

East Lone Tree Specific Plan Project

SCH# 1993111069

Final Supplemental Environmental Impact Report

Prepared for
City of Antioch



July 2024

Prepared by



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East Lone Tree Specific Plan Project Final Supplemental Environmental Impact Report

SCH# 1993111069

Lead Agency

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1. Introduction and List of Commenters

1. INTRODUCTION AND LIST OF COMMENTERS

1.1 INTRODUCTION

This Final Supplemental Environmental Impact Report (SEIR) contains comments received during the public review period of the East Lone Tree Specific Plan Project (proposed project) Draft SEIR. This document has been prepared by the City of Antioch, as Lead Agency, in accordance with the California Environmental Quality Act (CEQA) and the CEQA Guidelines, Section 15163. The Introduction and List of Commenters chapter of the Final SEIR discusses the background of the Draft SEIR and purpose of the Final SEIR, identifies the comment letters received on the Draft SEIR, and provides an overview of the organization of the Final SEIR.

1.2 BACKGROUND

The East Lone Tree Specific Plan (ELTSP) Environmental Impact Report (EIR), also known as the Future Urbanization Area #2 (FUA #2) Specific Plan EIR, was certified by the City of Antioch City Council in August 1995. The ELTSP EIR was prepared in accordance with the CEQA of 1970, Public Resources Code (PRC) Sections 21000-21178, as amended, and the Guidelines for Implementation of the California Environmental Quality Act, California Code of Regulations (CCR) Title 14, Sections 15000-15387 (CEQA Guidelines). The 1995 EIR evaluated development of the 785-acre ELTSP area, which is located on the eastern edge of the City of Antioch, and is bounded by Lone Tree Way to the south, Empire Avenue and Neroly Road to the east, and the Contra Costa Canal to the north. The ELTSP allowed for a mix of employment, commercial, residential, and public uses, as well as parks and open space to be developed within the ELTSP Area. The ELTSP currently requires approval of a Planned Development (PD) Rezone by City Council for development within the ELTSP area.

In situations when a lead agency has certified an EIR for a project, and then the project is modified, requiring additional environmental review, depending on the nature of the project modifications, the lead agency may prepare an Addendum, a Supplement to the EIR, or a Subsequent EIR. According to Section 15164 of the CEQA Guidelines, a lead agency can prepare an Addendum to a previously certified EIR if some changes or additions to an EIR are necessary, but none of the conditions described in Section 15162 calling for preparation of a SEIR have occurred. The City determined that a SEIR to the ELTSP EIR was the appropriate CEQA document given that only minor changes to the overall analysis contained in the ELTSP EIR were needed.

Pursuant to the CEQA Guidelines, the Draft SEIR only needed to contain the information necessary to make the previous EIR adequate for the proposed project as revised. The main purpose of the Draft SEIR was to provide an environmental analysis of the proposed project as changed since the certification of the previous EIR. Specifically, the Draft SEIR only evaluated the changes in the project, changes in circumstances, or new information that led to the preparation of the further EIR. Therefore, the focus of the Draft SEIR was on the potential new or substantially more severe significant impacts caused by such changes that were not evaluated in the prior EIR. Since the approval of the 1995 ELTSP EIR, CEQA Guidelines have been amended. For example, lead agencies must now analyze greenhouse gas (GHG) emissions and energy of proposed projects, and the metric used for measuring transportation impacts is now vehicle miles



traveled (VMT). In addition, the potential exists for species not identified in the 1995 ELTSP EIR to now be present within the project site, which would represent new information leading to the preparation of a further EIR. The aforementioned changes to the CEQA Guidelines represent a change in circumstances since the certification of the ELTSP EIR. Accordingly, the sections of the CEQA Guidelines Appendix G Checklist identified for study in the SEIR included the following:

- Biological Resources;
- GHG Emissions and Energy; and
- Transportation.

With the exception of Biological Resources, GHG Emissions and Energy, and Transportation, the remaining chapters of the 1995 ELTSP EIR remain applicable and the associated mitigation measures are still required.

The CEQA Guidelines identify several types of EIRs, each applicable to different project circumstances. The Draft SEIR was prepared as a *program-level SEIR* pursuant to CEQA Guidelines Section 15168, which focuses primarily on the changes in the environment that would result from later activities that were not previously evaluated as part of the original CEQA document.

In accordance with CEQA, the City of Antioch used the following methods to solicit public input on the Draft SEIR:

- On January 11, 2024, the Draft SEIR was submitted to the State Clearinghouse for distribution to State agencies for a 45-day public review period from January 11, 2024 to February 26, 2024.
- On January 11, 2024, a Notice of Availability (NOA) of the Draft SEIR was posted to the City's website (<https://www.antiochca.gov/community-development-department/planning-division/environmental-documents/>) and printed copies were made available for review at the City's Clerk Office (200 H Street) and mailed to local agencies and interested members of the public.

All public comments received on the Draft SEIR are listed in this chapter, and written responses to comments are included in Chapter 2, Response to Comments, as discussed in more detail in Section 1.6 of this chapter.

1.3 PURPOSE OF THE FINAL SEIR

Pursuant to CEQA Guidelines Section 15163, this Final SEIR consists of the following:

1. A list of persons, organizations, and public agencies commenting on the Draft SEIR (included as Section 1.4 of this chapter);
2. Comments received on the Draft SEIR (Chapter 2 of this Final SEIR);
3. Responses to the comments received on the Draft SEIR (Chapter 2 of this Final SEIR);
4. The Draft SEIR or a revision of the Draft SEIR (Chapter 3 of this Final SEIR); and
5. Any other information added by the Lead Agency.



1.4 LIST OF COMMENTERS

The City of Antioch received four comment letters during the public comment period on the Draft SEIR for the proposed project. The comment letters were authored by the following agencies and groups.

Agencies

Letter 1 Central Valley Regional Water Quality Control Board
Letter 2 City of Oakley

Groups

Letter 3 Golden State Environmental Justice Alliance
Letter 4 Meadow Creek Group, LLP

1.5 CERTIFICATION OF THE FINAL SEIR

State law requires that the City make several types of CEQA “findings” at the time of final action on the project. Findings describe the conclusions reached regarding particular issues, including specific evidence in support of those conclusions. The Final SEIR typically provides much of the substantial evidence to support these findings. The required findings for the project are as follows:

- Certification of the Final SEIR (CEQA Guidelines Section 15090) – These findings support the adequacy of the Final SEIR for decision-making purposes. The Lead Agency must make the following three determinations in certifying a Final SEIR:
 1. The Final SEIR has been completed in compliance with CEQA.
 2. The Final SEIR was presented to the decision-making body of the Lead Agency, and the decision-making body reviewed and considered the information in the Final SEIR prior to approving the project.
 3. The Final SEIR reflects the Lead Agency’s independent judgment and analysis.
- Findings Regarding Significant Impacts and Project Alternatives (CEQA Guidelines Section 15091) – These findings explain how the City chose to address each identified significant impact, including the mitigation measures adopted or an explanation of why such measures are infeasible. A discussion of the feasibility of project alternatives is also required by this section (see also CEQA Guidelines Section 15126.6[f]).

Pursuant to CEQA Guidelines, Section 15093(b), when a Lead Agency approves a project that would result in significant unavoidable impacts, the agency must state in writing the reasons supporting the action (Statement of Overriding Considerations). The Statement of Overriding Considerations shall be supported by substantial evidence. The ELTSP project would not result in any significant and unavoidable impacts. Thus, a Statement of Overriding Considerations would not be required if the project is approved.

1.6 ORGANIZATION OF THE FINAL SEIR

The Final SEIR is organized into the following four chapters.



1. Introduction and List of Commenters

Chapter 1 provides an introduction and overview of the document, describes the background of the Draft SEIR and the purposes of the Final SEIR, provides a list of commenters, and describes the organization of the Final SEIR.

2. Responses to Comments

Chapter 2 presents the comment letters received and responses to each comment within the letters. Each comment letter received has been numbered at the top of the page and bracketed to indicate how the letter has been divided into individual comments. Each comment is given a number with the letter number appearing first, followed by the comment number. For example, the first comment in Letter 1 would have the following format: 1-1. The response to each comment will reference the comment number.

3. Revisions to the Draft SEIR Text

Chapter 3 summarizes minor changes made to the Draft SEIR text since its release.

4. Mitigation Monitoring and Reporting Program

CEQA Guidelines, Section 15097, requires lead agencies to adopt a program for monitoring the mitigation measures required to avoid the significant environmental impacts of a project. The intent of the Mitigation Monitoring and Reporting Program (MMRP) is to ensure implementation of all applicable mitigation measures. The MMRP included herein presents the mitigation measures set forth in the ELTSP EIR, as certified by the City in 1995, as well as all modified and/or new mitigation measures set forth in the SEIR.



2. Responses to Comments

2. RESPONSES TO COMMENTS

2.1 INTRODUCTION

The Responses to Comments chapter contains responses to each of the comment letters submitted regarding the East Lone Tree Specific Plan (ELTSP) Project (proposed project) Draft Supplemental Environmental Impact Report (SEIR) during the public review period.

2.2 RESPONSES TO COMMENTS

Each bracketed comment letter is followed by numbered responses to each bracketed comment. The responses amplify or clarify information provided in the Draft SEIR and/or refer the reader to the appropriate place in the document where the requested information can be found. Comments that are not directly related to environmental issues (e.g., opinions on the merits of the project that are unrelated to its environmental impacts) are either discussed or noted for the record. Where revisions to the Draft SEIR text are required in response to the comments, such revisions are noted in the response to the comment, and are also listed in Chapter 3 of this Final SEIR. All new text is shown as double underlined and deleted text is shown as ~~struck through~~.





