This second survey shall be conducted even if construction has commenced. If during the follow up late season nesting survey a nesting raptor is identified utilizing the nest, the protection buffer shall remain until it is determined by the consulting biologist that the young have fledged and have attained sufficient flight skills to avoid project construction zones. If the nest remains inactive, the protection buffer can be removed and construction/grading activities can proceed unrestrained.

Potential Impact BIO-3: *Development activities occurring during the nesting period for passerine birds, including site grading, soil excavation, and/or tree removal and vegetation pruning/removal poses a potential risk to nesting passerine birds.*

Mitigation Measure BIO-3: *A nesting survey shall be conducted 15-days prior to commencing construction/grading or tree removal activities, if this work would commence between March 1st and September 1st. If common passerine birds (that is perching birds such as Anna’s hummingbird or mourning dove) are identified nesting on the project site, grading or tree removal activities in the vicinity of the nest shall be postponed until it is determined by a qualified ornithologist that*

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the young have fledged and have attained sufficient flight skills to leave the area. The size of the nest protective buffer required to ensure that the project does not result in take of nesting birds, their eggs or young shall be determined by a qualified ornithologist. Typically, most passerine birds can be expected to complete nesting by June 15th, with young attaining flight skills by early July.

Potential Impact BIO-4: *The proposed project’s construction activities could result in the destruction or abandonment of nests or wintering refugia of burrowing owl.*

Mitigation Measure BIO-4: *Prior to any ground disturbance related to covered activities, an agency approved biologist shall conduct preconstruction (i.e., take avoidance) surveys in areas identified in the planning surveys as having potential burrowing owl habitat. Two site visits will be conducted: one within 14 days of construction start, and one within 48 hours of construction start. The surveys shall establish the presence or absence of western burrowing owl and/or habitat features and evaluate use by owls in accordance with California Department of Fish and Game (CDFG) survey guidelines (CDFG 1993). On the parcel where the activity is proposed, the biologist shall survey the proposed disturbance footprint and a 500-foot radius from the perimeter of the proposed footprint, as accessible, to identify burrows and owls. Adjacent parcels under different land ownership shall not be surveyed, but shall be assessed visually from within the Study Area. Surveys should take place near sunrise or sunset in accordance with CDFG guidelines. All burrows or burrowing owls shall be identified and mapped. During the breeding season (February 1– August 31), surveys shall document whether burrowing owls are nesting in or directly adjacent to disturbance areas. During the nonbreeding season (September 1–January 31), surveys shall document whether burrowing owls are using habitat in or directly adjacent to any disturbance area. Survey results shall be valid only for the season (breeding or nonbreeding) during which the survey is conducted.*

Potential Impact BIO-5: *The proposed project’s construction activities could result in potentially significant impacts to the Alameda Whipsnake, a federally protected species known to occur in the vicinity.*

Mitigation Measure BIO-5a: *A biologist familiar with Alameda Whipsnakes shall conduct a pre-construction survey prior to any ground disturbance at the site, and shall monitor all land clearing activities. The biologist shall have the authority to stop construction activity to prevent impacts to Alameda Whipsnake.*

Mitigation Measure BIO-5b: *An exclusion fence shall be installed to prevent the Alameda Whipsnake from entering the grading area. The fence shall be installed after the completion of the pre-construction survey. The fence shall extend at least 3-feet above ground with at least 6 inches buried underground. Funnel-type exits that will allow snakes to leave the construction area, but prevent their entry, shall be installed every 100 feet along the fence span. The fence shall remain in place throughout construction activities. The consulting biologist shall check the fence weekly to ensure the fence is functioning properly.*

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Mitigation Measure BIO-5c: A biologist shall conduct a pre-construction survey of the proposed grading area on the same day of and immediately prior to the installation of the snake exclusion fence to determine if any Alameda Whipsnakes are present. If it is determined that none are present on site, then development activities may commence unrestrained.

Mitigation Measure BIO-5d: If the consulting qualified biologist determines that the Alameda Whipsnake is present on site, they shall provide construction personnel with training on the Alameda Whipsnake. Such training shall at minimum include the identification, habitat, and life history of the snake; as well as the actions to take if a snake is observed. A brochure that includes a summary of the training and a picture of the Alameda Whipsnake shall be provided to construction personnel.

Mitigation Measure BIO-5e: If the consulting qualified biologist determines that the Alameda Whipsnake is present on site, they shall monitor the clearing and grubbing of the area proposed for grading. The monitoring biologist shall remain on site until the clearing has been completed. Once the site has been cleared, the monitoring biologist shall make weekly visits to observe the snake exclusion fence and check the construction area for other wildlife.

- c) **No Impact:** There are no areas on the project site that would be subject to the Corps jurisdiction. No wetlands, vernal pools or waters of the United States or State of California have been observed on the project site. Therefore, no impacts to wetlands are expected.
- d) **Less Than Significant Impact:** There are no waterways, wildlife corridors, or wildlife nursery sites on the subject property or its' immediate vicinity. Additionally, the fact that the project site is surrounded by existing residential development in all directions isolates the site from migratory wildlife corridors. Thus, the project would have little potential for adverse impacts on wildlife species or native residents. When also considering the urbanized nature of the surrounding area, the project would result in less than significant impacts to wildlife.
- e) **No Impact:** The project includes a request to remove five code-protected trees to accommodate the project. The tree removal permit is being evaluated concurrently with this tentative map, consistent with the provisions of the County's Tree Ordinance (County Code Chapter 816-6). In granting such tree-removal requests, the County routinely requires restitution tree plantings as a condition of approval. Thus, if approved, the applicant's compliance with applicable Conditions of Approval ensures the project's compliance with the County's Tree Ordinance. There are no additional ordinances or policies pertaining to biological resources applicable to the proposed subdivision in this urbanized area of the County. Therefore, the project will have no impact in this respect.
- f) **No Impact:** The East Contra Costa County Habitat Conservation Plan/Natural Community Conservation Plan (ECCC HCP/NCCP) was adopted by the County in October of 2006. The purpose of this plan is to provide a framework to protect natural resources while streamlining the environmental permitting process for impacts to covered special status species within the rapidly

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expanding region of Eastern Contra Costa. The proposed project site is not located within an area of Contra Costa County that is covered by the ECCC HCP/NCCP. Therefore, the project is exempt from HCP/NCCP Ordinance No. 2007-53.

5. CULTURAL RESOURCES – Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

SUMMARY:

a-c) **Less Than Significant With Mitigation:** Historical resources are defined in the California Environmental Quality Act Guidelines Section 15064.5 as a resource that fits 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 subject property is not within the boundaries of any designated historical district. The project site is not listed on the Contra Costa County Historic Resources Inventory, or the California Department of Conservation’s list of historical resources. The existing residence on the subject property was originally constructed in 1980 and is of no known historical significance. The subject property is not listed in the California Register of Historic Places, nor is it listed in the Contra Costa County Historical Resources Inventory. Additionally, the project does not propose the demolition and/or alteration of the existing residence. Therefore, the project would not significantly impact any known historical resources.

The archaeological sensitivity map of the County’s General Plan (Figure 9-2), identifies the project area as “Largely Urbanized Area,” excluded from the archaeological sensitivity survey, but which may still contain significant archeological resources. While unlikely since the subject property and surrounding area have been substantially disturbed by residential development activity, subsurface construction activities always have the potential to damage or destroy previously undiscovered historic and prehistoric resources, or to uncover human remains. Historic

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resources can include wood, stone, foundations, and other structural remains; debris-filled wells or privies; and deposits of wood, glass, ceramics, and other refuse. If during project construction, subsurface construction activities damage previously undiscovered historic and prehistoric resources, there could be a potentially significant impact. The following mitigation measures (CUL-1 through CUL-4) would reduce the potential impact of ground-disturbance related to future construction activities to a less than significant level.

Potential Impact CUL-1 – CUL-4: Construction activities requiring excavation or earth movement could uncover previously unrecorded significant cultural resources and/or human remains. The following mitigation measures will ensure that, in the event cultural resources are discovered, the proper actions are taken to reduce the adverse environmental impacts to cultural resources to a less than significant level.

Mitigation Measure CUL-1: Should archaeological materials be uncovered during grading, trenching, or other on-site excavation(s), all earthwork within 30 yards of the materials shall be stopped until a professional archeologist who is certified by the Society for California Archaeology (SCA) and/or the Society of Professional Archaeology (SOPA) and any Native American tribe(s) that have requested consultation and/or demonstrated interest in the project site has had an opportunity to evaluate the significance of the find, and, if deemed necessary, suggest appropriate mitigation(s).

Mitigation Measure CUL-2: If any significant cultural materials such as artifacts, human burials, or the like are encountered during construction operations, such operations shall cease within 10 feet of the find, the Community Development Division (CDD) shall be notified within 24 hours, and a qualified archaeologist contacted and retained for further recommendations. Significant cultural materials include, but are not limited to, aboriginal human remains, chipped stone, groundstone, shell and bone artifacts, concentrations of fire cracked rock, ash, charcoal, and historic features such as privies or walls and other structural remains.

Mitigation Measure CUL-3: Should human remains be uncovered during grading, trenching, or other on-site excavation(s), earthwork within 30 yards of these materials shall be stopped until the County coroner has had an opportunity to evaluate the significance of the human remains and determine the proper treatment and disposition of the remains. Pursuant to California Health and Safety Code Section 7050.5, if the coroner determines the remains may be those of a Native American, the coroner is responsible for contacting the Native American Heritage Commission (NAHC) by telephone within 24 hours. Pursuant to California Public Resources Code Section 5097.98, the NAHC will then determine a Most Likely Descendant (MLD) tribe and contact them. The MLD tribe has 48 hours from the time they are given access to the site to make recommendations to the land owner for treatment and disposition of the ancestor's remains. The land owner shall follow the requirements of Public Resources Code Section 5097.98 for the remains.

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Mitigation Measure CUL-4: *Appropriate mitigation of any discovered cultural resources may include monitoring of further construction and/or systematic excavation of the resources. Any artifacts or samples collected as part of the initial discovery, monitoring, or mitigation phases shall be properly conserved, catalogued, evaluated, and curated, and a report shall be prepared documenting the methods, results, and recommendations. The report shall be submitted to the Northwest Information Center and appropriate Contra Costa County agencies.*

6. ENERGY – Would the project:				
a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	<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-b) **Less Than Significant Impact:** The project may require temporary electrical power during construction. The General Contractor would be required to apply for a temporary power permit from the County and to comply with all applicable building standards for a temporary power connection. Therefore, the impact of construction on electrical energy resources is anticipated to be less than significant.

In December 2015, a Climate Action Plan (CAP) was adopted by the Contra Costa County Board of Supervisors in order to identify and achieve a reduction in greenhouse gas (GHG) emissions by the year 2020 as mandated by the State under AB32. The design and operation strategies set forth in the CAP for reducing GHG emissions include measures such as installing energy efficient finishing materials, insulation, roofing and lighting that would reduce the project’s consumption of energy resources. The project will be required to comply with all California Code Title 24 (CalGreen) building energy efficiency standards that are in effect at the time that building permit applications to develop Parcel B, C & D are submitted, including standards requiring the provision of solar energy. If approved, the project will be reviewed under all current energy standards as part of the plan check process. Compliance with all applicable regulations will ensure this development will not have a significant environmental impact due to wasteful, inefficient or unnecessary consumption of energy.

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7. GEOLOGY AND SOILS – Would the project:				
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 checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input 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) **Less Than Significant Impact:** The project is not within an Alquist-Priolo (A-P) fault zone. According to Geotechnical Reconnaissance of the site performed by Robert B. Rogers Geotechnical Engineer, the nearest recognized earthquake faults are the Concord, Calaveras and Hayward Faults, located 4.1, 10.1 and 9.5 miles away to their nearest active point respectively. The project geotechnical engineer of record opines that seismic lateral loads are not likely to be much of an issue in the next 50 years at the site given the distance and characteristics of known active faults in the vicinity. Accordingly, the project has relatively low potential to result in risk of loss, injury or death associated with fault rupture.

ii) **Less Than Significant Impact:** As discussed above, the project geotechnical engineer of record has indicated that seismic lateral loads will not expected to be encountered on site to

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a significant degree in the next 50 years. The nearest active fault, the Concord Fault located 4.1 miles east of the site, is characterized in the 1995 Uniform Building Code as a “Type B” fault having a less likelihood of movement in the near future. According to the General Plan Safety Element (Table 10-5) the maximum credible earthquake estimated for the Concord Fault would be magnitude 6.5. Table 10-4 indicates that such an event has intermediate to low probability to occur within the next 50 years. Such earthquake events would be associated with very strong to severe intensity (VII – VIII on the Modified Mercalli Intensity Scale). Generally, earthquakes of this intensity can result in substantial damage in poorly designed structures. Site improvement plans for the future development Parcel B, C & D will be subject to review and approval by County Building and Grading officials under then-current code requirements. It is expected that the adherence to the California Residential Code for construction-level plans for future development on the new parcels and adherence to recommendations provided by the consulting geotechnical engineer will minimize future risks associated with ground shaking. Therefore, less than significant impacts are expected in this regard.

- iii) **Less Than Significant Impact:** The project site is not within a Liquefaction Hazard Zone, as mapped by the California Department of Conservation. According to the County General Plan Safety Element (Figure 10-5 – Estimated Liquefaction Potential), the project vicinity has “generally moderate to low” liquefaction potential. Future residential development on site for building and/or grading permits will require subsurface investigation to provide site-specific engineering recommendations to ensure that building and foundations are designed with appropriate consideration of the site’s soil characteristics. With sound foundation design and adherence to current Residential Building Code requirements, the project will have less than significant impacts related to liquefaction.
- iv) **Less Than Significant Impact:** The subject property is not mapped within a Landslide hazard area. Additionally, the geotechnical reconnaissance performed for the site indicates that there are no landslides mapped in the project area. Accordingly, the project will result in less than significant impacts with respect to landslides.
- b) **Less Than Significant Impact:** The project involves the division of a lot in a developed residential neighborhood. Site preparation for the proposed subdivision consists of approximately 4,050 cubic yards of combined earth quantities (1,350 C.Y. Cut / 2,700 C.Y. Fill), primarily in the area of the proposed private roadway providing access to the subdivision. The applicant has provided a preliminary grading and drainage plan, including a hydrology & hydraulics report analyzing onsite and offsite analysis for pre- and post-construction conditions. Based on the preliminary grading and drainage plan, the subdivision is expected to detain stormwaters originating or passing through the site in an on-site detention system with a manifold/dissipation to mitigate runoff in a manner that mimics pre-construction flow. The plan has been reviewed and deemed adequate for planning purposes by County Public Works officials, with more detailed

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scrutiny deferred to such a time when final improvement plans are submitted for the individual lot. Since the project drainage plan is designed to maintain the existing drainage pattern, the project has relatively low potential to result in substantial erosion or loss of topsoil. Final site improvement plans will be subject review by County Building Inspection Division and Department of Public Works officials for compliance with all applicable provisions of County Building and Grading Ordinances. The review of these plans by these County officials, prior to the issuance of building and/or grading permits will ensure the project's compliance with applicable erosion control standards. Therefore, the potential for the project resulting in significant erosion or loss of topsoil is less than significant.