Central Valley Regional Water Quality Control Board

26 February 2024

Zoe Merideth
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COMMENTS TO REQUEST FOR REVIEW FOR THE SUPPLEMENTAL ENVIRONMENTAL IMPACT REPORT, EAST LONE TREE SPECIFIC PLAN PROJECT, SCH#1993111069, CONTRA COSTA COUNTY

1-1

Pursuant to the State Clearinghouse's 11 January 2024 request, the Central Valley Regional Water Quality Control Board (Central Valley Water Board) has reviewed the *Request for Review for the Supplemental Environmental Impact Report* for the East Lone Tree Specific Plan Project, located in Contra Costa County.

Our agency is delegated with the responsibility of protecting the quality of surface and groundwaters of the state; therefore our comments will address concerns surrounding those issues.

I. Regulatory Setting

Basin Plan

1-2

The Central Valley Water Board is required to formulate and adopt Basin Plans for all areas within the Central Valley region under Section 13240 of the Porter-Cologne Water Quality Control Act. Each Basin Plan must contain water quality objectives to ensure the reasonable protection of beneficial uses, as well as a program of implementation for achieving water quality objectives with the Basin Plans. Federal regulations require each state to adopt water quality standards to protect the public health or welfare, enhance the quality of water and serve the purposes of the Clean Water Act. In California, the beneficial uses, water quality objectives, and the Antidegradation Policy are the State's water quality standards. Water quality standards are also contained in the National Toxics Rule, 40 CFR Section 131.36, and the California Toxics Rule, 40 CFR Section 131.38.

The Basin Plan is subject to modification as necessary, considering applicable laws, policies, technologies, water quality conditions and priorities. The original Basin Plans were adopted in 1975, and have been updated and revised periodically as required, using Basin Plan amendments. Once the Central Valley Water Board has

MARK BRADFORD, CHAIR | PATRICK PULUPA, ESQ., EXECUTIVE OFFICER

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adopted a Basin Plan amendment in noticed public hearings, it must be approved by the State Water Resources Control Board (State Water Board), Office of Administrative Law (OAL) and in some cases, the United States Environmental Protection Agency (USEPA). Basin Plan amendments only become effective after they have been approved by the OAL and in some cases, the USEPA. Every three (3) years, a review of the Basin Plan is completed that assesses the appropriateness of existing standards and evaluates and prioritizes Basin Planning issues. For more information on the *Water Quality Control Plan for the Sacramento and San Joaquin River Basins*, please visit our website:
http://www.waterboards.ca.gov/centralvalley/water_issues/basin_plans/

Antidegradation Considerations

All wastewater discharges must comply with the Antidegradation Policy (State Water Board Resolution 68-16) and the Antidegradation Implementation Policy contained in the Basin Plan. The Antidegradation Implementation Policy is available on page 74 at:
https://www.waterboards.ca.gov/centralvalley/water_issues/basin_plans/sacsir_2018_05.pdf

In part it states:

Any discharge of waste to high quality waters must apply best practicable treatment or control not only to prevent a condition of pollution or nuisance from occurring, but also to maintain the highest water quality possible consistent with the maximum benefit to the people of the State.

This information must be presented as an analysis of the impacts and potential impacts of the discharge on water quality, as measured by background concentrations and applicable water quality objectives.

The antidegradation analysis is a mandatory element in the National Pollutant Discharge Elimination System and land discharge Waste Discharge Requirements (WDRs) permitting processes. The environmental review document should evaluate potential impacts to both surface and groundwater quality.

II. Permitting Requirements

Construction Storm Water General Permit

Dischargers whose project disturb one or more acres of soil or where projects disturb less than one acre but are part of a larger common plan of development that in total disturbs one or more acres, are required to obtain coverage under the General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities (Construction General Permit), Construction General Permit Order No. 2009-0009-DWQ. Construction activity subject to this permit includes clearing, grading, grubbing, disturbances to the ground, such as stockpiling, or excavation, but does not include regular maintenance activities performed to restore the original line, grade, or capacity of the facility. The Construction General Permit requires the development and implementation of a Storm Water Pollution Prevention Plan (SWPPP). For more information on the Construction General Permit, visit the State Water Resources Control Board website at:

1-2
Cont.



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http://www.waterboards.ca.gov/water_issues/programs/stormwater/constpermits.shtml

Phase I and II Municipal Separate Storm Sewer System (MS4) Permits¹

The Phase I and II MS4 permits require the Permittees reduce pollutants and runoff flows from new development and redevelopment using Best Management Practices (BMPs) to the maximum extent practicable (MEP). MS4 Permittees have their own development standards, also known as Low Impact Development (LID)/post-construction standards that include a hydromodification component. The MS4 permits also require specific design concepts for LID/post-construction BMPs in the early stages of a project during the entitlement and CEQA process and the development plan review process.

For more information on which Phase I MS4 Permit this project applies to, visit the Central Valley Water Board website at:

http://www.waterboards.ca.gov/centralvalley/water_issues/storm_water/municipal_permits/

For more information on the Phase II MS4 permit and who it applies to, visit the State Water Resources Control Board at:

http://www.waterboards.ca.gov/water_issues/programs/stormwater/phase_ii_municipal.shtml

Clean Water Act Section 404 Permit

If the project will involve the discharge of dredged or fill material in navigable waters or wetlands, a permit pursuant to Section 404 of the Clean Water Act may be needed from the United States Army Corps of Engineers (USACE). If a Section 404 permit is required by the USACE, the Central Valley Water Board will review the permit application to ensure that discharge will not violate water quality standards. If the project requires surface water drainage realignment, the applicant is advised to contact the Department of Fish and Game for information on Streambed Alteration Permit requirements. If you have any questions regarding the Clean Water Act Section 404 permits, please contact the Regulatory Division of the Sacramento District of USACE at (916) 557-5250.

Clean Water Act Section 401 Permit – Water Quality Certification

If an USACE permit (e.g., Non-Reporting Nationwide Permit, Nationwide Permit, Letter of Permission, Individual Permit, Regional General Permit, Programmatic General Permit), or any other federal permit (e.g., Section 10 of the Rivers and Harbors Act or Section 9 from the United States Coast Guard), is required for this project due to the disturbance of waters of the United States (such as streams and wetlands), then a Water Quality Certification must be obtained from the Central Valley Water Board prior to initiation of project activities. There are no waivers for

¹ Municipal Permits = The Phase I Municipal Separate Storm Water System (MS4) Permit covers medium sized Municipalities (serving between 100,000 and 250,000 people) and large sized municipalities (serving over 250,000 people). The Phase II MS4 provides coverage for small municipalities, including non-traditional Small MS4s, which include military bases, public campuses, prisons and hospitals.

1-2
Cont.



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401 Water Quality Certifications. For more information on the Water Quality Certification, visit the Central Valley Water Board website at:
https://www.waterboards.ca.gov/centralvalley/water_issues/water_quality_certification/

Waste Discharge Requirements – Discharges to Waters of the State

If USACE determines that only non-jurisdictional waters of the State (i.e., “non-federal” waters of the State) are present in the proposed project area, the proposed project may require a Waste Discharge Requirement (WDR) permit to be issued by Central Valley Water Board. Under the California Porter-Cologne Water Quality Control Act, discharges to all waters of the State, including all wetlands and other waters of the State including, but not limited to, isolated wetlands, are subject to State regulation. For more information on the Waste Discharges to Surface Water NPDES Program and WDR processes, visit the Central Valley Water Board website at:
https://www.waterboards.ca.gov/centralvalley/water_issues/waste_to_surface_water/

Projects involving excavation or fill activities impacting less than 0.2 acre or 400 linear feet of non-jurisdictional waters of the state and projects involving dredging activities impacting less than 50 cubic yards of non-jurisdictional waters of the state may be eligible for coverage under the State Water Resources Control Board Water Quality Order No. 2004-0004-DWQ (General Order 2004-0004). For more information on the General Order 2004-0004, visit the State Water Resources Control Board website at:

https://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2004/wqo/wqo2004-0004.pdf

Dewatering Permit

If the proposed project includes construction or groundwater dewatering to be discharged to land, the proponent may apply for coverage under State Water Board General Water Quality Order (Low Threat General Order) 2003-0003 or the Central Valley Water Board’s Waiver of Report of Waste Discharge and Waste Discharge Requirements (Low Threat Waiver) R5-2018-0085. Small temporary construction dewatering projects are projects that discharge groundwater to land from excavation activities or dewatering of underground utility vaults. Dischargers seeking coverage under the General Order or Waiver must file a Notice of Intent with the Central Valley Water Board prior to beginning discharge.

For more information regarding the Low Threat General Order and the application process, visit the Central Valley Water Board website at:

http://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2003/wqo/wqo2003-0003.pdf

For more information regarding the Low Threat Waiver and the application process, visit the Central Valley Water Board website at:

https://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/waivers/r5-2018-0085.pdf

Limited Threat General NPDES Permit

1-2
Cont.



Letter 1
Cont.

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1-2
Cont.

If the proposed project includes construction dewatering and it is necessary to discharge the groundwater to waters of the United States, the proposed project will require coverage under a National Pollutant Discharge Elimination System (NPDES) permit. Dewatering discharges are typically considered a low or limited threat to water quality and may be covered under the General Order for *Limited Threat Discharges to Surface Water* (Limited Threat General Order). A complete Notice of Intent must be submitted to the Central Valley Water Board to obtain coverage under the Limited Threat General Order. For more information regarding the Limited Threat General Order and the application process, visit the Central Valley Water Board website at:

https://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/general_orders/r5-2016-0076-01.pdf

NPDES Permit

If the proposed project discharges waste that could affect the quality of surface waters of the State, other than into a community sewer system, the proposed project will require coverage under a National Pollutant Discharge Elimination System (NPDES) permit. A complete Report of Waste Discharge must be submitted with the Central Valley Water Board to obtain a NPDES Permit. For more information regarding the NPDES Permit and the application process, visit the Central Valley Water Board website at: <https://www.waterboards.ca.gov/centralvalley/help/permit/>

1-3

If you have questions regarding these comments, please contact me at (916) 464-4684 or Peter.Minkel2@waterboards.ca.gov.

Peter Minkel

Peter Minkel
Engineering Geologist

cc: State Clearinghouse unit, Governor's Office of Planning and Research,
Sacramento



LETTER 1: CENTRAL VALLEY REGIONAL WATER QUALITY CONTROL BOARD

Response to Comment 1-1

The comment is an introductory statement and does not address the adequacy of the Draft SEIR.

Response to Comment 1-2

The comment is a standard comment letter that provides background information regarding applicable regulations and required permits. The comment does not address the adequacy of the Draft SEIR and has been noted for the record. While the proposed project does not include specific development proposals at this time, future development within the project site would be required to comply with all applicable regulations and required permits, including those set forth by the Central Valley Regional Water Quality Control Board (CVRWQCB). In addition, the 1995 ELTSP EIR included an analysis of impacts related to flooding and drainage in Section F of the EIR. Because the proposed project does not include any modifications to the ELTSP that would affect hydrology or water quality, the analysis therein remains adequate and applicable. All future development associated with the ELTSP would be required to adhere to all relevant mitigation measures set forth in the 1995 ELTSP EIR.

Response to Comment 1-3

The comment is a conclusory statement and does not address the adequacy of the Draft SEIR.



Letter 2



Anissa Williams
Mayor

February 26, 2024

Shannon Shaw
Vice Mayor

City of Antioch
Zoe Merideth
P.O. Box 5007
Antioch, CA 94531-5007

Hugh Henderson
Councilmember

ZMerideth@antiochca.gov

Dr. George Fuller
Councilmember

RE: Comments on the East Lone Tree Specific Plan Project Draft Supplemental Environmental Impact Report (SCH #1993111069)

Aaron Meadows
Councilmember

Dear Zoe Merideth,

2-1

Thank you for providing the opportunity to review and provide comments on the East Lone Tree Specific Plan (ELTSP) Project Draft Supplemental Environmental Impact Report (DSEIR) (SCH #1993111069) being conducted by the City of Antioch. The City of Oakley has reviewed the DSEIR and has the following comments:

2-2

1. City of Antioch General Plan Policy 7.3.2.g requires traffic impact studies for all new developments that propose to increase the approved density or intensity of development or are projected to generate 50 peak hour trips or more at any intersection of Circulation Element Roadways. The DSEIR addresses this policy by stating:

- a. The existing roadway system, along with roads to be improved by the proposed project, can meet the performance standards set forth in Sections 3.4.1 and 3.4.2 of the Growth Management Element; and
- b. Required findings of consistency with the provisions of the Growth Management Element can be made.

The DSEIR does not appear to include a traffic impact study to support the statements that address the policy. Given the size of this project and the potential for increases in peak hour trips, any such study should include analysis of intersections and roadways in Oakley, per the recommendation of the CEQA traffic engineer, to ensure the project is not increasing any such intersection to LOS D or worse in order to comply with City of Oakley General Plan policy 3.1.4 which states: "Strive to maintain Level of Service D for motor vehicle traffic as the minimum acceptable service standard for



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2-2
Cont.

intersections during peak periods (except those facilities identified as Routes of Regional Significance, or where pedestrian travel is prioritized).”

2. Cumulative Impacts and Mitigation Measures:

This comment adds onto Comment 1. The DSEIR lacks narrative on traffic, bicycle, and pedestrian infrastructure impacts to City of Oakley roadway network. Cumulative impacts to the following intersections should be analyzed:

2-3

- a. Empire Avenue & Neroly Road
- b. Laurel Road & Empire Avenue
- c. Laurel Road & Live Oak Avenue
- d. Live Oak Avenue & Neroly Road

3. Section 4.3-2 Bicycle and Pedestrian Facilities:

2-4

- a. The segment on Empire Avenue at the railroad crossing lacks infrastructure. Attached is a draft exhibit showing the horizontal and vertical alignment of this railroad overcrossing. The future development for this area should be responsible for their fair-share contribution towards this project.

If you have any questions or would like to discuss this letter in more detail, please contact me by email at Strelo@ci.oakley.ca.us.

Sincerely,

Ken Strelo, Planning Manager

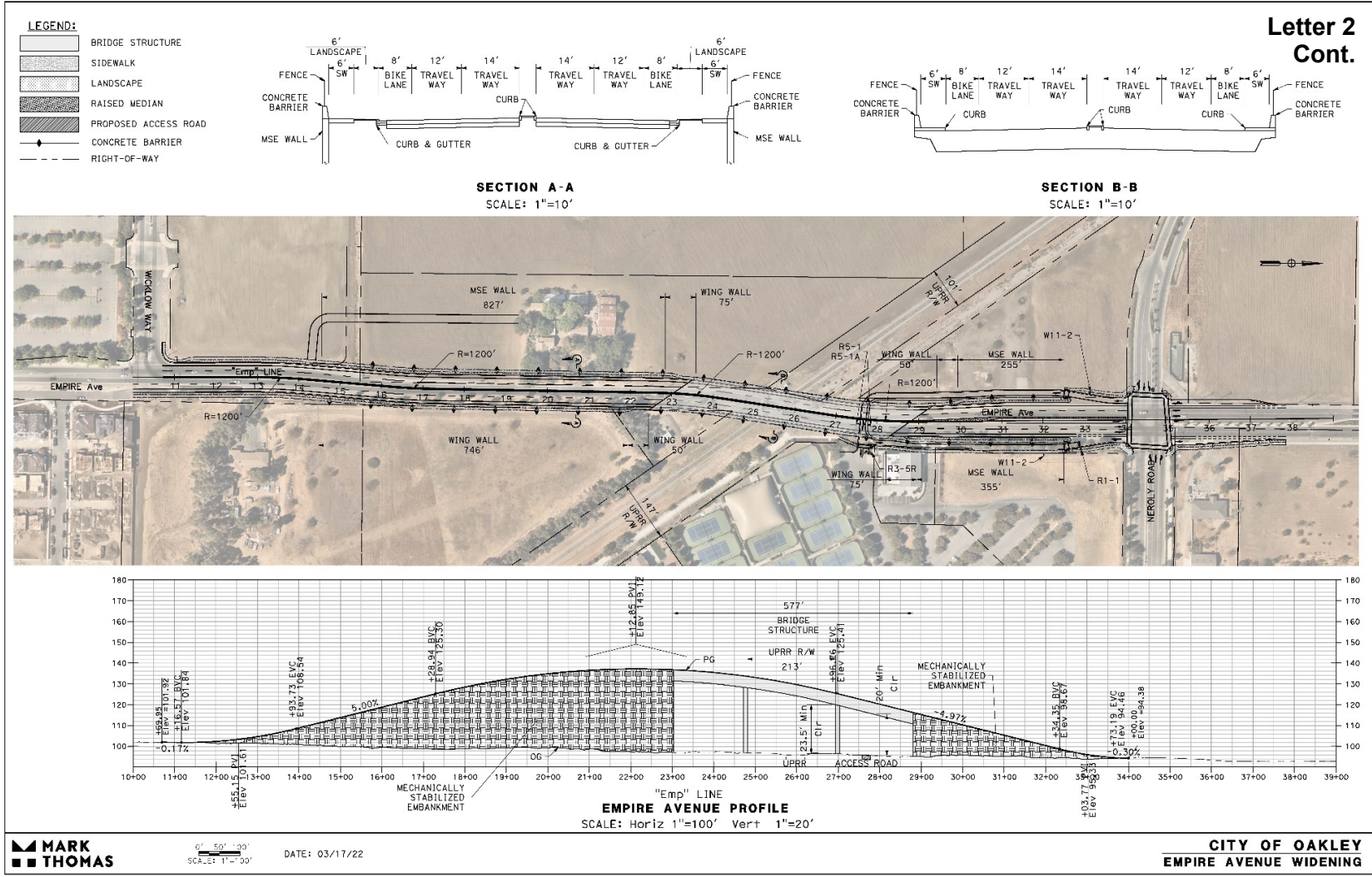
Attachment: Empire Avenue Widening – Exhibit

CC:

- 1. Joshua McMurray, City of Oakley City Manager
- 2. Kevin Rohani, City of Oakley Public Works Director / City Engineer
- 3. Billilee Saengchalern, City of Oakley Engineering Manager



Letter 2
 Cont.



LETTER 2: CITY OF OAKLEY

Response to Comment 2-1

The comment is an introductory statement and does not address the adequacy of the Draft SEIR.

Response to Comment 2-2

The proposed project does not include any modifications to the land uses assumed and analyzed in the 1995 specific development proposals. Therefore, the analysis within the 1995 ELTSP EIR related to level of service (LOS) would not change as a result of the proposed project. However, as discussed on page 4.3-7 of the Draft SEIR, as a result of Senate Bill (SB) 743, local jurisdictions may no longer rely on vehicle LOS and similar measures related to traffic delay as the basis for determining the significance of transportation impacts under CEQA. Thus, LOS and roadway network analysis is now outside the scope of CEQA analysis of transportation impacts, and vehicle miles traveled (VMT) is the primary metric used to identify transportation impacts to roadway systems under CEQA. Because the 1995 EIR was prepared and approved prior to the adoption of SB 743, impacts of the proposed project related to VMT were not previously addressed. Therefore, a Transportation Impact Analysis (TIA) was prepared by Fehr & Peers for the SEIR, which assessed all current CEQA Appendix G checklist questions. The TIA is included as Appendix C of the Draft SEIR.