- c) **Less Than Significant Impact:** As previously mentioned, the subject property is not located within an area with known geologic hazards. The surrounding area has been extensively developed with single family residential dwellings and associated access and utility infrastructure. There is no evidence in the record indicating that the project site or vicinity consist of an unstable geologic unit, or that the project could result in unstable conditions resulting in landslide, lateral spreading, subsidence, liquefaction or collapse. With appropriate foundation design, and adherence to requirements of applicable residential building codes in effect at the time when building permit applications are submitted, the project would have less than significant impacts in this regard.

- d) **Less Than Significant Impact:** The subject property was plotted on the Soil Conservation Service *Soil Survey of Contra Costa County, California* (1977) as type LhF on Sheet 26. The LhF is characterized as Los Osos soils 2 to 3.5 feet thick over sandstone bedrock, with a unified soil classification of CL and a Plasticity Index range of 20 to 30. These soils are considered to have a high expansion potential. A geotechnical investigation of the subject property was performed in 2001, in relation to swimming pool and soccer field improvements installed on the subject property, which found that the predominant soil type on this lot is a silty clay with a plasticity index of 16. The project geotechnical engineer of record indicates that the 2001 soils data indicates more favorable soil conditions, in terms of expansion potential, than the published soils mapping data and has provided recommendations to formulate lateral design loads and drilled pier side friction capacity for development on this lot to account for this potential. Thus, with appropriate foundation design, and adherence to of the consulting geotechnical engineer as well as applicable provisions California residential building codes, the underlying soil conditions would not result in significant adverse effects relating to expansive soil.

- e) **No Impact:** The project does not propose the use of a septic system, or any other means of private wastewater disposal. The project site is within the service boundaries of the Central Contra Costa Sanitary District (CCCSD) and CCCSD staff comments indicate that capacity exists within the system to accommodate the project. Thus, the project would have no impacts arising from the use of a private wastewater disposal system.

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- f) **Less Than Significant Impact:** There are no known paleontological resources on the subject property. The project site and its surroundings have been previously disturbed by residential development in the immediate vicinity. Considering the extensive previous disturbance of the urbanized project area and the relatively minor amount of grading required to implement the project, impacts to paleontological resources are expected at less than significant levels. With the implementation of Cultural Mitigation Measures CUL1-CUL4, previously identified within this study, the project ensures that the discovery of heretofore unknown paleontological resources on the project site will not result in significant impacts to such resources.

8. GREENHOUSE GAS EMISSIONS – Would the project:				
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) **Less Than Significant Impact:** As discussed in the Air Quality section of this study, the Bay Area Air Quality Management District (BAAQMD) adopted the *Bay Area 2017 Clean Air Plan* that addresses Greenhouse Gas (GHG) emissions at a regional scale. The construction and habitation of three additional single-family residences is likely to generate some GHG emissions; however, the amount generated would not result in a significant adverse environmental impact. This determination has been made using the screening criteria provided in the 2022 BAAQMD CEQA Guidelines. The 2022 BAAQMD CEQA Guidelines state that projects that are consistent with a local GHG reduction strategy meeting the criteria under State CEQA Guidelines section 15183.5(b). The 2015 Contra Costa County Climate Action Plan (CAP) has been adopted at the local level in compliance with State CEQA Guidelines section 15183.5(b). The GHG reduction strategies incorporated therein include measures designed to increase energy efficiency, promote alternative modes of transportation, reduce vehicle miles traveled, and reducing reliance on fossil fuel energy sources. Future development of a single-family residence on Parcel B will be subject to Title 24 Energy Efficiency standards as well as the County’s all electric ordinance prohibiting the use of natural gas in household appliances. The existing County Ordinance also requires the provision of solar energy and the installation of outlets suitable for electric vehicle charging within new single-family residences. Additionally, minor subdivisions resulting in the creation of four or fewer new lots are typically exempt from CEQA review and considered to have less than significant GHG emissions due to the minor scale of such projects. This project is not exempt from CEQA review due to the fact that the proposed drainage plan requires an exception to County Drainage Ordinance (Division 914 of the County Ordinance Code). There is no reasonable expectation that the proposed drainage plan would result in an increase in GHG emissions from the project, relative to other minor subdivisions not requiring an exception. Therefore, considering the type and scale of the project, the County’s implementation of Title 24

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energy efficiency standards and other ordinances prohibiting the use of natural gas and requiring the installation of solar panels in new residential development, the future construction and habitation of three new dwellings would have a less than significant impact with respect to the generation of GHG.

- b) **Less Than Significant Impact:** Within the *2017 Clean Air Plan* is an ambitious GHG reduction target to reduce Bay Area GHG emissions to 80% below 1990 levels by the year 2050. The 2017 control strategy includes all feasible measures to reduce emissions of ozone precursors – reactive organic gases (ROG) and nitrogen oxides (NO_x) – and reduce transport of ozone and its precursors to neighboring air basins. In addition, the plan builds upon and enhances the BAAQMD’s efforts to reduce emissions of fine particulate matter and toxic air contaminants. The BAAQMD’s approach to assessing the climate impact thresholds of significance at the project level consist of an analysis of project design elements or the project’s consistency with a local GHG reduction strategy that meets the criteria under State CEQA Guidelines Section 15183.5(b).

In 2015, the County adopted a Climate Action Plan (CAP), which identifies strategies and policies to reduce GHG levels in Contra Costa County and is consistent with State CEQA Guidelines Section 15183.5(b). The CAP is a broad document, with macro policies for the County in general, more so than at the individual project level. However, the project will be consistent with such county wide strategies due to ordinances requiring provision of solar energy and energy efficient construction materials, as required under current residential building code. Additionally, the use of best management practices during future construction on Parcel B would ensure the project is consistent with the *2017 Clean Air Plan* as well as the CAP. The project will be conditioned to print best management practices on all building and grading plans associated with building permits applications for the project. Therefore, the project does not conflict with local plans designed to reduce emissions of greenhouse gases.

9. HAZARDS AND HAZARDOUS MATERIALS – Would the project:				
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 checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input 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"/>

Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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-b) **Less Than Significant Impact:** The proposed subdivision, the anticipated residential development, and eventual habitation of three single-family residences, do not generally involve the routine transport or handling of hazardous materials. Although small quantities of commercially available hazardous materials may be used for cleaning, and potentially for landscape maintenance, these materials are unlikely to be used in sufficient quantities to pose a threat to human or environmental health. Therefore, the potential for impacts associated with handling, storing, and dispensing of hazardous materials from habitation would be less than significant.

There would be associated use of fuels, lubricants, paints, and other construction materials during the construction phase of the project. The use and handling of hazardous materials during construction would occur in accordance with applicable federal, state, and local laws, including California Occupational Health and Safety Administration (Cal/OSHA) requirements. With adherence to existing regulations, the project would result in less than significant construction impacts.

c) **Less Than Significant Impact:** There are no schools located within a quarter mile of the project site. The nearest school is Pleasant Hill Adventist Academy, which is located at 796 Grayson Road in Pleasant Hill, approximately 0.33 miles northeast of the project site. Additionally, the project does not involve the use of significant quantities of hazardous materials either during the construction or eventual habitation of the residential project. Therefore, the project will have no significant impact in this respect.

d) **No Impact:** The California Department of Toxic Substances Control maintains an updated list of Hazardous Waste and Substance Sites (Cortese List). The subject property is not listed on the Cortese List and is not categorized as a hazardous materials site. Therefore, the project will have no impact in this respect.

e) **No Impact:** There are no airports in the vicinity of the project site, therefore, no impact.

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- f) **Less Than Significant Impact:** The proposed project is a minor subdivision within a residential area of unincorporated Lafayette. The subject property is located along Surmont Drive approximately 0.33 miles northwest of its intersection with Gloria Terrace. Gloria Terrace provides access to Taylor Boulevard which is the route likely to be used in the event of an emergency requiring evacuation of the local neighborhood as it is the nearest expressway providing vehicular access from the subject neighborhood to nearby Interstate 680 and State Route 24. The project involves predominantly onsite improvements and would not involve the construction of improvements within public rights-of-way. Any activities within the public right of way, such as for service connections to existing water or sanitary sewer infrastructure are subject to the prior approval of an encroachment permit by the County’s Department of Public Works. The project’s compliance with all encroachment permit requirements will ensure that no project elements substantially interfere (if at all) with vehicular ingress or egress in the subject neighborhood. Additionally, the proposed project will not affect any existing communication/utility structures such as power poles or telecommunications towers, which may be necessary for an existing emergency response or evacuation plan. Accordingly, the project would have a less than significant impact on emergency response and emergency evacuation plans.
- g) **Less Than Significant Impact:** The project site and immediate surroundings are classified as “High Fire Hazard Severity Zone”, according to state responsibility area (SRA) mapping by CALFire. The surrounding neighborhood west of the project site generally includes lands also having the “high” designation. Lands southwest of the project site are within a “Very High Fire Hazard Severity Zone”, while lands to the east are generally classified as “Urban Unzoned”. Considering that the project is located in a developed residential neighborhood, the proposed subdivision possesses relatively low potential to result in impacts exposing people or structures to risks associated with wildfires relative to present conditions. Any future construction activity on the resultant parcels would be subject to then-current building code and fire code, including those requiring the installation of automatic fire sprinklers, fire hydrants, or other fire suppressive improvements. Therefore, the project will not result in a significant direct or indirect risk of exposing people to loss, injury, or death involving wildland fire.

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10. HYDROLOGY AND WATER QUALITY – Would the project:				
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, e) **Less Than Significant Impact:** In the San Francisco Bay Region, Regional Water Quality Control Board (RWQCB) includes permit requirements for stormwater runoff under the National Pollution Discharge Elimination System (NPDES) program. The RWQCB regulates stormwater runoff from construction activities under the NPDES permit from the State Water Resources Control Board (SWRCB). The applicant has provided a preliminary Stormwater Control Plan (SWCP) for review by Engineering Services Division staff with the County Department of Public Works, which has been deemed adequate for the needs of the project. The project is required to comply with all rules and regulations of the NPDES. If approved, the applicant will be required as a condition of approval to submit a final SWCP to the County Department of Public Works which shall be reviewed for compliance with the NPDES Permit and shall be deemed consistent with the County’s Stormwater Management and Discharge Control Ordinance. Thus, the proposed project will comply with applicable water quality standards and/or discharge standards and will not significantly degrade water quality.

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- b) **Less Than Significant Impact:** The expected future construction of three new single-family residence within an established neighborhood will not result in a significant increase in the demand for water resources in this area. The subject property presently receives water service from the East Bay Municipal Utility District (EBMUD). EBMUD staff have reviewed the project and provided comments indicating that additional water service is available to the subdivision, with the installation of new water meters and associated service connections to each lot to be performed at the expense of the developer. Additionally, the project drainage plans incorporates on site detention and manifold/dissipation designed to allow stormwaters to percolate into the subject property before discharging downhill at a similar rate to existing conditions. Given the fact that the project will not draw groundwater to serve the subdivision and the lack of substantial development associated with this project, the subdivision would not substantially interfere with groundwater recharge and will have less than significant impacts on groundwater management.

- c) **Less Than Significant Impact:**
 - i-iv) The subject property fronts the southern side of Surmont Drive near its northern terminus and is surrounded by single-family residential development. Presently, the area surrounding the existing home on proposed Parcel A drains easterly towards Surmont Drive. The remainder of the property, including proposed Parcels B, C, & D flow down the hillside in a southwesterly direction towards Gloria Terrace. The project will not substantially alter the established drainage pattern in the area with the implementation of the onsite detention facility and manifold dissipation incorporated into the preliminary grading and drainage plan designed for the project. The subdivision, including access improvements and anticipated future single-family residential development, would result in approximately 30,865 square feet of new impervious surface. The project drainage plan and preliminary stormwater control plan (SWCP) have been reviewed and preliminarily approved by Engineering Services Division staff with the County Department of Public Works. If approved, final site development plans are subject to additional review to ensure that the project is in compliance with applicable County drainage ordinances. Based on the forgoing, the nature and scale of the project are such that the project is unlikely to alter the project site/surroundings resulting in substantial erosion, siltation, increased runoff exceeding existing infrastructure capacity, or otherwise impede or redirect flood flows. Therefore, the project will have less than significant impact in this regard.

- d) **Less Than Significant Impact:** The project is inland and well removed from coastal areas that would be inundated by seiche or tsunami events. The project is not within a special flood hazard zone. Therefore, the project would not result in such impacts to any significant degree.

Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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11. LAND USE AND PLANNING – Would the project:				
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 type="checkbox"/>	<input checked="" type="checkbox"/>

SUMMARY:

- a) **No Impact:** The project is within an established single-family residential neighborhood located in an unincorporated area of Lafayette. The surrounding neighborhood is characterized by low-density single-family residential development and associated improvements. The eventual construction of three additional residences would be a continuation of the established development pattern in the area, and therefore, would not physically divide an established community.

- b) **No Impact:** The subject property is within a Single Family Residential Low Density (SL) General Plan land use designation, and within a Single-Family Residential Zoning District (R-20). The proposed subdivision, and the eventual construction of three new single-family residence, is consistent with the allowed land uses for the R-20 district and SL General Plan designation. All proposed parcels exceeds the 20,000 square-foot minimum parcel area and are in compliance with dimensional requirements for the R-20 district in terms of lot depth and average width. The subdivision also identifies a building envelope where future development can occur meeting all setback requirements for the R-20 district. Thus, the subdivision and anticipated residential development is consistent with development standards for the R-20 district and with the underlying general plan land use designation. There are no other land use policies applicable to this area of the County which conflict with the project. Therefore, no environmental impacts are anticipated to result from a land use perspective.

12. MINERAL RESOURCES – Would the project:				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<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-b) **No Impact:** Neither the project site, nor its’ surroundings are mapped on General Plan Figure 8-4 (Mineral Resource Areas) as an area with mineral resources. Additionally, the project vicinity has been developed extensively and there are no known mineral resources on the project site.

Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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Consequently, the project is not expected to have impacts leading to the loss of availability of a known resource, or mineral resource recovery site.

13. NOISE – Would the project result in:				
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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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-b) **Less Than Significant with Mitigation:** The project consists of a subdivision resulting in three new developable parcels, identified on the VTM as Parcels B, C & D. The noise element of the County General Plan specifies noise exposure levels between 55-70 dB as conditionally acceptable in low density single-family residential settings. The residential building code prohibits interior noise levels above 45 dB. The project will be required to utilize construction materials and techniques designed to reduce interior noise levels to 45 dB or below as required by the residential building code. The future habitation of three new single-family residences would not expectedly increase ambient noise levels in the area to a significant degree. However, potentially significant temporary noise impacts could arise during the future construction activities associated with the development of new residences on the resultant parcels. Such noise-related impacts are typical of routine residential construction, and impacts arising therefrom can be substantially mitigated with standard measures such as limiting construction hours, traffic flow, and the usage of certain heavy equipment. Incorporation of the following mitigation measures will ensure that the project, including anticipated future construction activity, will have less than significant noise-related impacts:

Potential Impacts – Temporary noise levels due to construction

Impact NOI-1 – NOI-6: When Parcel B is developed, a temporary increase in ambient noise levels would occur, and there may be periods of time when there would be ground borne vibrations or loud noise from construction equipment, vehicles, and tools. The temporary activities during the construction phase of the project have the potential for generating noise

Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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levels in excess of standards described in the Noise Element of the County General Plan. Therefore, the developer is required to implement the following noise mitigation measures throughout the construction phase to reduce impacts from ground borne vibrations and temporary increases in ambient noise levels to less than significant levels:

Mitigation Measure NOI-1: All construction activities, including delivery of construction materials, shall be limited to the hours of 8:00 A.M. to 5:00 P.M., Monday through Friday, and are prohibited on State and Federal holidays on the calendar dates that these holidays are observed by the State or Federal government as listed below

- New Year’s Day (State and Federal)*
- Birthday of Martin Luther King, Jr. (State and Federal)*
- Washington’s Birthday (Federal)*
- Lincoln’s Birthday (State)*
- President’s Day (State)*
- Cesar Chavez Day (State)*
- Memorial Day (State and Federal)*
- Juneteenth National Independence Holiday (Federal)*
- Independence Day (State and Federal)*
- Labor Day (State and Federal)*
- Columbus Day (Federal)*
- Veterans Day (State and Federal)*
- Thanksgiving Day (State and Federal)*
- Day after Thanksgiving (State)*
- Christmas Day (State and Federal)*

Mitigation Measure NOI-2: Transportation of heavy equipment (e.g., graders, cranes, excavators, etc.) and trucks to and from the site shall be limited to weekdays between the hours of 9:00 AM and 4:00 PM and prohibited on Federal and State holidays. This restriction does not apply to typical material and equipment delivery or grading activities.

Mitigation Measure NOI-3: The applicant shall require their contractors and subcontractors to fit all internal combustion engines with mufflers which are in good condition and shall locate stationary noise-generating equipment such as air compressors as far away from existing residences as possible.

Mitigation Measure NOI-4: The applicant shall notify neighbors within 300 feet of the subject property at least one week in advance of grading and construction activities.

Mitigation Measure NOI-5: The applicant shall designate a construction noise coordinator who will be responsible for implementing the noise control measures and responding to complaints. This person’s name and contact information shall be posted clearly on a sign at the project site and shall also be included in the notification to properties within 300 feet of the project site. The construction noise coordinator shall be available during all construction activities and

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shall maintain a log of complaints, which shall be available for review by County staff upon request.

Mitigation Measure NOI-6: *Prior to the issuance of building permits, a preconstruction meeting shall be held with the job inspectors, designated construction noise coordinator, and the general contractor/onsite manager in attendance. The purpose of the meeting is to confirm that all noise mitigation measures and practices (including construction hours, neighborhood notification, posted signs, etc.) are completed and in place prior to beginning grading or construction activities. The applicant shall provide written confirmation to CDD staff verifying the time and date that the meeting took place and identifying those in attendance.*

- c) **No Impact:** The project site is not in the vicinity of a private airstrip or within two miles of a public airport. Therefore, the project would have no impact exposing people to excessive noise, either relating to, or exacerbated by aviation activity.

14. POPULATION AND HOUSING – Would the project:				
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) **Less Than Significant Impact:** The project would potentially increase the housing stock in Contra Costa County by three dwelling units, a change that would not amount to substantial population growth. The project proposes the provision of access and utilities to the subdivision via a private access and utility easement extending from an existing driveway off of Surmont Drive westward through the interior of the subject property. No public infrastructure improvements are proposed for the subdivision project. Therefore, the project would not have impacts inducing significant population growth in the County, either directly or indirectly.
- b) **No Impact:** A single-family residence exists on the subject property and would remain in the area of Parcel A if the project is approved. The project would in fact result in additional housing in Contra Costa County through the creation of three additional developable residential parcels. Therefore, the project will have no impact resulting in displacement of existing housing necessitating the construction of replacement housing elsewhere.

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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:				
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:

- a) **Less Than Significant Impact:** The Public Facilities/Services Element of the County General Plan requires fire stations to be located within 1.5 miles of developments in urban areas. The subject property is located approximately 1.25 miles northwest of Contra Costa Fire Protection District Station #2, located at 2012 Geary Road in Pleasant Hill. The project was referred to the Contra Costa County Fire Protection District for comment and the response from district staff gave no indication that the project would adversely impact fire protection services. Therefore, given compliance with the applicable fire codes in final development plans for the subdivision, the project will have a less than significant impact in this regard.

- b) **Less Than Significant Impact:** Police protection and patrol services in the project vicinity are provided by the Contra Costa County Sheriff’s office. The Public Facilities/Services Element of the County General Plan requires 155 square feet of station area per 1,000 population in unincorporated Contra Costa County. The proposed project, resulting in three new parcels which could each be developed with a new single-family residence, would not substantially increase the population within this area of the County. Therefore, the project would not impact the County’s ability to maintain the General Plan standard of having 155 square feet of station area and support facilities for every 1,000 members of the population. Thus, the proposed project will have less than significant impact on police services and will not result in the need for expanded police protection facilities or services in the County.

- c) **Less Than Significant Impact:** Since the project would not significantly increase the population in the Lafayette area, it would have a less than significant impact on enrollment at existing local schools.

- d) **Less Than Significant Impact:** The policy for Parks and Recreation in the Growth Management element of the County General Plan indicates that a standard of three acres of neighborhood parks per 1,000 persons should be maintained within the County. As stated previously, the project would not cause a significant population increase in the Lafayette area. Thus, the project would not result in a significant increase in the use of existing recreational public resources in the area. Since the project would only marginally increase population in the area, and has ample access to existing

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parcs, including Brookwood Park and Dinosaur Park located just south of the site, the project will not necessitate the provision of new park facilities.

- e) **Less Than Significant Impact:** The project would not significantly affect existing public facilities (e.g. Hospital, Library, etc.) because it is not expected to substantially induce population growth in the area.

16. RECREATION				
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 type="checkbox"/>	<input checked="" type="checkbox"/>

SUMMARY:

- a) **Less Than Significant Impact:** Given the relatively minor scale of the project, allowing for the eventual construction of three new single-family dwellings in an established neighborhood, the project would not significantly increase the use of existing neighborhood and regional parks or other recreational facilities in the vicinity of the project site. Building permit fees for new residences on proposed Parcels B, C, & D will be subject to park impact and park dedication fees, which fund the acquisition and maintenance of parks and recreational facilities in Contra Costa County. Parcel A would be exempt from such fees since a residence already exists on this parcel. Given the minor scale of the project and its contribution of the aforementioned park fees, it is not expected to result in substantial physical deterioration of nearby public facilities, nor would the project accelerate such deterioration. Therefore, less than significant impacts are expected in this regard.
- b) **No Impact:** The project does not propose the construction of new recreational facilities, or the expansion of existing facilities. Therefore, the project will have no impacts in this respect.

17. TRANSPORTATION – Would the project:				
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"/>

Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
d) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

SUMMARY:

- a) **Less Than Significant Impact:** The subject site is located along the southern side of Surmont Drive, approximately 0.33 miles north of Taylor Boulevard. According to General Plan Figure 5-3 (Transit Network Plan), the project site and surrounding areas are located just west of the major north/south transit corridors traversing central Contra Costa County. Considering that the project would result in three new single-family residences, and the lack of development within a major transit corridor, the potential for the project to substantially conflict with the regional circulation system is relatively low. Vehicular access to the project site is existing from Surmont Drive via Gloria Terrace. The site has convenient access to Taylor Boulevard, a local expressway connecting the subject neighborhood to nearby transit corridors within Contra Costa County. The subdivision project, including the future construction/habitation of three new residences, will have minimal effect on public rights-of-way and would not affect circulation on surrounding public roadways. Therefore, the project will have less than significant impacts in this respect.

- b) **Less Than Significant Impact:** The applicable CEQA Guidelines provide a framework for analyzing transportation impacts relating to vehicle miles travelled (VMT) resulting from the project. The Governor’s Office of Planning and Research has provided the following guidance on evaluating such impacts for small projects: “Absent substantial evidence indicating that a project would generate a potentially significant level of VMT, or inconsistency with a Sustainable Communities Strategy (SCS) or general plan, projects that generate or attract fewer than 110 trips per day generally may be assumed to cause a less than significant transportation impact”. According to ITE trip generation rates for detached single family residential development, the project would result in 1.75 peak trips per day (0.75 daily AM trips, 1 daily PM trip) for each of the three new parcels when single-family residences are constructed. Since there is no reasonable expectation that a project of this scale could exceed 110 daily trips, the project is assumed to have a less than significant impact on traffic. Therefore, the project does not conflict with CEQA guidelines section 15064.3(b).

- c) **Less Than Significant Impact:** The project involves the creation of three new residential parcels within an established residential neighborhood. The proposed land use is identical to that on privately held land in the immediate vicinity. Thus, hazards from incompatible land uses are not expected. The project is accessed via Surmont Drive and does not involve construction activity within a public right-of-way. The project does not require the alteration of any roadway in a manner that might result in a public hazard from a geometric design. The intersection of the proposed private roadway serving the subdivision connections with public roadways will be subject to the requirements of County Department of Public Works design specifications in order to ensure it meets all applicable safety standards. Thus, no significant transportation impacts, whether due to a design feature or incompatible land uses, are expected to result from the project.

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- d) **Less Than Significant Impact:** The project has adequate access for fire safety via Surmont Drive, which bounds the site to the east. The project was referred to the Contra Costa County Fire Protection District (CCCFPD) for agency comments their response indicates that the proposed roadway design is sufficient for emergency vehicle access. Prior to occupancy of a new residence, construction plans will be subject to the CCCFPD review for consistency with applicable Fire Codes that are in effect at the time when the application for a building permit is submitted. Therefore, the routine review of construction plans will ensure that final development plans for the resultant parcels will not result in a condition with inadequate emergency vehicle access.

18. TRIBAL CULTURAL RESOURCES – <i>Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:</i>				
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 checked="" 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 checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

SUMMARY:

- a-b) **Less Than Significant Impact:** As discussed in the Cultural Resources section of this study, there are no known existing structures located at the project site that would be listed or eligible to be designated as historical resources. Additionally, there is no evidence in the record at the time of completion of this study that indicates the presence of human remains at the project site. The County mailed a *Notice of Opportunity to Request Consultation*, pursuant to section 21080.3.1 of the California Public Resources Code, to Wilton Rancheria and Confederated Villages of Lisjan Nation for their review of the project proposal. County staff did not receive a request for consultation in response to these notices.

Nevertheless, the possibility remains that buried archaeological resources and/or human remains could be present on the project site, and accidental discovery could occur during grading and other earthwork on the project site resulting in potentially significant impacts. However, with the implementation of mitigation measures CUL-1 through CUL-4 (identified previously within the Cultural Resources section of this report), would reduce potential impacts from accidental discovery to less than significant levels.

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19. UTILITIES AND SERVICE SYSTEMS – Would the project:				
a) Require or result in the relocation or construction of new or expanded water, wastewater treatment, or storm water drainage, electric power, natural gas, or 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) **Less Than Significant Impact:** The project does not involve the relocation or construction of new or expanded water, wastewater treatment, or stormwater drainage infrastructure. Water, gas, electrical, and sanitary sewer service would be extended into Parcels B, C & D via the proposed private access/utility easement from existing underground infrastructure within the Surmont Drive public right-of-way. Thus, the project does not involve the relocation or construction of new or expanded facilities to provide such utilities to the subdivision. Therefore, less than significant impacts relating to the extension of utility services to the subdivision are expected to result from the project.

- b) **Less Than Significant Impact:** The project has been referred to the East Bay Municipal Utility District (EBMUD) for comment. In a memo dated May 31, 2022, EBMUD staff advised that the project site is located entirely within the service boundary of EBMUD, and that service is available to the project site via an existing 8-inch water distribution pipeline within Surmont Drive. The EBMUD memo further notes that due to the fact that the elevation of the subject property exceeds 450 feet, the applicant will be required to install a hydro-pneumatic pump system in order to ensure adequate water pressure as a condition of establishing new water service for the subdivision. Thus, the applicant’s compliance with applicable EBMUD requirements for establishing new water service will ensure a sufficient supply of water is available to the project now and for the foreseeable future.

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- c) **Less Than Significant Impact:** The project site is located within the Central Contra Costa Sanitary District’s (CCCSD) service boundaries. County staff has forwarded the application to CCCSD staff for comment and received no indication that the system lacks adequate capacity to accommodate the project in response. Therefore, the project would expectedly have less than significant impact in this regard.