Response to Comment 2-3

See Response to Comment 2-2 above. In addition, as discussed in Chapter 4.3 of the Draft SEIR and shown in Figure 4.3-2 of the Draft SEIR, all intersections described in the comment letter have been considered as part of the analysis of potential impacts related to bicycle and pedestrian facilities within the Draft SEIR. Impacts related to bicycle and pedestrian facilities are addressed under Impact 4.3-2, and a discussion of cumulative impacts related to bicycle and pedestrian facilities is provided on page 4.3-21 of the Draft SEIR. As stated therein, increased traffic volumes on local roadway facilities under cumulative conditions would not substantially alter performance related to bicycle facilities, pedestrian facilities, transit facilities and services, and emergency vehicle access.

Response to Comment 2-4

As discussed under Impact 4.3-2 of the Draft SEIR, the proposed project would not conflict with an applicable plan, ordinance, or policy addressing the circulation system, including transit, bicycle, and pedestrian facilities. The noted improvement is not identified as a proposed improvement in any such plan. Thus, the analysis and conclusions in the Draft SEIR related to bicycle and pedestrian infrastructure remain adequate. Nonetheless, the comment is noted for the record and will be forwarded to the decision-makers as part of their consideration of the proposed project.



Letter 3

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February 26, 2024

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VIA EMAIL TO:
ZMerideth@antiochca.gov

Subject: Comments on East Lone Tree Specific Plan Supplemental SIR (SCH NO. 1993111069)

Dear Ms. Meredith,

3-1

Thank you for the opportunity to comment on the Supplemental EIR (SIR) for the proposed East Lone Tree Specific Plan Amendment. Please accept and consider these comments on behalf of Golden State Environmental Justice Alliance (GSEJA). Also, Golden State Environmental Justice Alliance formally requests to be added to the public interest list regarding any subsequent environmental documents, public notices, public hearings, and notices of determination for this project. Send all communications to Golden State Environmental Justice Alliance P.O. Box 79222 Corona, CA 92877.

1.0 Summary

3-2

The project proposes a Specific Plan Amendment to modify the East Lone Tree Specific Plan. The City proposes to modify the approval process for development within the Regional Retail/Employment (CR/E) and Employment Retail (CE) designated parcels of the ELTSP Area. Currently, Section 9 of the ELTSP requires all development to receive approval of a Planned Development (PD) Rezone by City Council. The City is proposing to no longer require approval of a PD Rezone, and would instead only require a Use Permit and Design Review approval by the City's Planning Commission for development within the CR/E and CE designated parcels of the Specific Plan. The goal of the modification is to streamline commercial development and minimize the need for further CEQA review.

The 87.82-acre project site consists of four parcels, identified by Assessor's Parcel Numbers (APNs) 053-072-003, 053-072-025, 053-072-026, and 056-120-095, located in the eastern portion of the ELTSP Area. The parcels that comprise the project site are zoned Specific Plan (S-P) and



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are designated East Lone Tree Specific Plan Focus Area by the City's General Plan. According to the ELTSP, the majority of the project site is designated as Regional Retail/Employment (CR/E), and a small portion of the site is designated Employment Retail (CE).

3-3

1.5 Scope of the SEIR

The SEIR has not provided environmental analysis regarding all areas in which, "New information, which was not known and could not have been known at the time the environmental impact report was certified as complete, becomes available." For example, the SEIR has not analyzed the project in accordance with CEQA Guidelines Section 15155- Water Supply Analysis; City or County Consultation with Water Agencies. Additionally, the SEIR has not provided any analysis on other topics provided in the CEQA Guidelines Appendix G Environmental Checklist Form, including Wildfire, Greenhouse Gas Emissions (compliance with statewide 2030/2050 GHG reduction goals), Population and Housing, and Energy (including Title 24). The SEIR must be revised to provide an environmental analysis regarding all areas that new information has become available in order to provide an adequate informational document.

3-4

3.0 Project Description

Please refer to attachments from SWAPE for a complete technical commentary and analysis. The SIR has not adequately or accurately described the project. The Regional Retail/Employment (CR/E) and Employment Retail (CE) are characterized primarily commercial/retail land use designations and ambiguous "Employment" uses, while both designations permit multiple non-retail uses that increase VMT, GHG emissions, and negatively impact Air Quality. The SIR does not analyze or disclose that Table 4.A - Appropriate Land Use Types within the General Plan¹ permits multiple industrial land uses, including Light Manufacturing and Assembly, Research and Development, Storage and Distribution - Light, and Storage and Distribution - General. The SIR has not accounted for the permitted Industrial uses that may be developed on the site and each section of environmental analysis in the SIR must be revised to account for the permitted Industrial uses.

3-5

Additionally, the SIR has not described or demonstrated adequate compliance with Section 9.5 - Specific Plan Amendment of the ELTSP²:

"Findings: In considering any amendment to the Specific Plan or its standards all of the following findings shall be considered by the appropriate decision making body and for approval of an Amendment Findings B, C, and D must be made:

¹ Antioch General Plan https://www.antiochca.gov/fc/community-development/planning/Antioch_Adopted_General_Plan.pdf

² ELTSP <https://www.antiochca.gov/fc/community-development/planning/East-Lone-Tree-Specific-Plan.pdf>



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- A. Changes in the community have occurred since the adoption of the Specific Plan warranting an amendment as requested.
- B. The change will benefit the Specific Plan area.
- C. The change is in conformance with the adopted General Plan.
- D. The change will not adversely affect adjacent properties and can be properly serviced.
- E. The physical constraints of the property are such that the change is warranted.”

The SIR has not described or demonstrated adequate consideration for Findings A and E, nor adequate supporting evidence that Findings B, C, and D can be made. The SIR must be revised to include this information in order to provide an adequate and accurate environmental analysis.

3-6

6.0 Alternatives

The SIR is required to evaluate a reasonable range of alternatives to the proposed project which will avoid or substantially lessen any of the significant effects of the project (CEQA § 15126.6.) The alternatives chosen for analysis include the CEQA required “No Project/No Build” alternative and only one other - 100 Percent Employment Alternative. The SIR does not evaluate a reasonable range of alternatives as only one alternative beyond the required No Project alternative is analyzed. The SIR must be revised to include analysis of a reasonable range of alternatives and foster informed decision making (CEQA § 15126.6). This could include alternatives such as development of the site with a mixed-use project that provides affordable housing and local-serving commercial uses that may reduce VMT, GHG emissions, and improve Air Quality.

3-7

Further, the SIR does not adequately explain the differences between the proposed project and the 100 Percent Employment Alternative. The SIR states that, “whereas the proposed project would allow for a mix of regional retail and employment uses within the project site, the 100 Percent Employment Alternative would consist of buildout of the project site with entirely employment uses. As such, the Alternative would develop a total of 1,530,176 square feet (sf) of employment uses within the project site.” The type of employment uses are not defined for either scenario. Appendix B - Air Quality Modeling for the proposed project analyzed the site as a Regional Shopping Center, which does not include employment generating land uses such as office and/or industrial. The SIR is internally inconsistent in that the proposed project was not analyzed with a “mix of regional retail and employment uses” and was only analyzed as regional retail. The SIR is inadequate and must be revised to be internally consistent and provide an accurate environmental analysis.

3-8

The City Cannot Avoid Future Review of a Specific Development Proposal with the SEIR.

Although the SEIR does not appear to specifically say so, it appears that the City is relying on the case of *McCorkle Eastside Neighborhood Group v. City of St. Helena* (2018) 31 Cal.App.5th



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80 (*McCorkle*) to conclude that it can avoid future CEQA review by making its approval of commercial development in the designated project area nondiscretionary, since only discretionary projects are subject to the CEQA process. The situation in *McCorkle* is distinguishable for two reasons. First, and most obviously, *McCorkle* specifically acknowledged that a City’s consideration of a conditional use permit categorically involves the exercise of discretion, such that CEQA review would not be precluded. 31 Cal.App.5th at 85, citing *BreakZone Billiards v. City of Torrance* (2000) 81 Cal.App.4th 1205, 1224. While we do not agree that the City is permitted to adopt the proposed amendments to the East Lone Tree Specific Plan for reasons indicated in our client’s attached letter (i.e., the Specific Plan itself provides that a number of findings must be made before amendments are proper, and those findings have not been made and could not be made on this record), those amendments still require the Planning Commission to pass upon a “use permit” for the project area. Under the Antioch Municipal Code, Title 9, Chapter 5, Article 27, the specified use permit process is that for a conditional use permit, involving the exercise of discretion by that body.

3-9

A second reason that *McCorkle* would not allow the City to avoid future CEQA review is that *McCorkle* involved a multifamily housing development in a high density residential district, which the City committed to exempting from conditional use permit review pursuant to state law (which has long focused on maximizing housing availability). See *McCorkle*, 31 Cal.App.5th at 85-86. By contrast, the proposed project is for commercial development, which the City specifically acknowledges in its SEIR would include warehousing uses (there is no reason to conclude those uses would be “limited” as is stated in the SEIR). Our client’s attached letter establishes that those uses would indeed be permissible under the City’s General Plan.