- d) **Less Than Significant Impact:** The proposed project would generate construction solid waste and post-construction commercial solid waste. Construction on the project site would be subject to the CalGreen Construction and Demolition Debris Recovery Program administered by the Department of Conservation and Development. The Debris Recovery Program requires that at least 65% of construction job site debris (by weight) for most construction types, that would otherwise be sent to landfills, be recycled, reused, or otherwise diverted to appropriate recycling facilities. Thus, although the construction of a single-family residence on three resultant parcels would incrementally increase construction waste in Contra Costa County, the administration of the CalGreen program ensures that the impact of the project-related increase would be less than significant.

Regular solid waste removal for households and businesses in the Lafayette area is provided by Republic Waste. The addition of up to three new single-family residences to the area is not expected to significantly increase the generation of residential solid waste relative to current local levels. As such, the potential for the proposed project to exceed the capacity of the currently utilized landfill is minimal. Therefore, the impact of the project-related waste would be considered less than significant.

- e) **Less Than Significant Impact:** The project would establish three (net) new parcels, each of which may be developed with a new single-family residence within an established residential neighborhood. The project site and surrounding area receive residential waste disposal service from Republic Services. Republic Services provides weekly pickup service for solid waste, including containers for recyclables and green waste at no additional cost to the customer. The project does not conflict with any federal, state, or local regulations relating to solid waste. Therefore, no significant impacts are expected in this regard.

20. WILDFIRE – If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:				
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?	<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"/>

Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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 checked="" type="checkbox"/>	<input 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:

- a) **Less Than Significant Impact:** Neither the project site, nor its surroundings are classified as Very High Fire Hazard Severity Zones. According to CALFIRE mapping, the project site is located along the periphery of a State Responsibility Area designated as a High Fire Hazard Severity Zone. The project does not include any improvements within a public right of way that would be utilized in an emergency evacuation situation and includes a private access road suitable for emergency vehicle apparatus to reach the project in the event of an emergency. Thus, the project would not expectedly result in significant impacts to an emergency response plan or emergency evacuation plan.
- b) **Less Than Significant Impact:** The single-family residential project is located within a developed residential neighborhood and is substantially similar to existing development surrounding the project site. Future development on the resultant parcels will be subject to the then-current fire code, including requirements for the provision of emergency access roadway, fire hydrants, and sprinklers within new dwellings. Therefore, the project would not expectedly exacerbate wildfire risks thereby exposing project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of wildfire to any significant degree, relative to present conditions.
- c.) **Less Than Significant Impact:** All electrical and utility connections serving the project are proposed to be installed underground within a private access and utility easement. Thus, the project does not include any infrastructure that could exacerbate the risk of fire in association with the project. The private roadway providing access to the resultant lots has been designed in compliance with applicable fire codes pertaining to emergency vehicle access. Thus, the project has less than significant potential for associated infrastructure resulting in elevated fire risk or ongoing impacts to the environment.
- d.) **Less Than Significant Impact:** The project drainage plan does not significantly alter the existing drainage plan for the site. The building sites identified on the vesting tentative map include retaining walls designed to stabilize the hillside for future residential development. Additionally, future residential development will undergo routine geotechnical review to ensure that building foundations are designed with adequate consideration of the sites underlying

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geological conditions. Thus, it is expected that with appropriate foundation design and the implementation of the site drainage plan, the project would have less than significant impacts relating to slope stability or runoff that present an elevated risk to people or structures.

21. MANDATORY FINDINGS OF SIGNIFICANCE				
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"/>

SUMMARY:

- a) **Less Than Significant Impact:** The project would not substantially degrade the quality of the natural environment due to the infill nature of the project within a developed residential neighborhood. There are no known endangered plants or animals occurring on the project site. Additionally, the fact that subject property and its surroundings have been extensively disturbed by development activity limits the potential for such occurrences on or around the project site. This study identifies potentially significant impacts in the areas of biological resources, noise, cultural resources, and tribal resources – with mitigations proposed to ensure that such impacts occur at less than significant levels, if at all.

- b) **Less Than Significant Impact:** The County has recently approved a nine-lot subdivision located immediately adjacent to the project site. The vesting tentative map for the previously approved project (County File #CDSD16-09429) was approved by the Board of Supervisors on May 9, 2017, and construction of the nine-residential lots is presently underway. The proposed minor subdivision would result in three developable parcels, each of which could be developed with a single-family residence and associated ancillary structures. All potentially significant environmental impacts identified within this report are related to the construction phase of the project. Projects of this type and scale are commonly exempt from CEQA review and are generally

Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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not expected to result in significant environmental impacts. Additionally, since the previously approved subdivision is currently under construction, it is not likely that the construction periods for the two projects would overlap to a significant degree resulting in cumulatively considerable impacts. The project would not result in a significant increase in population for the Lafayette area with the introduction of three new dwellings to the local housing stock. Considering the project results in a negligible increase in housing stock and population in Lafayette, its potential for cumulative impacts are less than significant.

- c) **Less Than Significant Impact:** The project involves routine residential development and minimal environmental disruption. The project does not involve the transportation and/or routine handling of hazardous materials in any significant quantities. The nature and scale of construction activities required to implement the proposed improvements do not typically result in adverse effects to human beings. With the mitigations identified for incorporation as part of the project, environmental impacts identified within this report would be reduced to a level that would not pose a significant hazard to human beings on or around the project site. Therefore, less than significant impacts are expected in this regard.

REFERENCES

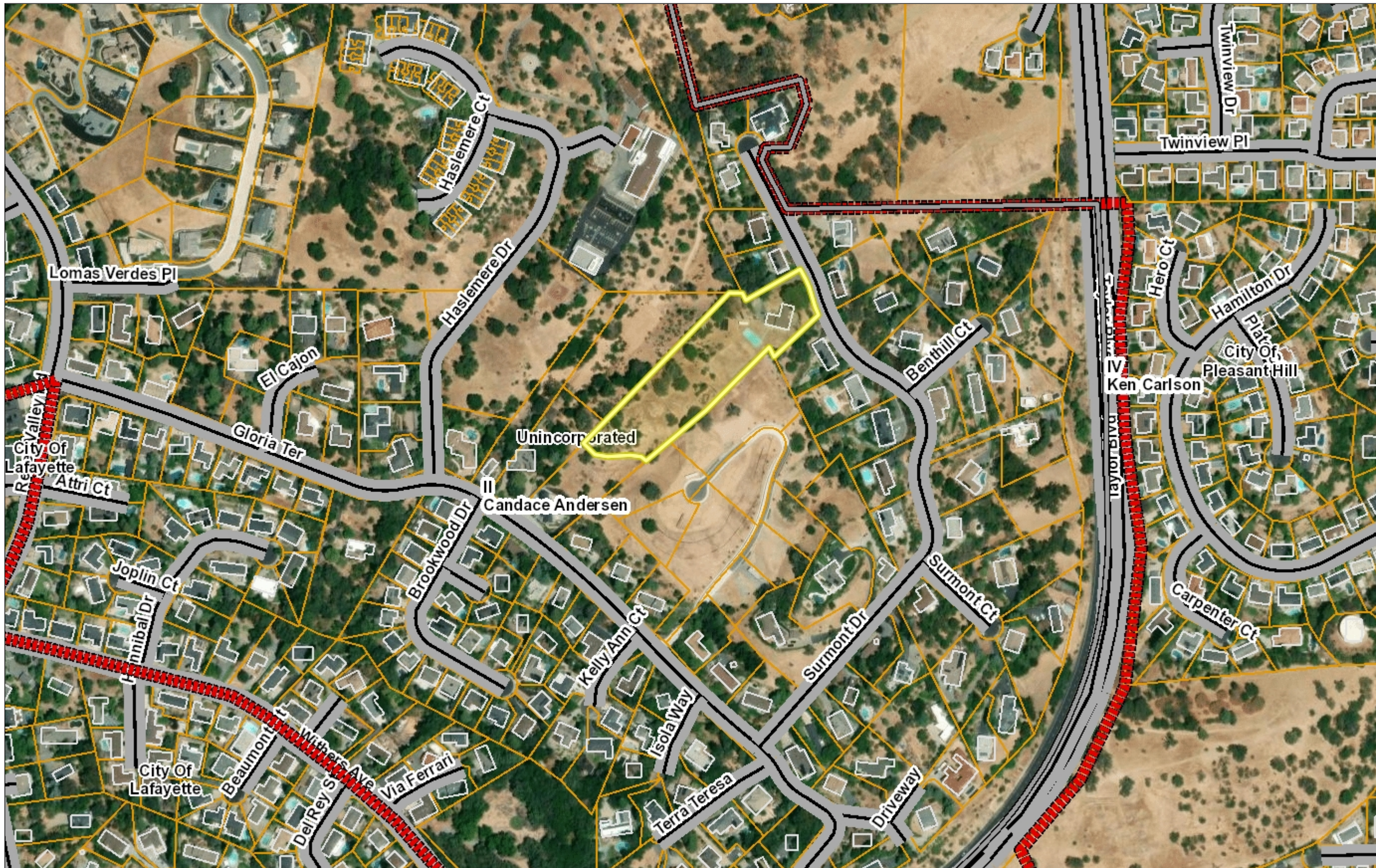
In the process of preparing the Initial Study Checklist and conduction of the evaluation, the following references (which are available for review at the Contra Costa County Department of Conservation and Development, 30 Muir Rd., Martinez, CA 94553) were consulted:

- Contra Costa County Geographic Information System Data
- Contra Costa County Zoning Ordinance (Title 8)
- Contra Costa County 2005-2020 General Plan
 - Figure 5-3 (*Transit Network Plan*)
 - Figure 5-4 (*Scenic Routes Plan*)
 - Figure 8-1 (*Significant Ecological Areas and Selected Locations of Protected Wildlife and Plant Species*)
 - Figure 8-4 (*Mineral Resource Areas*)
 - Figure 9-1 (*Scenic Ridges and Waterways*)
 - Figure 9-2 (*Archaeological Sensitivity Map*)
- California Government Resources Code
- Vesting Tentative Map for 3253 Surmont Drive, by Humann Company Inc. (October 6, 2022)
- Arborist Report prepared by Pennie Rose (CLC #397236), (July 17, 2021)
- Hydrology & Hydraulics Report, by Humann Company Inc. (March, 2022)
- Geotechnical Reconnaissance letter dated February 28, 2022, by Robert B. Rogers, Geotechnical Engineer registered in the State of California (No. 2041)
- Biological Resource Analysis for 3198 Gloria Terrace by Monk & Associates Environmental Consultants (May 9, 2016)
- California Department of Conservation *Contra Costa County Important Farmland Map* (2016)
- BAAQMD 2022 CEQA Guidelines ([CEQA Thresholds and Guidelines Update \(baaqmd.gov\)](https://www.baaqmd.gov/ceqa-guidelines))
- BAAQMD Bay Area 2017 Clean Air Plan (2017) ([BAAQMD.GOV - 2017 Clean Air Plan](https://www.baaqmd.gov/2017-clean-air-plan))
- Contra Costa County Climate Action Plan (2015)
- United States Department of Agriculture Natural Resource Conservation Service [Web Soil Survey \(usda.gov\)](https://www.nrcs.usda.gov/)

- CA Dept. of Forestry Web Resource - [California Fire Hazard Severity Zones \(FHSZ\) | California State Geoportal](#)
- California Department of Toxic Substances Control list of Hazardous Waste and Substance Sites (Cortese List) [EnviroStor \(ca.gov\)](#)

ATTACHMENTS

- 1. Vicinity Map**
- 2. Project Plans**
- 3. Mitigation Monitoring and Reporting Program**



Legend

- Board of Supervisors' Districts
- City Limits
- Unincorporated
- Streets
- Building Footprints
- Assessment Parcels
- World Imagery
- Low Resolution 15m Imagery
- High Resolution 60cm Imagery
- High Resolution 30cm Imagery
- Citations