3-10

The City *also* cannot claim to avoid the need for future CEQA analysis of any warehouse plan based on the SEIR because the environmental impacts of warehouse or distribution center development simply are not evaluated in the SEIR, and they would be much worse than the Regional Shopping Center or Office Park uses that the City did evaluate in Appendix B to the SEIR. The City did not, for that matter, conduct an Air Quality Analysis at all, and it could not justify site development with one of more distribution centers based on the original 1995 EIR.

3-11

Finally, since the sole focus of the SEIR appears to be to supposedly exempt the project site from further CEQA review, and there is no actual development application pending, CEQA review for any use other than as an office site or as a regional shopping center would appear to be premature. CEQA Guidelines section 15004(b) provides that CEQA review is to be completed “late enough to provide meaningful information for environmental assessment.” While of course we do not dispute that the City’s proposed amendment to the Specific Plan would constitute a “project” under CEQA, that simply does not mean that there would be no further “project” if a developer proposed, for example, a warehouse or distribution center use on the site. See, e.g., *Friends of the Sierra Railroad v. Tuolumne Park & Recreation Dist.* (2007) 147 Cal.App.4th 643. In *Friends of the Sierra Railroad*, the petitioner argued that the transfer of some land by a city’s park & recreation district required CEQA review, but the Court of Appeal concluded there was nothing concrete to evaluate because at that time there were no proposed plans for development. We do agree that CEQA review is triggered in this instance – but this is not



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necessarily the last time it should happen.

3-12

Additional Comments. The SEIR does not adequately evaluate all impacts that could result from a development project on the site. As noted above, it does not evaluate air quality impacts at all, and this would be required before development of even a regional shopping center or office park could occur. We have the following further comments:

3-13

1. We do not agree with the SEIR’s approach to the environmental baseline. We respectfully submit that using buildout according to the 1995 EIR as a baseline is contrary to established CEQA precedent requiring analysis of conditions on the ground at the time of the issuance of the EIR, and the Supreme Court’s guidance in *Communities for a Better Environment v. South Coast Air Quality Management District* (2010) 48 Cal.4th 310.

3-14

2. The impacts of buildout cannot be evaluated without a site plan or plans.

3-15

3. The proposed mitigation to Impact 4.1-1 regarding special status plant species is completely insufficient. This is in part due to the fact that no particular special status plants have been surveyed for and identified, though it is acknowledged that there are a number of very rare plants that are at risk. It is impossible to assess whether avoidance will be possible or whether a seed collection program would even be feasible in the absence of surveys for the particular plants in question.

3-16

4. In general, the effects identified in Impact 4.1-2 to animal species would not be avoided by the proposed mitigations identified. In particular, the proposed buffers to avoid disturbance of nest sites for the western burrowing owl are insufficient according to page 9 of the referenced CDFW 2012 Staff Report, regardless of the time at which they would be implemented. The anticipated breeding season for the white tailed kite and other nesting birds is too short also, as is the planned buffer if nests are found.

3-17

5. The SEIR’s discussion of cumulative impacts with respect to loss of habitat for special status species is incorrect and fails to comply with CEQA Guidelines section 15130(b)(1) which requires that the lead agency proceed by way of a list of cumulative projects or a referenced summary of projections in approved plans. Neither approach was followed here.

3-18

6. Impact 4.2-1: We can’t tell if the project will lead to the inefficient or wasteful use of energy or will conflict with a state or local plan for renewable energy or energy efficiency because virtually no plans are discussed. Also, with respect to the SEIR’s reference to AB 1346, we do not believe it would prohibit the use of fossil-fuel-powered small equipment on the site; as we understand it this recent legislation would only (at the most) prohibit the *sale* of new such equipment. Additionally, there is no discussion of how much diesel fuel the project would use if it is in fact devoted to one or more distribution centers, which would be permissible under the Specific Plan and Antioch’s General Plan. Finally, SEIR page 4.2-29 references a “following” discussion of cumulative impacts which does not exist.

3-19

7. Impact 4.2-2: the SEIR does not address the 2030 and 2050 statewide goals for reductions in GHG emissions or how the project would impact them.



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Conclusion

For the foregoing reasons, GSEJA believes the SIR is flawed and a revised SIR must be prepared for the proposed project and circulated for public review. Golden State Environmental Justice Alliance requests to be added to the public interest list regarding any subsequent environmental documents, public notices, public hearings, and notices of determination for this project. Send all communications to Golden State Environmental Justice Alliance P.O. Box 79222 Corona, CA 92877.

Sincerely,



Gary Ho
Blum, Collins & Ho LLP

Attachments:

1. SWAPE Technical Analysis



**Letter 3
Cont.**



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February 22, 2024

Gary Ho
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Subject: Comments on the East Lone Tree Project (SCH No. 1993111069)

Dear Mr. Ho,

3-21

We have reviewed the January 2024 Draft Supplemental Environmental Impact Report (“DSEIR”) for the East Lone Tree (“Project”) located in the City of Antioch (“City”). The Project is proposed to construct a total of 1,530,176-square-feet (“SF”) of commercial space on the 87.82-acre site.

Our review concludes that the DSEIR fails to adequately evaluate the Project’s air quality, health risk, and greenhouse gas impacts. As a result, emissions and health risk impacts associated with construction and operation of the proposed Project may be underestimated and inadequately addressed. An updated EIR should be prepared to adequately assess and mitigate the potential air quality, health risk, and greenhouse gas impacts that the project may have on the environment.

3-22

Air Quality

The DSEIR fails to mention or estimate the Project’s construction-related or operational criteria air pollutant emissions whatsoever. Consequently, we are unable to determine whether the Project will result in a less-than-significant impact. A subsequent environmental review is required pursuant to CEQA Guidelines 15162, for the Project’s air quality analysis is insufficient for the following reasons.

- (1) The Staff Report fails to consider criteria air pollutant emissions for Project construction and operations; and
- (2) The Staff Report fails to adequately evaluate the Project’s diesel particulate matter emissions.



3-23

1) *Failure to Quantify Construction and Operational Impacts of Criteria Air Pollutant Emissions*

The DSEIR fails to quantify the Project's criteria air pollutant emissions from construction and operations whatsoever. Without attempting to estimate the Project's potential construction and operational criteria air pollutant emissions, the DSEIR lacks evidence to support the conclusion that the Project's emissions would not exceed the applicable BAAQMD significance thresholds.¹ Until further analysis is provided, we cannot verify the Project would result in a less-than-significant air quality impact. The Project should not be approved until an updated EIR is prepared to adequately assess and mitigate the potential air quality impacts that Project's construction and operations may have on the surrounding environment.

3-24

2) *Diesel Particulate Matter Emissions Inadequately Evaluated*

The DSEIR fails to mention or evaluate the Project's construction-related or operational toxic air contaminant ("TAC") emissions whatsoever. This is incorrect for four reasons.

First, by failing to prepare a quantified construction and operational HRA, the Project is inconsistent with CEQA's requirement to make "a reasonable effort to substantively connect a project's air quality impacts to likely health consequences."² This poses a problem, as according to the CalEEMod Modeling Results, provided as Appendix B to the DSEIR, construction of the Project would produce DPM emissions through the exhaust stacks of construction equipment over a duration of approximately 91 months. Further review of the CalEEMod output files demonstrates that operation of the Project is expected to generate approximately 57,764.3 daily vehicle trips, which would produce additional exhaust emissions and continue to expose nearby, existing sensitive receptors to DPM emissions. However, the Project fails to evaluate the TAC emissions associated with Project construction and operation or indicate the concentrations at which such pollutants would trigger adverse health effects. Without making a reasonable effort to connect the Project's TAC emissions to the potential health risks posed to nearby receptors, the Project is inconsistent with CEQA's requirement to correlate Project-generated emissions with potential adverse impacts on human health.

Second, the Office of Environmental Health Hazard Assessment ("OEHHA"), the organization responsible for providing guidance on conducting HRAs in California, released its most recent *Risk Assessment Guidelines: Guidance Manual for Preparation of Health Risk Assessments* in February 2015. This guidance document describes the types of projects that warrant the preparation of an HRA. Specifically, OEHHA recommends that all short-term projects lasting at least 2 months assess cancer risks. Furthermore, according to OEHHA:

¹ "California Environmental Quality Act Air Quality Guidelines." BAAQMD, May 2017, available at: https://www.baaqmd.gov/~media/files/planning-and-research/ceqa/ceqa_guidelines_may2017-pdf.pdf?la=en, p. 2-2, Table 2-1.

² "Sierra Club v. County of Fresno." Supreme Court of California, December 2018, available at: <https://ceqaportal.org/decisions/1907/Sierra%20Club%20v.%20County%20of%20Fresno.pdf>.



“Exposure from projects lasting more than 6 months should be evaluated for the duration of the project. In all cases, for assessing risk to residential receptors, the exposure should be assumed to start in the third trimester to allow for the use of the ASFs (OEHHA, 2009).”

As the Project’s anticipated construction duration exceeds the 2-month and 6-month requirements set forth by OEHHA, construction of the Project meets the threshold warranting a quantified HRA under OEHHA guidance and should be evaluated for the entire 91-month construction period. Furthermore, OEHHA recommends that an exposure duration of 30 years should be used to estimate the individual cancer risk at the maximally exposed individual resident (“MEIR”). While the DSEIR fails to provide the expected lifetime of the proposed Project, we can reasonably assume that the Project would operate for at least 30 years, if not more. Therefore, operation of the Project also exceeds the 2-month and 6-month requirements set forth by OEHHA and should be evaluated for the entire 30-year residential exposure duration, as indicated by OEHHA guidance. These recommendations reflect the most recent state health risk policies, and as such, an updated EIR should be prepared to include an analysis of health risk impacts posed to nearby sensitive receptors from Project-generated DPM emissions.

Third, the BAAQMD requires projects within 1,000 feet of an existing sensitive receptor or source to evaluate the cancer risk associated with Project construction and operation (see excerpt below):³

Pollutant	Construction-Related	Operational-Related
Project-Level		
Risk and Hazards for new sources and receptors (Individual Project)*	Same as Operational Thresholds**	Compliance with Qualified Community Risk Reduction Plan OR Increased cancer risk of >10.0 in a million Increased non-cancer risk of > 1.0 Hazard Index (Chronic or Acute) Ambient PM _{2.5} increase: > 0.3 µg/m ³ annual average Zone of Influence: 1,000-foot radius from property line of source or receptor

Review of Google Earth demonstrates that there are existing sensitive receptors at residential developments adjacent to the Project site. As a result, an analysis of the health risk posed to nearby, existing receptors from both Project operation and construction needs to be conducted pursuant to the BAAQMD.

Fourth, by not conducting a quantified construction or operational HRA for nearby, existing sensitive receptors, the DSEIR fails to compare the excess health risk impact to the applicable BAAQMD threshold

³ “California Environmental Quality Act Air Quality Guidelines.” BAAQMD, May 2017, available at: https://www.baaqmd.gov/~/media/files/planning-and-research/ceqa/ceqa_guidelines_may2017-pdf.pdf?la=en, p. 2-2, Table 2-1.

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of 10 in one million. ⁴ Specifically, regarding the operational TAC emissions threshold, the BAAQMD states:

“The Lead Agency shall determine whether operational-related TAC and PM_{2.5} emissions generated as part of a proposed project siting a new source or receptor would expose existing or new receptors to levels that exceed BAAQMD’s applicable Thresholds of Significance stated below:

- Compliance with a qualified Community Risk Reduction Plan;
- An excess cancer risk level of more than 10 in one million...”⁵

Furthermore, regarding the construction-related TAC emissions threshold, the BAAQMD states:

“BAAQMD recommends that the same community risk and hazard Threshold of Significance for project operations be applied to construction.”⁶

Pursuant to CEQA and the BAAQMD, an analysis of the health risk posed to nearby, existing receptors from Project construction and operation should have been conducted.

Greenhouse Gas

Failure to Adequately Evaluate Greenhouse Gas Impacts

The DSEIR estimates that the Project would generate net annual greenhouse gas (“GHG”) emissions of 30,671.15 metric tons of carbon dioxide equivalents per year (“MT CO₂e/year”), which would exceed the extrapolated BAAQMD quantitative threshold (see excerpt below) (p. 4.2-30, Table 4.2-2).

3-25

Source	Annual GHG Emissions (MTCO ₂ e/yr)
Area	0.03
Energy	1,677.75
Mobile	27,951.06
Waste	808.01
Water	234.31
Total Annual Operational GHG Emissions	30,671.15

Source: CalEEMod, May 2023 (see Appendix B).

⁴ “California Environmental Quality Act Air Quality Guidelines.” BAAQMD, May 2017, available at: https://www.baaqmd.gov/~media/files/planning-and-research/ceqa/ceqa_guidelines_may2017-pdf.pdf?la=en, p. 2-5.

⁵ “California Environmental Quality Act Air Quality Guidelines.” BAAQMD, May 2017, available at: https://www.baaqmd.gov/~media/files/planning-and-research/ceqa/ceqa_guidelines_may2017-pdf.pdf?la=en, p. 5-3.

⁶ “California Environmental Quality Act Air Quality Guidelines.” BAAQMD, May 2017, available at: https://www.baaqmd.gov/~media/files/planning-and-research/ceqa/ceqa_guidelines_may2017-pdf.pdf?la=en, p. 8-7.



3-25
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Consequently, the Project relies on the qualitative applicable BAAQMD threshold of significance to demonstrate a less-than-significant impact. Specifically, the DSEIR states (see excerpt below):

“The following requirements shall be noted on all future project improvement plans, subject to review and approval by the City of Antioch Community Development Department:

- Consistent with the BAAQMD’s Buildings standard a., natural gas shall be prohibited in any structures proposed within the project site.
- Consistent with the BAAQMD’s Transportation criterion b., future development on the project site shall be constructed to include electric vehicle (EV) parking spaces consistent with the most recently adopted CALGreen Code Tier 2 offstreet EV requirements” (p. 2-14).

The DSEIR claims a less-than-significant GHG impact, stating:

“Based on the above, implementation of the project in combination with other cumulative development in the project region would not result in the wasteful or inefficient use of energy. Because the project would not conflict with a local plan to increase energy efficiency and reduce energy consumption, a less than significant cumulative impact would occur” (p. 4.2-32).

As discussed above, while the DSEIR implements BAAQMD’s Buildings Standard A and BAAQMD’s Transportation Criterion B, the DSEIR fails to mention *all* feasible mitigation formal mitigation measures. As such, the DSEIR fails to demonstrate consistency with the applicable BAAQMD threshold of significance for GHG emissions. To reduce the Project’s GHG impacts to the maximum extent possible, additional feasible mitigation measures should be incorporated, such as those suggested in the section of this letter titled “Feasible Mitigation Measures Available to Reduce Emissions.” The Project should not be approved until an updated EIR is prepared, incorporating all feasible mitigation to reduce emissions to less-than-significant levels.

Mitigation

Feasible Mitigation Measures Available to Reduce Emissions

Our analysis demonstrates that the Project would result in potentially significant air quality, health risk, and GHG impacts that should be mitigated further. In an effort to reduce the Project’s emissions, we identified several mitigation measures that are applicable to the proposed Project. To reduce the Project’s emissions, we recommend consideration of SCAG’s 2020 RTP/SCS PEIR’s Air Quality Project Level Mitigation Measures (“PMM-AQ-1”) and Greenhouse Gas Project Level Mitigation Measures (“PMM-GHG-1”), as described below:⁷

3-26

⁷ “4.0 Mitigation Measures.” Connect SoCal Program Environmental Impact Report Addendum #1, September 2020, available at: https://scag.ca.gov/sites/main/files/file-attachments/fpeir_connectsocial_addendum_4_mitigationmeasures.pdf?1606004420, p. 4.0-2 – 4.0-10; 4.0-19 – 4.0-23; See also: “Certified Final Connect SoCal Program Environmental Impact Report.” Southern California Association of Governments (SCAG), May 2020, available at: <https://scag.ca.gov/peir>.



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SCAG RTP/SCS 2020-2045
Air Quality Project Level Mitigation Measures – PMM-AQ-1:
In accordance with provisions of sections 15091(a)(2) and 15126.4(a)(1)(B) of the <i>State CEQA Guidelines</i> , a Lead Agency for a project can and should consider mitigation measures to reduce substantial adverse effects related to violating air quality standards. Such measures may include the following or other comparable measures identified by the Lead Agency:
a) Minimize land disturbance.
b) Suspend grading and earth moving when wind gusts exceed 25 miles per hour unless the soil is wet enough to prevent dust plumes.
c) Cover trucks when hauling dirt.
d) Stabilize the surface of dirt piles if not removed immediately.
e) Limit vehicular paths on unpaved surfaces and stabilize any temporary roads.
f) Minimize unnecessary vehicular and machinery activities.
g) Sweep paved streets at least once per day where there is evidence of dirt that has been carried on to the roadway.
h) Revegetate disturbed land, including vehicular paths created during construction to avoid future off-road vehicular activities.
j) Require contractors to assemble a comprehensive inventory list (i.e., make, model, engine year, horsepower, emission rates) of all heavy-duty off-road (portable and mobile) equipment (50 horsepower and greater) that could be used an aggregate of 40 or more hours for the construction project. Prepare a plan for approval by the applicable air district demonstrating achievement of the applicable percent reduction for a CARB-approved fleet.
k) Ensure that all construction equipment is properly tuned and maintained.
l) Minimize idling time to 5 minutes—saves fuel and reduces emissions.
m) Provide an operational water truck on-site at all times. Use watering trucks to minimize dust; watering should be sufficient to confine dust plumes to the project work areas. Sweep paved streets at least once per day where there is evidence of dirt that has been carried on to the roadway.
n) Utilize existing power sources (e.g., power poles) or clean fuel generators rather than temporary power generators.
p) As appropriate require that portable engines and portable engine-driven equipment units used at the project work site, with the exception of on-road and off-road motor vehicles, obtain CARB Portable Equipment Registration with the state or a local district permit. Arrange appropriate consultations with the CARB or the District to determine registration and permitting requirements prior to equipment operation at the site.
q) Require projects within 500 feet of residences, hospitals, or schools to use Tier 4 equipment for all engines above 50 horsepower (hp) unless the individual project can demonstrate that Tier 4 engines would not be required to mitigate emissions below significance thresholds.
r) Projects located within the South Coast Air Basin should consider applying for South Coast AQMD “SOON” funds which provides funds to applicable fleets for the purchase of commercially available low-emission heavy-duty engines to achieve near-term reduction of NOx emissions from in-use off-road diesel vehicles.
s) Projects located within AB 617 communities should review the applicable Community Emissions Reduction Plan (CERP) for additional mitigation that can be applied to individual projects.
t) Where applicable, projects should provide information about air quality related programs to schools, including the Environmental Justice Community Partnerships (EJCP), Clean Air Ranger Education (CARE), and Why Air Quality Matters programs.