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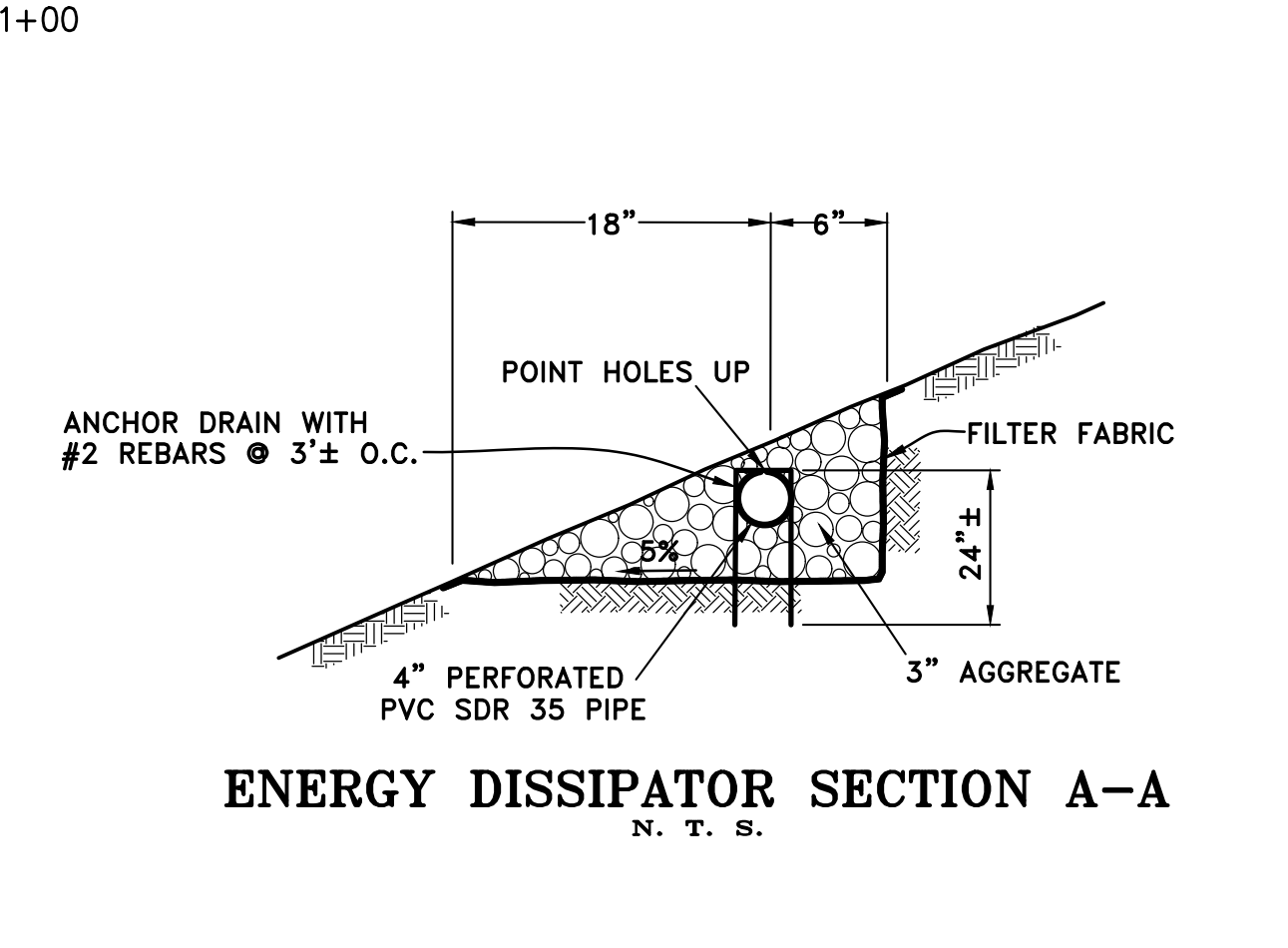
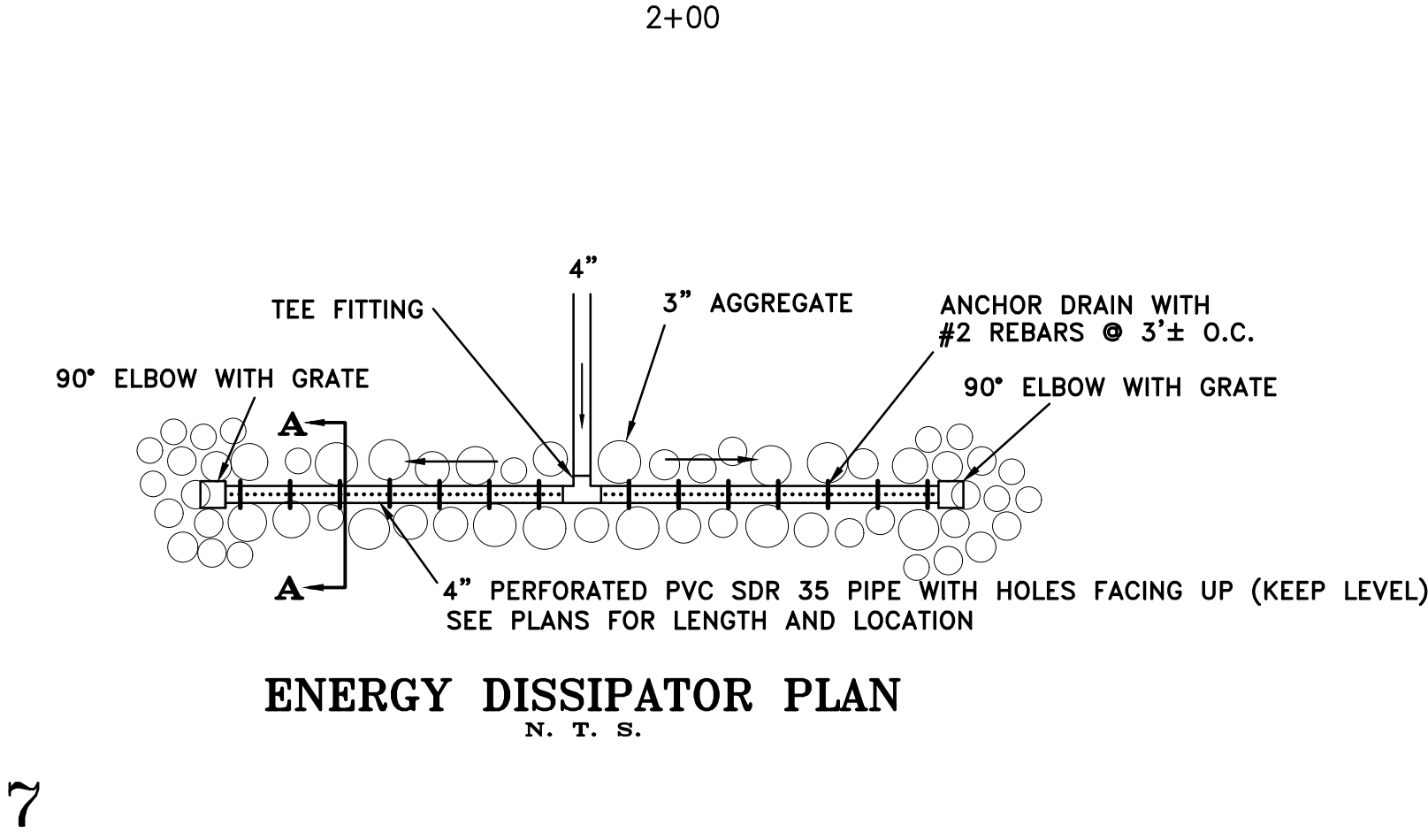
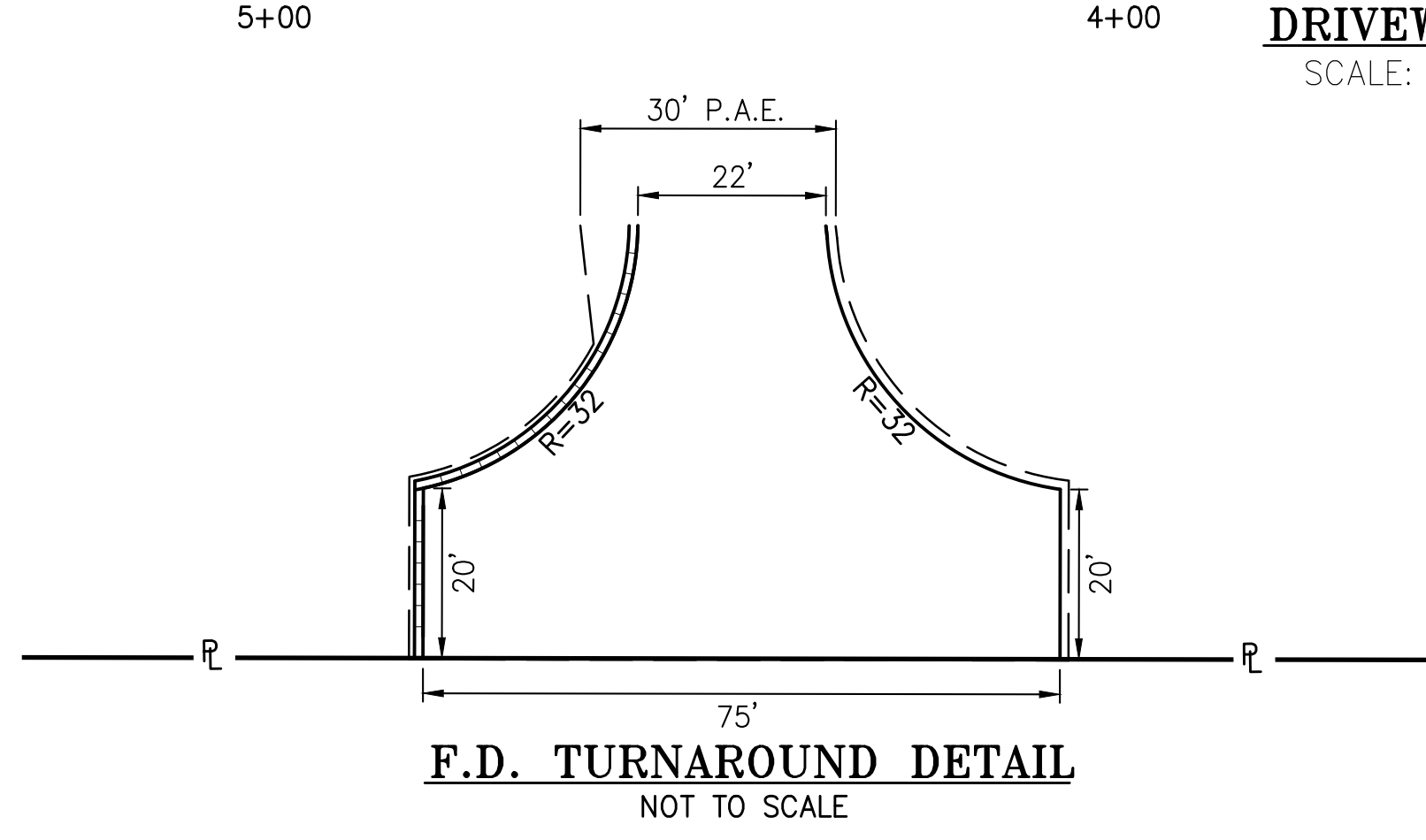
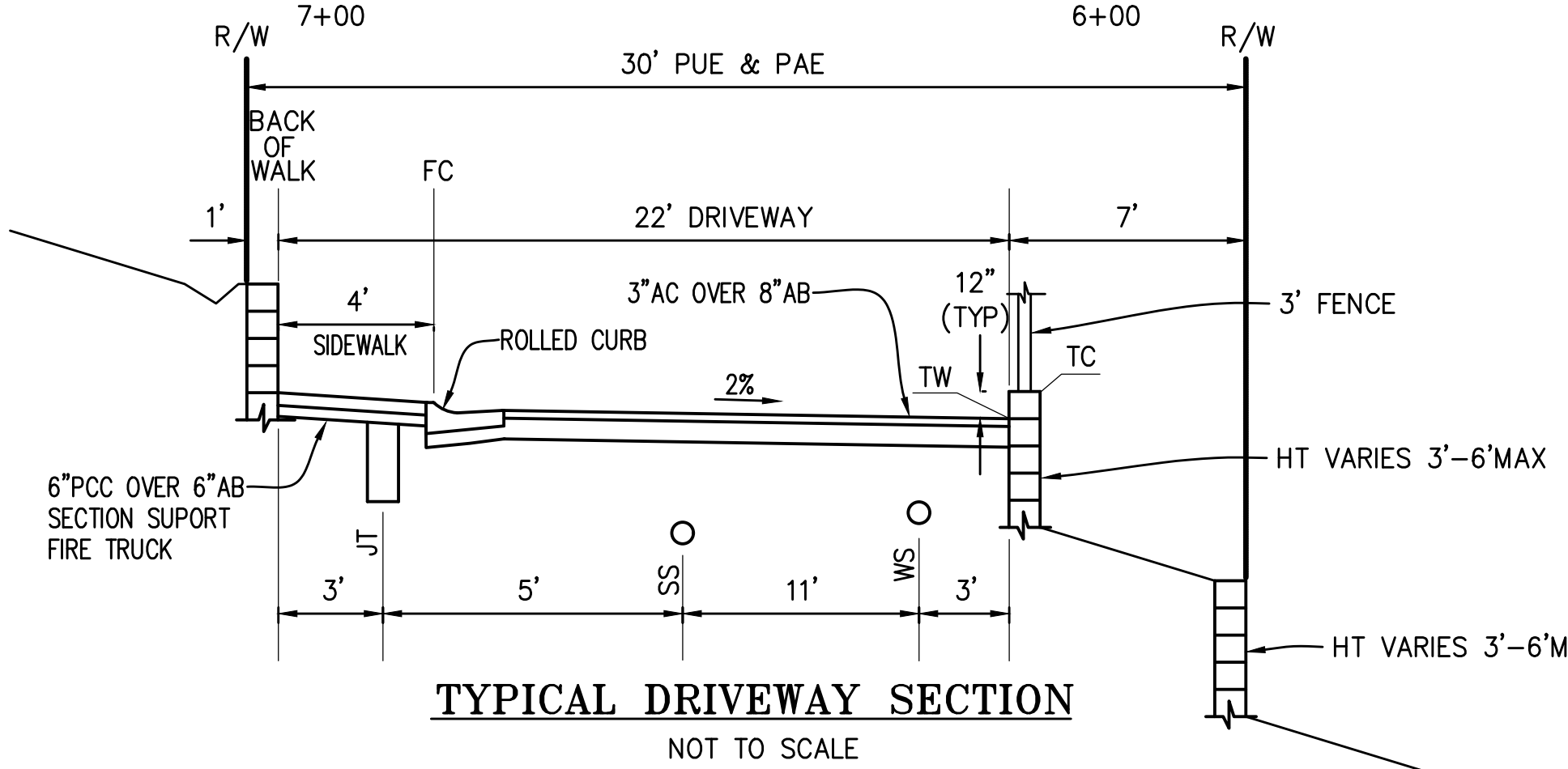
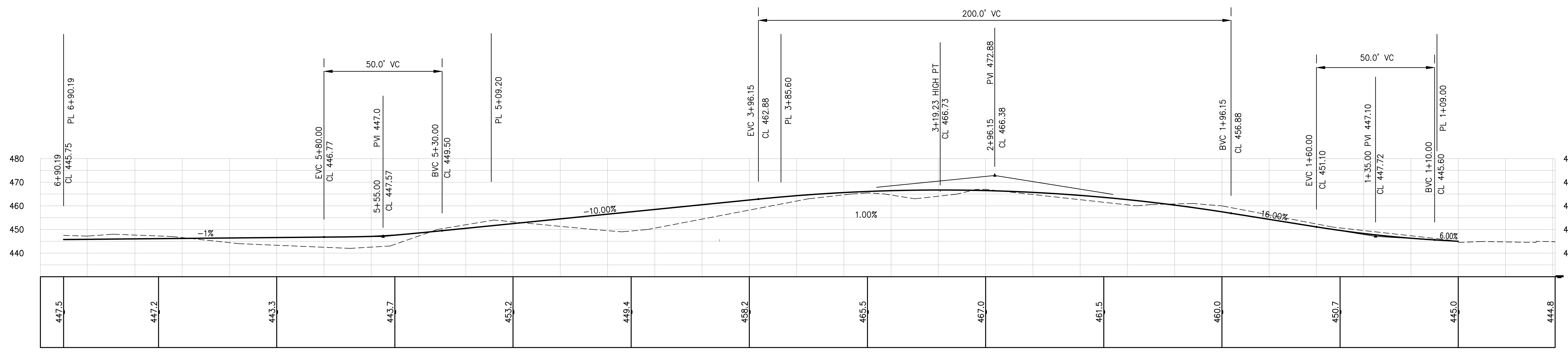
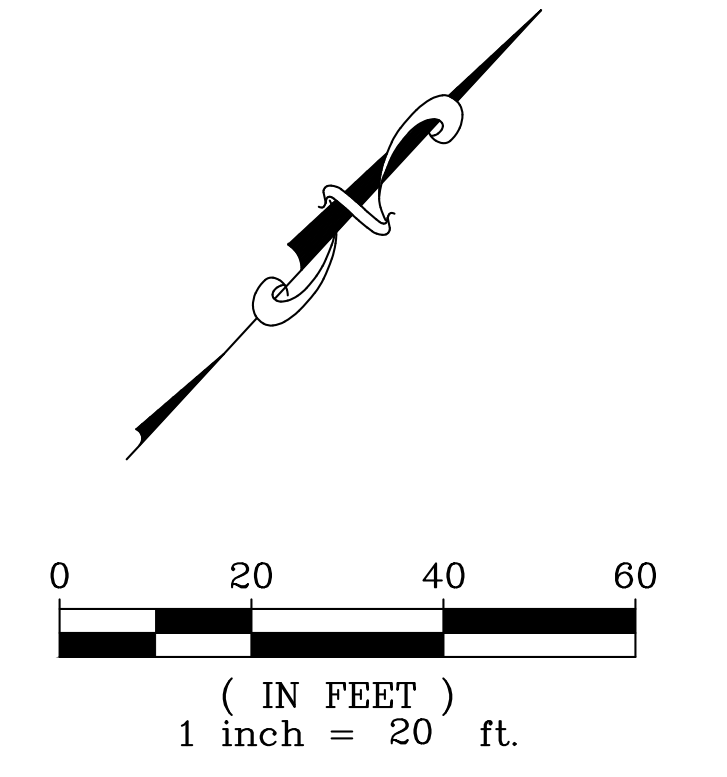
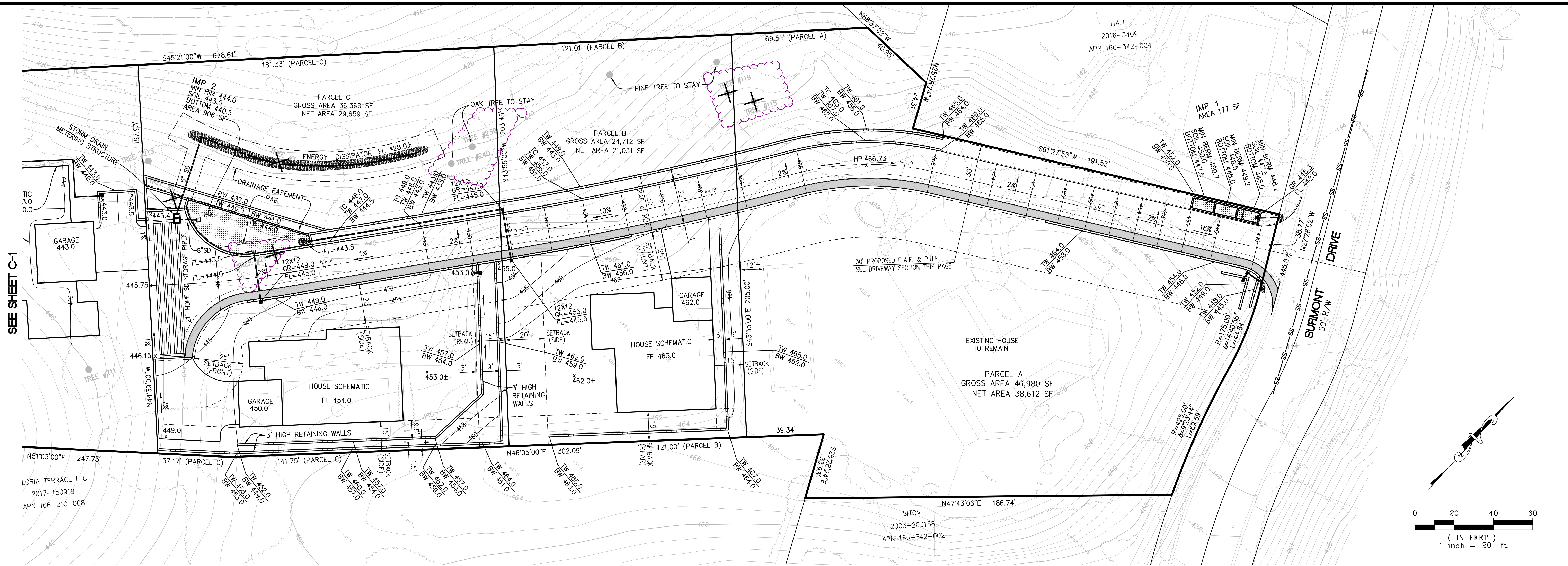
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This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