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<p>u) Projects should work with local cities and counties to install adequate signage that prohibits truck idling in certain locations (e.g., near schools and sensitive receptors).</p>
<p>z) Develop an ongoing monitoring, inspection, and maintenance program for the MERV filters.</p>
<p>aa) Consult the SCAG Environmental Justice Toolbox for potential measures to address impacts to low-income and/or minority communities.</p>
<p>bb) The following criteria related to diesel emissions shall be implemented on by individual project sponsors as appropriate and feasible:</p> <ul style="list-style-type: none"> - Diesel nonroad vehicles on site for more than 10 total days shall have either (1) engines that meet EPA on road emissions standards or (2) emission control technology verified by EPA or CARB to reduce PM emissions by a minimum of 85% - Diesel generators on site for more than 10 total days shall be equipped with emission control technology verified by EPA or CARB to reduce PM emissions by a minimum of 85%. - Nonroad diesel engines on site shall be Tier 2 or higher. - Diesel nonroad construction equipment on site for more than 10 total days shall have either (1) engines meeting EPA Tier 4 nonroad emissions standards or (2) emission control technology verified by EPA or CARB for use with nonroad engines to reduce PM emissions by a minimum of 85% for engines for 50 hp and greater and by a minimum of 20% for engines less than 50 hp. - Emission control technology shall be operated, maintained, and serviced as recommended by the emission control technology manufacturer. - Diesel vehicles, construction equipment, and generators on site shall be fueled with ultra-low sulfur diesel fuel (ULSD) or a biodiesel blend approved by the original engine manufacturer with sulfur content of 15 ppm or less. - The construction contractor shall maintain a list of all diesel vehicles, construction equipment, and generators to be used on site. The list shall include the following: <ul style="list-style-type: none"> i. Contractor and subcontractor name and address, plus contact person responsible for the vehicles or equipment. ii. Equipment type, equipment manufacturer, equipment serial number, engine manufacturer, engine model year, engine certification (Tier rating), horsepower, engine serial number, and expected fuel usage and hours of operation. iii. For the emission control technology installed: technology type, serial number, make, model, manufacturer, EPA/CARB verification number/level, and installation date and hour-meter reading on installation date. - The contractor shall establish generator sites and truck-staging zones for vehicles waiting to load or unload material on site. Such zones shall be located where diesel emissions have the least impact on abutters, the general public, and especially sensitive receptors such as hospitals, schools, daycare facilities, elderly housing, and convalescent facilities. - The contractor shall maintain a monthly report that, for each on road diesel vehicle, nonroad construction equipment, or generator onsite, includes: <ul style="list-style-type: none"> i. Hour-meter readings on arrival on-site, the first and last day of every month, and on off-site date. ii. Any problems with the equipment or emission controls. iii. Certified copies of fuel deliveries for the time period that identify: <ul style="list-style-type: none"> 1. Source of supply 2. Quantity of fuel 3. Quantity of fuel, including sulfur content (percent by weight)
<p>cc) Project should exceed Title-24 Building Envelope Energy Efficiency Standards (California Building Standards Code). The following measures can be used to increase energy efficiency:</p> <ul style="list-style-type: none"> - Provide pedestrian network improvements, such as interconnected street network, narrower roadways and shorter block lengths, sidewalks, accessibility to transit and transit shelters, traffic calming measures, parks and public spaces, minimize pedestrian barriers. - Provide traffic calming measures, such as: <ul style="list-style-type: none"> i. Marked crosswalks



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<ul style="list-style-type: none"> ii. Count-down signal timers iii. Curb extensions iv. Speed tables iv. Raised crosswalks v. Raised intersections vi. Median islands vii. Tight corner radii viii. Roundabouts or mini-circles ix. On-street parking x. Chicanes/chokers - Create urban non-motorized zones - Provide bike parking in non-residential and multi-unit residential projects - Dedicate land for bike trails - Limit parking supply through: <ul style="list-style-type: none"> i. Elimination (or reduction) of minimum parking requirements ii. Creation of maximum parking requirements iii. Provision of shared parking - Require residential area parking permit. - Provide ride-sharing programs <ul style="list-style-type: none"> i. Designate a certain percentage of parking spacing for ride sharing vehicles ii. Designating adequate passenger loading and unloading and waiting areas for ride-sharing vehicles iii. Providing a web site or messaging board for coordinating rides iv. Permanent transportation management association membership and finding requirement.
<p>Greenhouse Gas Project Level Mitigation Measures – PMM-GHG-1</p> <p>In accordance with provisions of sections 15091(a)(2) and 15126.4(a)(1)(B) of the <i>State CEQA Guidelines</i>, a Lead Agency for a project can and should consider mitigation measures to reduce substantial adverse effects related to violating air quality standards. Such measures may include the following or other comparable measures identified by the Lead Agency:</p>
<p>b) Reduce emissions resulting from projects through implementation of project features, project design, or other measures, such as those described in Appendix F of the State CEQA Guidelines.</p>
<p>c) Include off-site measures to mitigate a project’s emissions.</p>
<p>d) Measures that consider incorporation of Best Available Control Technology (BACT) during design, construction and operation of projects to minimize GHG emissions, including but not limited to:</p> <ul style="list-style-type: none"> i. Use energy and fuel-efficient vehicles and equipment; ii. Deployment of zero- and/or near zero emission technologies; iii. Use lighting systems that are energy efficient, such as LED technology; iv. Use the minimum feasible amount of GHG-emitting construction materials; v. Use cement blended with the maximum feasible amount of flash or other materials that reduce GHG emissions from cement production; vi. Incorporate design measures to reduce GHG emissions from solid waste management through encouraging solid waste recycling and reuse; vii. Incorporate design measures to reduce energy consumption and increase use of renewable energy; viii. Incorporate design measures to reduce water consumption; ix. Use lighter-colored pavement where feasible; x. Recycle construction debris to maximum extent feasible; xi. Plant shade trees in or near construction projects where feasible; and



**Letter 3
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<p>xii. Solicit bids that include concepts listed above.</p>
<p>e) Measures that encourage transit use, carpooling, bike-share and car-share programs, active transportation, and parking strategies, including, but not limited to the following:</p> <ul style="list-style-type: none"> i. Promote transit-active transportation coordinated strategies; ii. Increase bicycle carrying capacity on transit and rail vehicles; iii. Improve or increase access to transit; iv. Increase access to common goods and services, such as groceries, schools, and day care; v. Incorporate affordable housing into the project; vi. Incorporate the neighborhood electric vehicle network; vii. Orient the project toward transit, bicycle and pedestrian facilities; viii. Improve pedestrian or bicycle networks, or transit service; ix. Provide traffic calming measures; x. Provide bicycle parking; xi. Limit or eliminate park supply; xii. Unbundle parking costs; xiii. Provide parking cash-out programs; xiv. Implement or provide access to commute reduction program;
<p>f) Incorporate bicycle and pedestrian facilities into project designs, maintaining these facilities, and providing amenities incentivizing their use; and planning for and building local bicycle projects that connect with the regional network;</p>
<p>g) Improving transit access to rail and bus routes by incentives for construction and transit facilities within developments, and/or providing dedicated shuttle service to transit stations; and</p>
<p>h) Adopting employer trip reduction measures to reduce employee trips such as vanpool and carpool programs, providing end-of-trip facilities, and telecommuting programs including but not limited to measures that:</p> <ul style="list-style-type: none"> i. Provide car-sharing, bike sharing, and ride-sharing programs; ii. Provide transit passes; iii. Shift single occupancy vehicle trips to carpooling or vanpooling, for example providing ride-matching services; iv. Provide incentives or subsidies that increase that use of modes other than single-occupancy vehicle; v. Provide on-site amenities at places of work, such as priority parking for carpools and vanpools, secure bike parking, and showers and locker rooms; vi. Provide employee transportation coordinators at employment sites; vii. Provide a guaranteed ride home service to users of non-auto modes.
<p>i) Designate a percentage of parking spaces for ride-sharing vehicles or high-occupancy vehicles, and provide adequate passenger loading and unloading for those vehicles;</p>
<p>j) Land use siting and design measures that reduce GHG emissions, including:</p> <ul style="list-style-type: none"> i. Developing on infill and brownfields sites; ii. Building compact and mixed-use developments near transit; iii. Retaining on-site mature trees and vegetation, and planting new canopy trees; iv. Measures to reduce GHG emissions from solid waste management through encouraging solid waste recycling and reuse.
<p>k) Consult the SCAG Environmental Justice Toolbox for potential measures to address impacts to low-income and/or minority communities. The measures provided above are also intended to be applied in low income and minority communities as applicable and feasible.</p>



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l) Require at least five percent of all vehicle parking spaces include electric vehicle charging stations, or at a minimum, require the appropriate infrastructure to facilitate sufficient electric charging for passenger vehicles and trucks to plug-in.
m) Encourage telecommuting and alternative work schedules, such as: <ul style="list-style-type: none"> i. Staggered starting times ii. Flexible schedules iii. Compressed work weeks
n) Implement commute trip reduction marketing, such as: <ul style="list-style-type: none"> i. New employee orientation of trip reduction and alternative mode options ii. Event promotions iii. Publications
o) Implement preferential parking permit program
p) Implement school pool and bus programs
q) Price workplace parking, such as: <ul style="list-style-type: none"> i. Explicitly charging for parking for its employees; ii. Implementing above market rate pricing; iii. Validating parking only for invited guests; iv. Not providing employee parking and transportation allowances; and v. Educating employees about available alternatives.

These measures offer a cost-effective, feasible way to incorporate lower-emitting design features into the proposed Project, which subsequently, reduces emissions released during Project construction and operation.