THIS MAP IS NOT TO BE USED FOR NAVIGATION

Notes

Contra Costa County -DOIT GIS



MS 22-0007

NO.	DATE	BY	REVISIONS

SCALE 1"=20'

DATE 10/06/22

DRAWN PE / KM

CHECKED IN

JOB NO. 20-186

REGISTERED PROFESSIONAL ENGINEER
IZAT S. NASHASHIBI
No. 29528
STATE OF CALIFORNIA

Muf Noshahli

IZAT S. NASHASHIBI R.C.E. 29528

VESTING TENTATIVE MAP / GRADING AND DRAINAGE PLAN

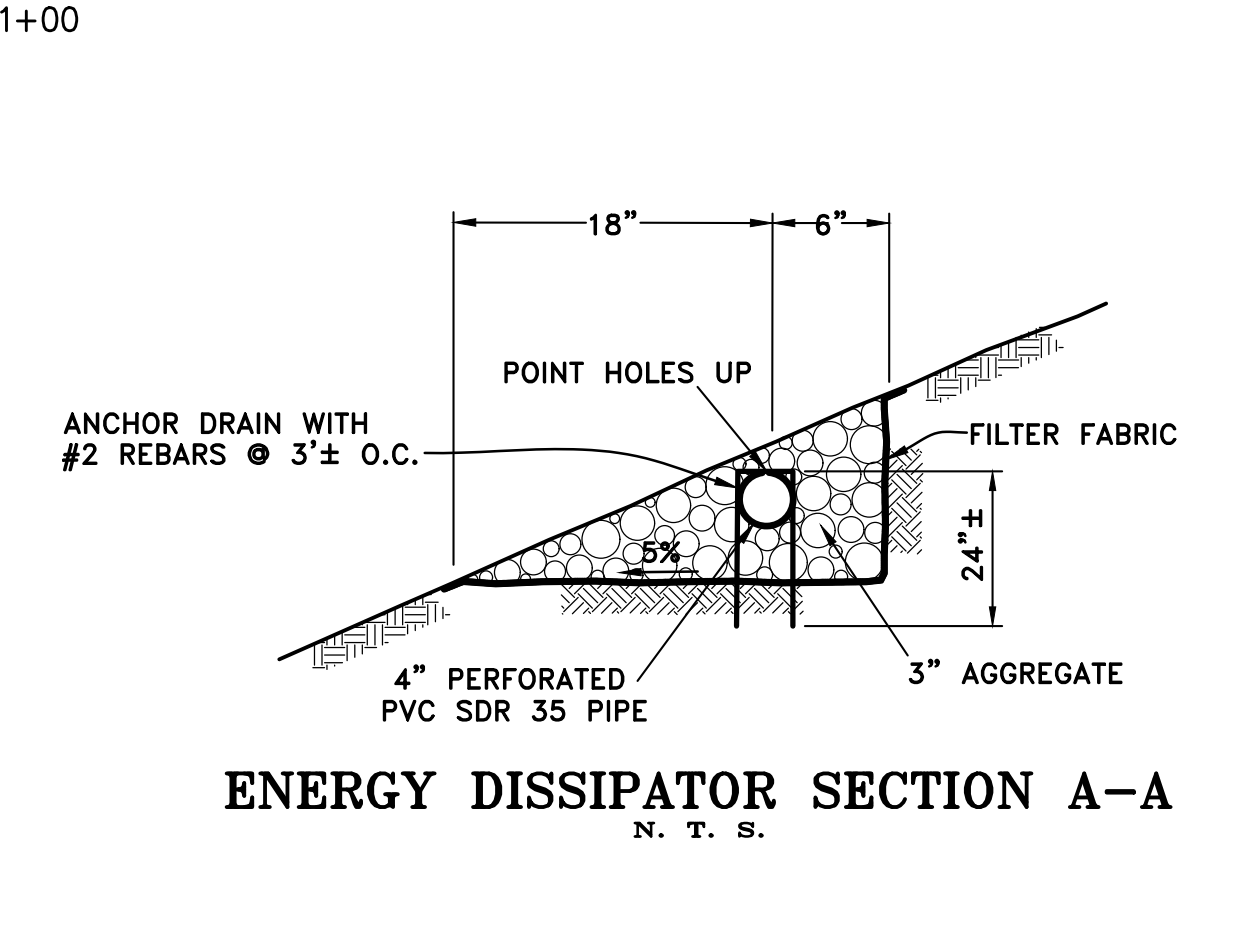
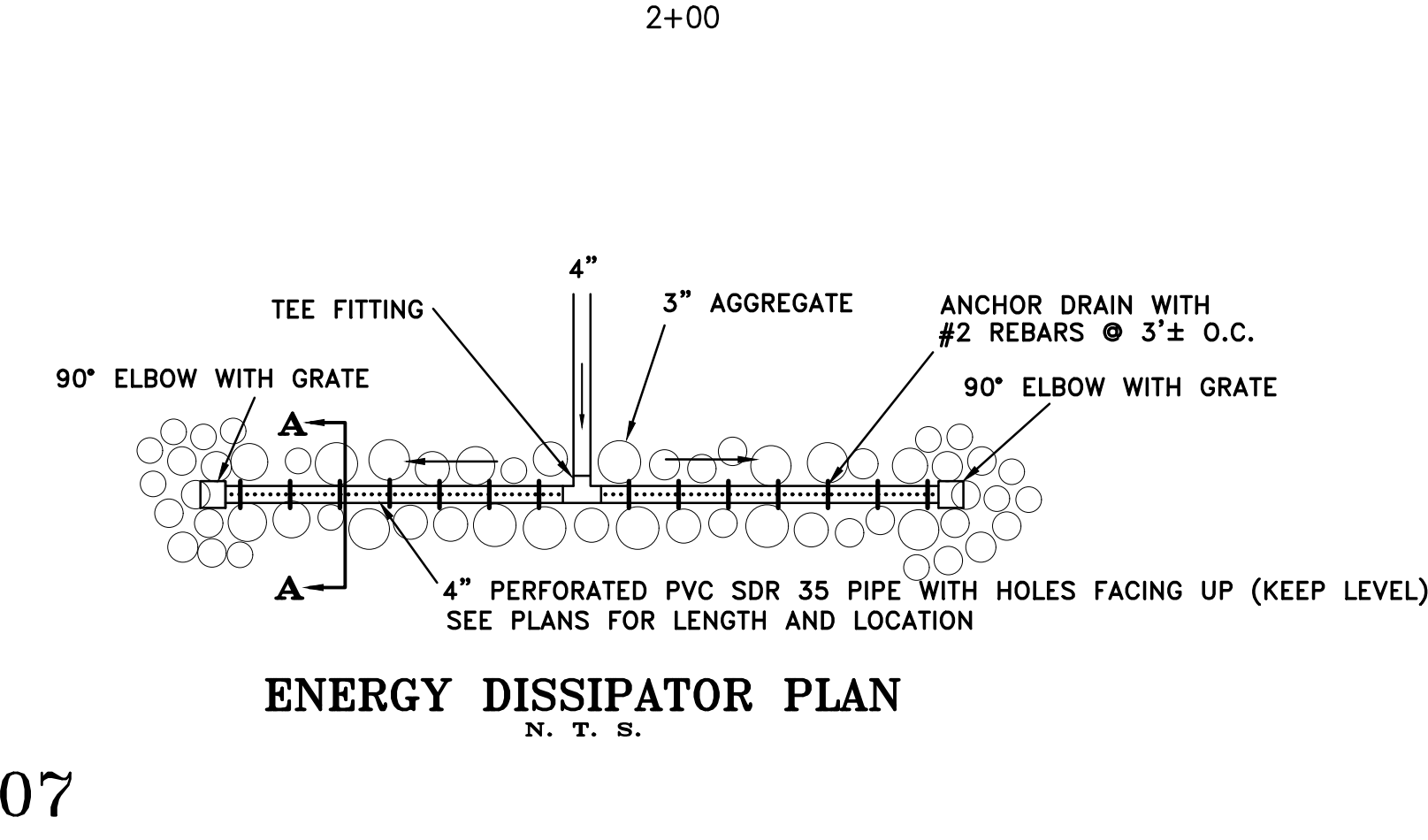
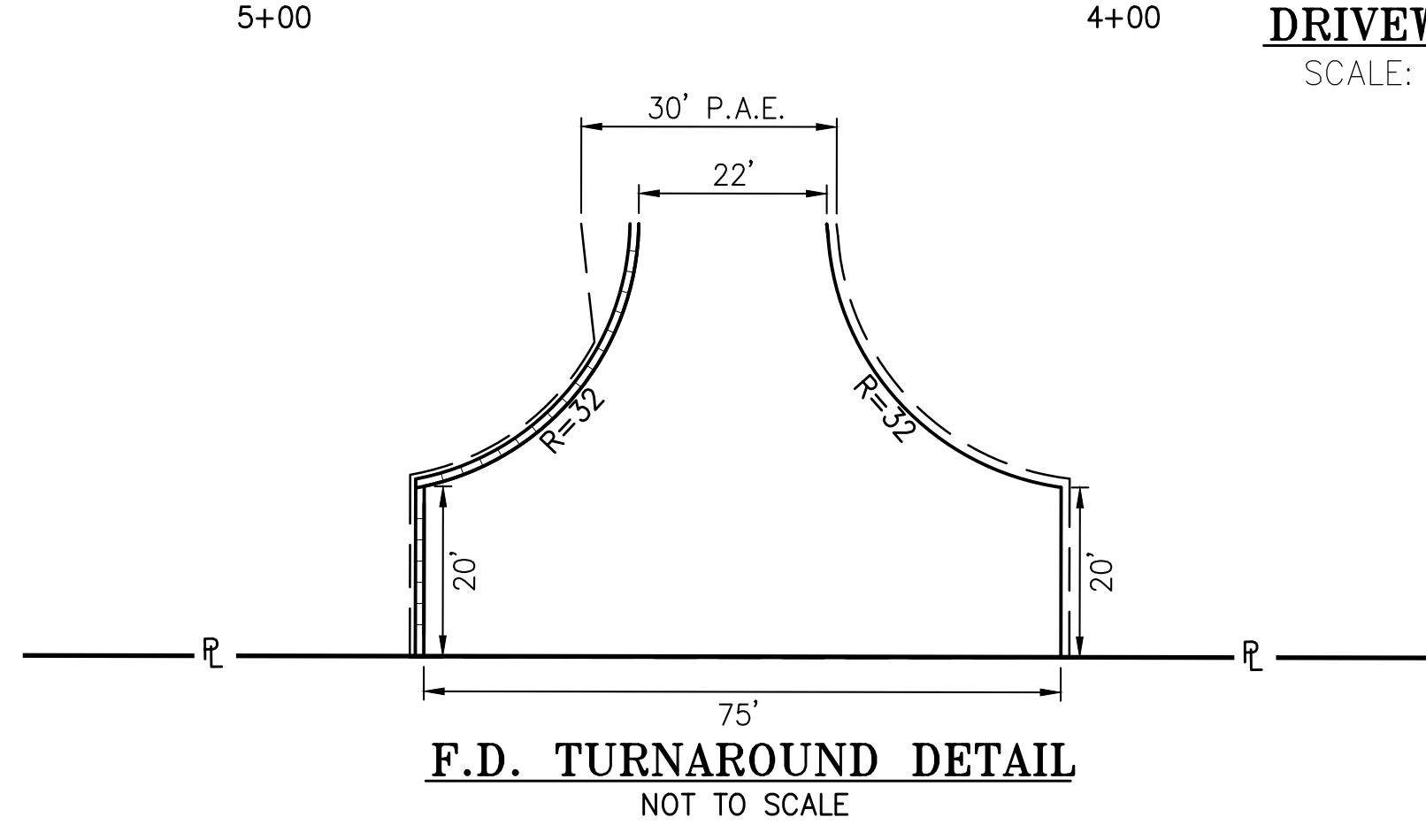
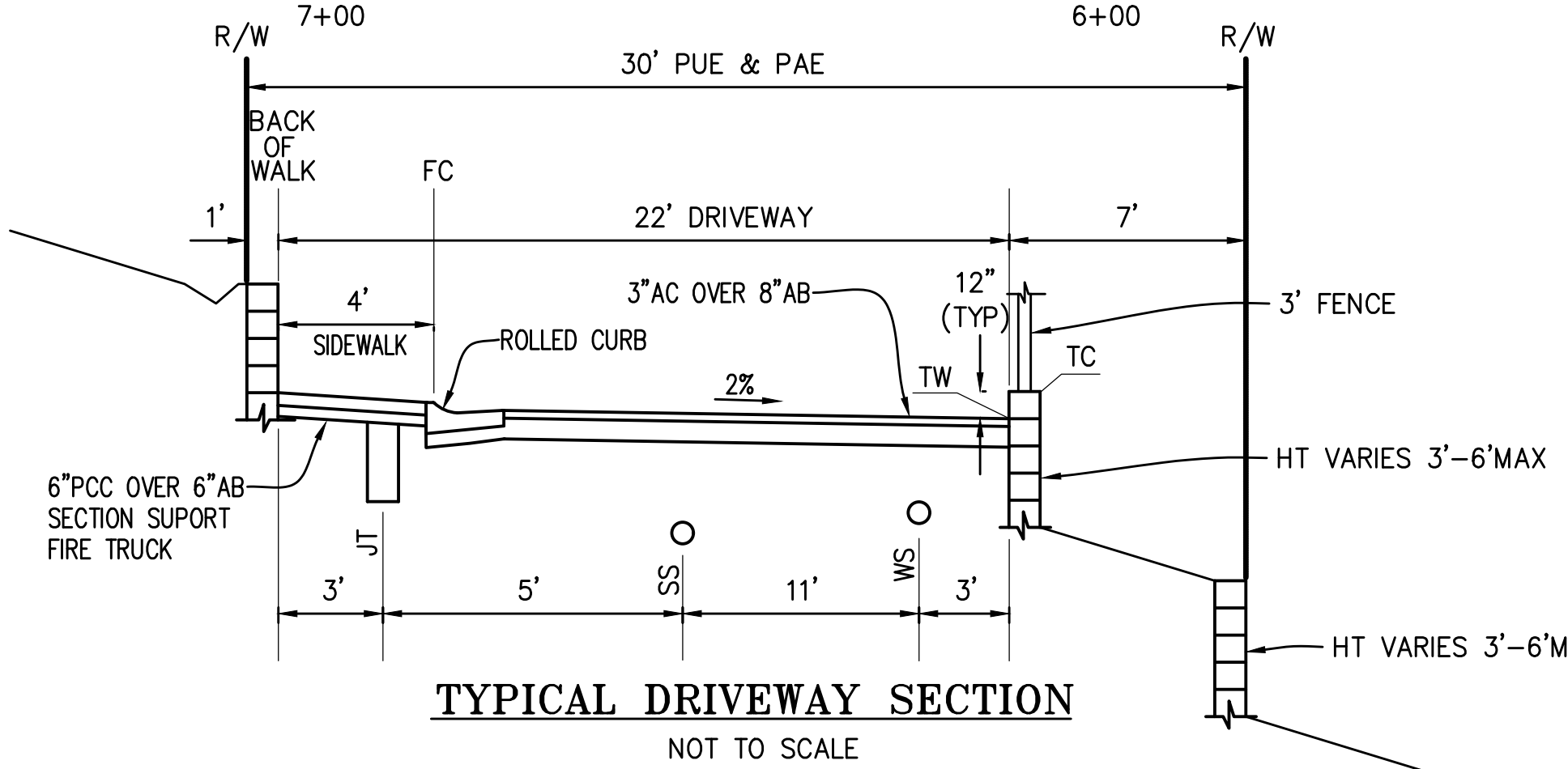
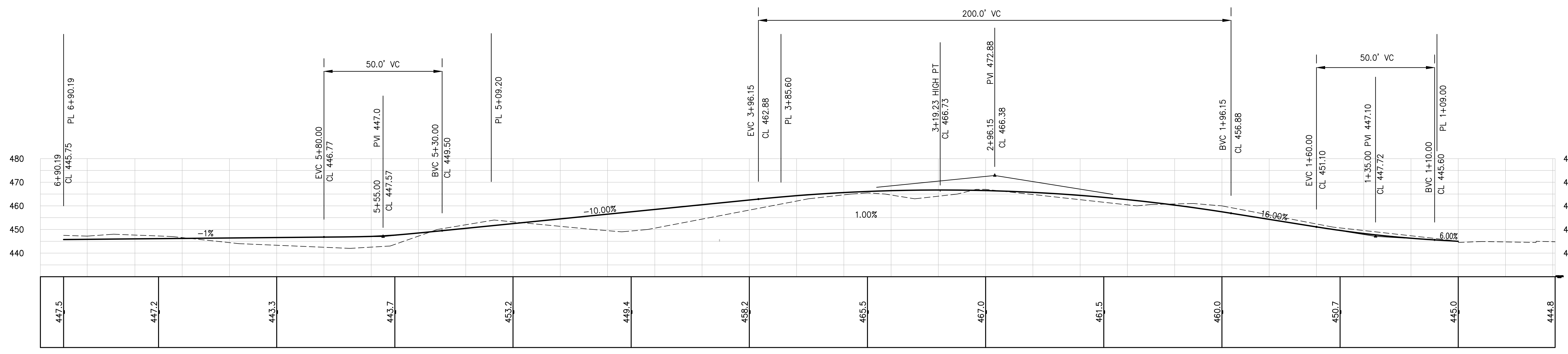
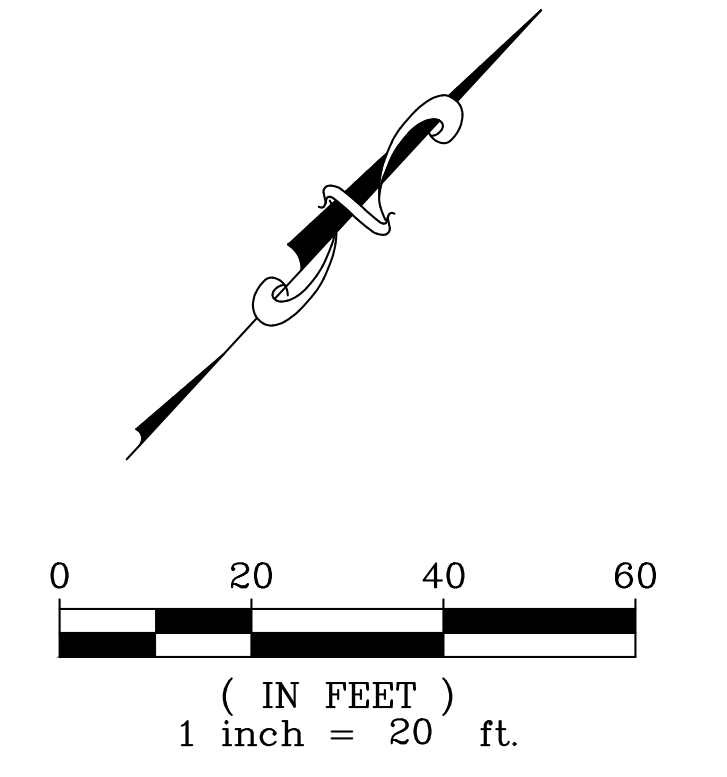
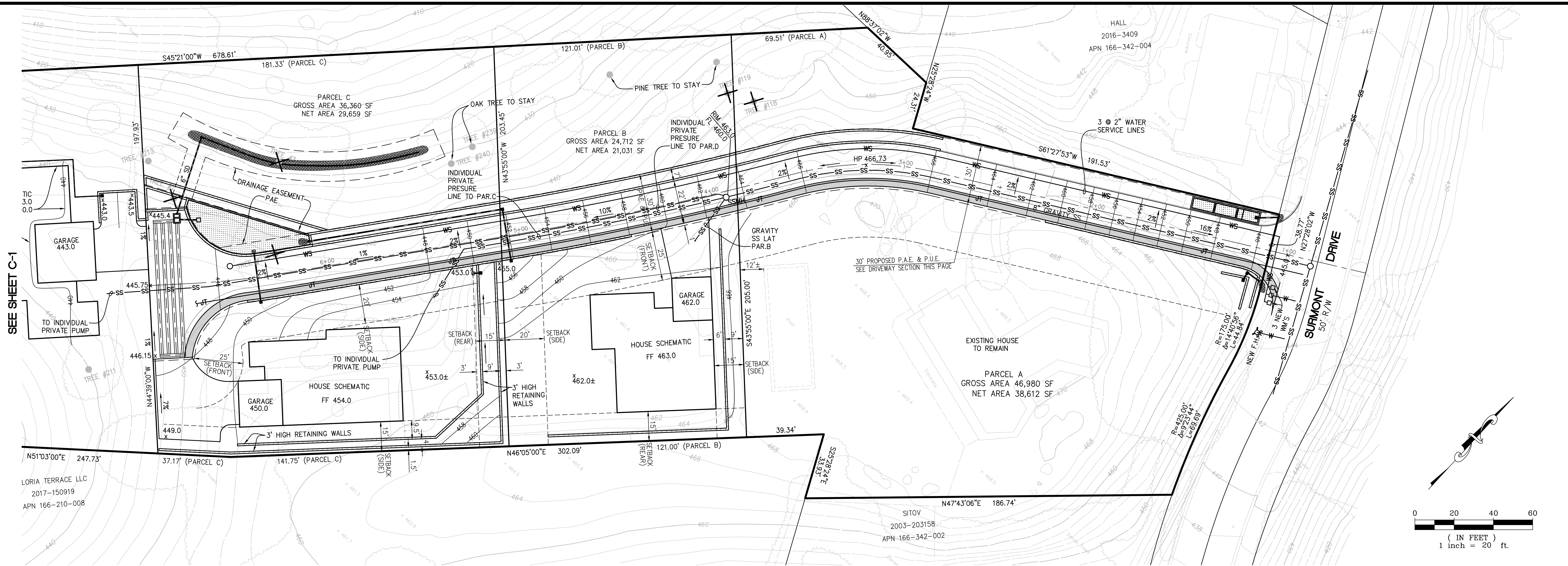
LOT 11 OF SUBDIVISION 4467 ROUND VIEW HILLS (166 M 37) AND A PORTION OF LOT 5 OF THE MAP OF SUBDIVISION NO.1 OF BROOK-WOOD ACRES (9 M 217) SURMONT HILLTOP, LLC PROPERTY (APN 166-342-007)

3253 SURMONT DRIVE
CONTRA COSTA COUNTY
CALIFORNIA

HUMANN COMPANY INC.

ENGINEERING - SURVEYING
1021 BROWN AVE. LAFAYETTE, CA 94549
PH (925)283-5000 FAX (925)283-3378

SHEET C-2
OF 3 SHEETS
JOB NO. 20-186



MS 22-0007

NO.	DATE	BY	REVISIONS

SCALE 1"=20'

DATE 10/06/22

DRAWN PE / KM

CHECKED IN

JOB NO. 20-186

REGISTERED PROFESSIONAL ENGINEER
STATE OF CALIFORNIA
No. 29528
IZZAT S. NASHASHIBI R.C.E. 29528

Muf Noshaki

VESTING TENTATIVE MAP / UTILITY PLAN
LOT 11 OF SUBDIVISION 4487 ROUND VIEW HILLS (186 M 37) AND A
PORTION OF LOT 5 OF THE MAP OF SUBDIVISION NO.1 OF BROOK-WOOD ACRES (9 M 217)
SURMONT HILLTOP, LLC PROPERTY (APN 166-342-007)
3253 SURMONT DRIVE
CONTRA COSTA COUNTY CALIFORNIA

HUMANN COMPANY INC.
ENGINEERING - SURVEYING
1021 BROWN AVE. LAFAYETTE, CA 94549
PH (925)283-5000 FAX (925)283-3378

SHEET **C-3**
OF 3 SHEETS
JOB NO. 20-186

Mitigation Monitoring and Reporting Program
County File #CDMS22-00007
Surmont Drive Four-Parcel Minor Subdivision

3253 Surmont Drive

Lafayette, CA 94549

November 28, 2023

SECTION 4: BIOLOGICAL RESOURCES

Potentially Significant Impacts:

Potential Impact BIO-1: *The proposed project's construction and tree removal activities could result in potentially significant impacts to special-status bats.*

Potential Impact BIO-2: *Development activities occurring during the nesting period for migratory birds, including site grading, soil excavation, and/or tree removal and vegetation pruning/removal poses a potential risk to nesting raptors:*

Potential Impact BIO-3: *Development activities occurring during the nesting period for passerine birds, including site grading, soil excavation, and/or tree removal and vegetation pruning/removal poses a potential risk to nesting passerine birds.*

Potential Impact BIO-4: *The proposed project's construction activities could result in the destruction or abandonment of nests or wintering refugia of burrowing owl.*

Potential Impact BIO-5: *The proposed project's construction activities could result in potentially significant impacts to the Alameda Whipsnake, a federally protected species known to occur in the vicinity.*

Mitigation Measure(s):

Mitigation Measure BIO-1: *Prior to ground disturbing activities or tree removal, a biologist shall survey all trees on site (not just those proposed for removal) at least 15 days prior to commencing with any tree removal or earthwork that might disturb roosting bats in nearby trees. All bat surveys shall be conducted by a biologist with known experience surveying for bats. If no special status bats are found during the surveys, then there would be no further regard for special-status bat-species.*

If special status bat species are found on the project site, a determination will be made if there are young bats present. If young are found roosting in any tree, impacts to the tree shall be avoided until the young have reached independence. A non-disturbance buffer fenced with orange construction fencing shall also be established around the roost or maternity site. The size of the buffer zone shall be determined by a qualified biologist at the time of the surveys. If adults are found roosting in a tree on the project site but no maternal sites are found, then the adult bats can be flushed, or a one-way eviction door can be placed

Abbreviations:

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Community Development Division (CDD)
Building Inspection Division (BID)

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over the tree cavity prior to the time the tree in question would be removed or disturbed. No other mitigation compensation would be required.

Mitigation Measure BIO-2: *In order to avoid impacts to nesting raptors, nesting surveys shall be conducted by a qualified biologist prior to commencing with tree removal and construction/grading activities if this work would commence between February 1st and August 31st. The raptor nesting surveys shall include examination of all trees within 200 feet of the project site, not just those slated for removal.*

If nesting raptors are identified during the surveys, the dripline of the nest tree must be fenced with orange construction fencing (provided the tree is located on the project site), and a 200-foot radius around the nest tree must be staked with orange construction fencing. If the tree is located off the project site, then the buffer shall be demarcated per above where the buffer occurs on the project site. The size of the buffer may be altered if a qualified biologist conducts behavioral observations and determines the nesting raptor are well acclimated to disturbance. If this occurs, the biologist shall prescribe a modified buffer that allows sufficient room to prevent undue disturbance/harassment to the nesting raptors. No construction or earth moving activity shall occur within the established buffer until it is determined by the consulting biologist that the young have fledged and have attained sufficient flight skills to avoid project construction zones. This typically occurs by August 1st. This date may be earlier or later, and would be determined by the consulting biologist. If a qualified biologist is not hired to watch the nesting raptors then the buffers shall be maintained in place through the month of August and work within the buffer can commence on September 1st.

Multiple surveys may be required to address early and late nesting raptor species. Great horned owls and American kestrels begin nesting in February while red-tailed hawks and red-shouldered hawks begin nesting in early April. Thus, an early survey should be conducted in February if earth moving work or construction is proposed to commence between February 1st and April 1st. If construction has not commenced by the end of March, a second nesting survey shall be conducted in April/May. For construction activities commencing after May but before September 1st, then the second survey shall be conducted within the 30-day period prior to site disturbance.

If early nesting survey identifies a large stick nest or other type of raptor nest that appears inactive at the time of the survey, but there are territorial raptors evident in the nest site vicinity, a protection buffer (as described above) shall be established around the potential

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nesting tree until the consulting biologist determines that the nest is not being used. In the absence of conclusive observations indicating the nest site is not being used, the buffer shall remain in place until a second follow-up nesting survey can be conducted to determine the status of the nest and eliminate the possibility that the nest is utilized by a late-spring nesting raptor (for example, red-tailed hawk). This second survey shall be conducted even if construction has commenced. If during the follow up late season nesting survey a nesting raptor is identified utilizing the nest, the protection buffer shall remain until it is determined by the consulting biologist that the young have fledged and have attained sufficient flight skills to avoid project construction zones. If the nest remains inactive, the protection buffer can be removed and construction/grading activities can proceed unrestrained.

Mitigation Measure BIO-3: *A nesting survey shall be conducted 15-days prior to commencing construction/grading or tree removal activities, if this work would commence between March 1st and September 1st. If common passerine birds (that is perching birds such as Anna's hummingbird or mourning dove) are identified nesting on the project site, grading or tree removal activities in the vicinity of the nest shall be postponed until it is determined by a qualified ornithologist that the young have fledged and have attained sufficient flight skills to leave the area. The size of the nest protective buffer required to ensure that the project does not result in take of nesting birds, their eggs or young shall be determined by a qualified ornithologist. Typically, most passerine birds can be expected to complete nesting by June 15th, with young attaining flight skills by early July.*

Mitigation Measure BIO-4: *Prior to any ground disturbance related to covered activities, an agency approved biologist shall conduct preconstruction (i.e., take avoidance) surveys in areas identified in the planning surveys as having potential burrowing owl habitat. Two site visits will be conducted: one within 14 days of construction start, and one within 48 hours of construction start. The surveys shall establish the presence or absence of western burrowing owl and/or habitat features and evaluate use by owls in accordance with California Department of Fish and Game (CDFG) survey guidelines (CDFG 1993). On the parcel where the activity is proposed, the biologist shall survey the proposed disturbance footprint and a 500-foot radius from the perimeter of the proposed footprint, as accessible, to identify burrows and owls. Adjacent parcels under different land ownership shall not be surveyed, but shall be assessed visually from within the Study Area. Surveys should take place near sunrise or sunset in accordance with CDFG guidelines. All burrows or burrowing owls shall be identified and mapped. During the breeding season (February 1– August 31), surveys shall document whether burrowing owls are nesting in or directly adjacent to disturbance areas. During the nonbreeding season (September 1–January*

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31), surveys shall document whether burrowing owls are using habitat in or directly adjacent to any disturbance area. Survey results shall be valid only for the season (breeding or nonbreeding) during which the survey is conducted.

Mitigation Measure BIO-5a: A biologist familiar with Alameda Whipsnakes shall conduct a pre-construction survey prior to any ground disturbance at the site, and shall monitor all land clearing activities. The biologist shall have the authority to stop construction activity to prevent impacts to Alameda Whipsnake.

Mitigation Measure BIO-5b: An exclusion fence shall be installed to prevent the Alameda Whipsnake from entering the grading area. The fence shall be installed after the completion of the pre-construction survey. The fence shall extend at least 3-feet above ground with at least 6 inches buried underground. Funnel-type exits that will allow snakes to leave the construction area, but prevent their entry, shall be installed every 100 feet along the fence span. The fence shall remain in place throughout construction activities. The consulting biologist shall check the fence weekly to ensure the fence is functioning properly.

Mitigation Measure BIO-5c: A biologist shall conduct a pre-construction survey of the proposed grading area on the same day of and immediately prior to the installation of the snake exclusion fence to determine if any Alameda Whipsnakes are present. If it is determined that none are present on site, then development activities may commence unrestrained.

Mitigation Measure BIO-5d: If the consulting qualified biologist determines that the Alameda Whipsnake is present on site, they shall provide construction personnel with training on the Alameda Whipsnake. Such training shall at minimum include the identification, habitat, and life history of the snake; as well as the actions to take if a snake is observed. A brochure that includes a summary of the training and a picture of the Alameda Whipsnake shall be provided to construction personnel.

Mitigation Measure BIO-5e: If the consulting qualified biologist determines that the Alameda Whipsnake is present on site, they shall monitor the clearing and grubbing of the area proposed for grading. The monitoring biologist shall remain on site until the clearing has been completed. Once the site has been cleared, the monitoring biologist shall make weekly visits to observe the snake exclusion fence and check the construction area for other wildlife.

Implementing Action:

COA

Abbreviations:

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Timing of Verification:	Prior to ground tree removal and grading/building activities
Party Responsible for Verification:	Project proponent, CDD staff, consulting Biologist
Compliance Verification:	Review of Biologists report or other verification provided to CDD staff.

SECTION 5: CULTURAL RESOURCES

Potentially Significant Impacts: *Construction activities requiring excavation or earth movement could uncover previously unrecorded significant cultural resources and/or human remains.*

Mitigation Measure(s):

Mitigation Measure CUL-1: *Should archaeological materials be uncovered during grading, trenching, or other on-site excavation(s), all earthwork within 30 yards of the materials shall be stopped until a professional archeologist who is certified by the Society for California Archaeology (SCA) and/or the Society of Professional Archaeology (SOPA) and any Native American tribe(s) that have requested consultation and/or demonstrated interest in the project site has had an opportunity to evaluate the significance of the find, and, if deemed necessary, suggest appropriate mitigation(s).*

Mitigation Measure CUL-2: *If any significant cultural materials such as artifacts, human burials, or the like are encountered during construction operations, such operations shall cease within 10 feet of the find, the Community Development Division (CDD) shall be notified within 24 hours, and a qualified archaeologist contacted and retained for further recommendations. Significant cultural materials include, but are not limited to, aboriginal human remains, chipped stone, groundstone, shell and bone artifacts, concentrations of fire cracked rock, ash, charcoal, and historic features such as privies or walls and other structural remains.*

Mitigation Measure CUL-3: *Should human remains be uncovered during grading, trenching, or other on-site excavation(s), earthwork within 30 yards of these materials shall be stopped until the County coroner has had an opportunity to evaluate the significance of the human remains and determine the proper treatment and disposition of the remains. Pursuant to California Health and Safety Code Section 7050.5, if the coroner determines the remains may be those of a Native American, the coroner is responsible for contacting the Native American Heritage Commission (NAHC) by telephone within 24 hours. Pursuant to California Public Resources Code Section 5097.98, the NAHC will then determine a Most Likely Descendant (MLD) tribe and contact them. The MLD tribe has 48 hours from the time they are given access to the site to make recommendations to the land owner for treatment*

Abbreviations:

Condition of Approval (COA)
Community Development Division (CDD)
Building Inspection Division (BID)

and disposition of the ancestor's remains. The land owner shall follow the requirements of Public Resources Code Section 5097.98 for the remains.

Mitigation Measure CUL-4: *Appropriate mitigation of any discovered cultural resources may include monitoring of further construction and/or systematic excavation of the resources. Any artifacts or samples collected as part of the initial discovery, monitoring, or mitigation phases shall be properly conserved, catalogued, evaluated, and curated, and a report shall be prepared documenting the methods, results, and recommendations. The report shall be submitted to the Northwest Information Center and appropriate Contra Costa County agencies.*

Implementing Action:	
Timing of Verification:	
Party Responsible for Verification:	
Compliance Verification:	

SECTION 13: NOISE

Potentially Significant Impacts: *The project vicinity will experience a temporary increase in ambient noise associated with the eventual development of a single-family residence on Parcel B. The implementation of the following mitigations ensures such impacts occur at less than significant levels:*

Mitigation Measure(s):

Mitigation Measure NOI-1: *All construction activities, including delivery of construction materials, shall be limited to the hours of 8:00 A.M. to 5:00 P.M., Monday through Friday, and are prohibited on State and Federal holidays on the calendar dates that these holidays are observed by the State or Federal government as listed below:*

- New Year's Day (State and Federal)*
- Birthday of Martin Luther King, Jr. (State and Federal)*
- Washington's Birthday (Federal)*
- Lincoln's Birthday (State)*
- President's Day (State)*
- Cesar Chavez Day (State)*
- Memorial Day (State and Federal)*
- Juneteenth National Independence Holiday (Federal)*
- Independence Day (State and Federal)*

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Labor Day (State and Federal)
Columbus Day (Federal)
Veterans Day (State and Federal)
Thanksgiving Day (State and Federal)
Day after Thanksgiving (State)
Christmas Day (State and Federal)

Mitigation Measure NOI-2: *Transportation of heavy equipment (e.g., graders, cranes, excavators, etc.) and trucks to and from the site shall be limited to weekdays between the hours of 9:00 AM and 4:00 PM and prohibited on Federal and State holidays. This restriction does not apply to typical material and equipment delivery or grading activities.*

Mitigation Measure NOI-3: *The applicant shall require their contractors and subcontractors to fit all internal combustion engines with mufflers which are in good condition and shall locate stationary noise-generating equipment such as air compressors as far away from existing residences as possible.*

Mitigation Measure NOI-4: *The applicant shall notify neighbors within 300 feet of the subject property at least one week in advance of grading and construction activities.*

Mitigation Measure NOI-5: *The applicant shall designate a construction noise coordinator who will be responsible for implementing the noise control measures and responding to complaints. This person's name and contact information shall be posted clearly on a sign at the project site and shall also be included in the notification to properties within 300 feet of the project site. The construction noise coordinator shall be available during all construction activities and shall maintain a log of complaints, which shall be available for review by County staff upon request.*

Mitigation Measure NOI-6: *Prior to the issuance of building permits, a preconstruction meeting shall be held with the job inspectors, designated construction noise coordinator, and the general contractor/onsite manager in attendance. The purpose of the meeting is to confirm that all noise mitigation measures and practices (including construction hours, neighborhood notification, posted signs, etc.) are completed and in place prior to beginning grading or construction activities. The applicant shall provide written confirmation to CDD staff verifying the time and date that the meeting took place and identifying those in attendance.*

Implementing Action:

Timing of Verification:

COA

Abbreviations:

Condition of Approval (COA)
 Community Development Division (CDD)
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Party Responsible for Verification:	Upon discovery of archaeological materials or human remains
Compliance Verification:	Project proponent, CDD staff, consulting Archaeologist

Abbreviations:
Condition of Approval (COA)
Community Development Division (CDD)
Building Inspection Division (BID)