As it is policy of the State that eligible renewable energy resources and zero-carbon resources supply 100% of retail sales of electricity to California end-use customers by December 31, 2045, we emphasize that the energy mix that will charge the batteries and power electrical equipment must be 100% renewable energy resources. Until the feasibility of charging the batteries with renewable energy resources only is evaluated, the Project should not be approved.

An updated EIR should be prepared to include all feasible mitigation measures, as well as include updated air quality, health risk, and GHG analyses to ensure that the necessary mitigation measures are implemented to reduce emissions to the maximum extent feasible. The updated EIR should also demonstrate a commitment to the implementation of these measures prior to Project approval, to ensure that the Project's significant emissions are reduced to the maximum extent possible.

Disclaimer

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SWAPE has received limited discovery regarding this project. Additional information may become available in the future; thus, we retain the right to revise or amend this report when additional information becomes available. Our professional services have been performed using that degree of care and skill ordinarily exercised, under similar circumstances, by reputable environmental consultants practicing in this or similar localities at the time of service. No other warranty, expressed or implied, is made as to the scope of work, work methodologies and protocols, site conditions, analytical testing results, and findings presented. This report reflects efforts which were limited to information that was



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reasonably accessible at the time of the work, and may contain informational gaps, inconsistencies, or otherwise be incomplete due to the unavailability or uncertainty of information obtained or provided by third parties.

Sincerely,



Matt Hagemann, P.G., C.Hg.



Paul E. Rosenfeld, Ph.D.

Attachment A: Matt Hagemann CV
Attachment B: Paul Rosenfeld CV



LETTER 3: GOLDEN STATE ENVIRONMENTAL JUSTICE ALLIANCE

Response to Comment 3-1

The comment is an introductory statement and does not address the adequacy of the Draft SEIR.

Response to Comment 3-2

The comment provides a summary of the proposed project and does not address the adequacy of the Draft SEIR.

Response to Comment 3-3

As discussed on page 1-2 of the Draft SEIR, the CEQA Guidelines identify several types of EIRs, each applicable to different project circumstances. The Draft SEIR was prepared as a program-level SEIR pursuant to CEQA Guidelines Section 15168, which focuses primarily on the changes in the environment that would result from later activities that were not previously evaluated as part of the original CEQA document. Generally, an SEIR is required to evaluate only the changes in the project, changes in circumstances, or new information that led to the preparation of the further EIR. The proposed project would not modify the land use designations of the site from what was assumed for the ELTSP project that was analyzed in the in the 1995 ELTSP EIR. Thus, the proposed project would not result in any changes in the project, and the physical environmental impacts associated with buildout of the proposed project would not change from the 1995 ELTSP EIR analysis unless the circumstances or new information related to a certain resource area have changed since the 1995 ELTSP EIR was prepared. The SEIR was prepared to focus only on the new or substantially more severe significant impacts caused by changes in circumstances or new information related to CEQA that were not evaluated in the 1995 ELTSP EIR.

Contrary to the comment, a detailed analysis of impacts related to greenhouse gas (GHG) emissions and energy was included within Chapter 4.2, GHG Emissions and Energy, of the Draft SEIR. With respect to population and housing, the project site is designated for commercial retail and employment uses, and, thus, the proposed project would not result in an increase in population. With respect to the water supply analysis, because the proposed project would not involve any changes to the land use designations of the site, any impacts associated with water supply identified in the 1995 ELTSP EIR would not change as a result of the proposed project. Regarding wildfire, pursuant to the Appendix G checklist of the CEQA Guidelines, the analysis of impacts related to wildfire is based on whether the project site is located in or near state responsibility areas (SRAs) or lands classified as Very-High Fire Hazard Severity Zones (FHSZs). The project site is not located within an SRA or Very-High FHSZ.¹

Response to Comment 3-4

The proposed project would not change the land use designations of the project site. The majority of the project site is designated as Regional Retail/Employment (CR/E), and a small portion of the site is designated Employment Retail (CE). The comment erroneously claims that the Draft SEIR does not disclose that the existing land use designations allow for industrial uses. As shown on page 3-8 of the Draft SEIR, according to the ELTSP, employment uses include a mix of large and small employers, offices, research and development, limited industry, and limited warehousing and distribution. Additionally, regional retail uses are intended to serve a larger

¹ California Department of Forestry and Fire Protection. *Fire Hazard Severity Zones Maps*. Available at: <https://egis.fire.ca.gov/FHSZ/>. Accessed March 2024.



market, and are oriented primarily toward clothing, home products, electronics, and other durable goods.

The analysis of potential environmental impacts associated with the proposed project has been determined based on general retail and employment land uses. It would be speculative to assume any specific uses, as the proposed project does not include any development proposals. All future development applications within the ELTSP will be subject to review by the City for consistency with the ELTSP and associated CEQA analyses.

Additionally, it should be noted that because the land use designations within the project site would not be changed, industrial uses are currently allowed on the project site, and the proposed project would not result in impacts beyond what was identified in the 1995 ELTSP EIR.

Please also see Response to Comment 3-8 below.

Response to Comment 3-5

Consideration of the proposed amendments to the ELTSP or its standards will be made by the decision-makers in their determination of approval. It is not within the requirements of CEQA to consider the noted findings within the SEIR analysis of environmental impacts.

Response to Comment 3-6

As shown on page 6-1 of the Draft SEIR, Section 15126.6(f) of CEQA Guidelines states:

The alternatives shall be limited to ones that would avoid or substantially lessen any of the significant effects of the project. Of those alternatives, the EIR need examine in detail only the ones that the lead agency determined could feasibly attain most of the basic objectives of the project.

An EIR is not required to analyze alternatives when the effects of the alternative “cannot be reasonably ascertained and whose implementation is remote and speculative.” The No Project (No Build) Alternative and the 100 Percent Employment Alternative were the only identified alternatives that would avoid or substantially lessen the significant effects of the project. Only the 100 Percent Employment Alternative was determined to feasibly attain most of the objectives of the proposed project. As discussed on pages 6-4 through 6-6 of the Draft SEIR, three additional alternatives were considered as part of the Draft SEIR analysis, including an Off-Site Alternative, an Equal Regional Retail/Employment Alternative, and a Reduced Intensity Alternative. However, all such alternatives were dismissed from further analysis for reasons discussed in Chapter 6, Alternatives Analysis, of the Draft SEIR.

The comment’s recommended alternative, the development of the project site with a mixed-use project, would require additional approvals that would not be consistent with the General Plan or ELTSP, and could result in greater impacts related to air quality, utilities, and public services due to an increase in population associated with the introduction of residential land uses to the site where currently none are proposed under the ELTSP. Accordingly, the suggested alternative may not be capable of avoiding or substantially lessening a significant effect of the project and/or attaining the project objectives. It should be noted that other portions of the ELTSP are designated for residential uses and have been built out as such.



Response to Comment 3-7

Page 3-5 of the Draft SEIR includes a list of regional retail and employment uses. According to the ELTSP, regional retail uses are intended to serve a larger market, and are oriented primarily toward clothing, home products, electronics, and other durable goods. Employment uses include a mix of large and small employers, offices, research and development, limited industry, and limited warehousing and distribution.

As discussed on page 4.2-24 of the Draft SEIR, because the proposed project does not include any specific development proposals, in order to provide a conservative analysis, the GHG emissions modeling for the proposed project assumed buildout of the project site with 100 percent regional retail uses, which would result in greater emissions than if the site was developed with a mix of retail and employment uses. Therefore, while the proposed project was not modeled with a mix of regional retail and employment uses, the potential GHG emissions modeled for the proposed project were conservative in comparison to the allowed mix of regional retail and employment uses that could potentially be developed within project site.

The 100 Percent Employment Alternative was modeled with the Office Park land use type. Pursuant to the CalEEMod User Guide, the Office Park land use type includes general office buildings, as well as support services, such as banks, restaurants and service stations, arranged in a park-or campus-like atmosphere. The CalEEMod User Guide states that the Office Park land use type should be used for air quality modeling if details on individual buildings are not available.

Response to Comment 3-8

As shown on page 3-8 of the Draft SEIR, Section 9.6 of the ELTSP would be amended as follows:

SECTION 9.6: Environmental Documentation

The project level Environmental Impact Report (EIR) and Supplemental EIR certified for this Specific Plan are is intended to provide adequate environmental documentation for future projects in the area. This project level EIR and Supplemental EIR are is at a sufficient level of detail to serve as appropriate environmental documentation for subsequent Entitlements, except as noted below. The following policies will guide the determination of need for additional environmental information or if a further environmental determination is needed.

- A. An environmental determination will be required for Specific Plan amendments, which may result in a negative declaration or additional EIR work depending on the scope of the amendment as determined by the City.
- B. If it is determined that a development proposal will have environmental impacts not originally addressed in the project level EIR or Supplemental EIR, then additional environmental study or mitigation may be required.
- C. In cases where the certified EIR and Supplemental EIR for the Specific Plan calls for additional environmental information, this information will be provided as part of the application submittal process.

The proposed project would streamline commercial development and minimize the need for further CEQA review. However, future development proposals that come forward within the project site would still be subject to discretionary approval, including a Use Permit and Design



Review, and additional CEQA review, as needed, to ensure that development would not result in impacts beyond those identified within the 1995 ELTSP EIR and Draft SEIR.

Response to Comment 3-9

See Response to Comment 3-8.

Response to Comment 3-10

See Responses to Comments 3-8 and 3-24. In addition, future development proposals, including plans for warehouse uses or distribution centers, that come forward within the project site would still be subject to discretionary approval, including a Use Permit and Design Review, and additional CEQA review, as needed, to ensure that development would not result in impacts beyond those identified within the 1995 ELTSP EIR and Draft SEIR.

Response to Comment 3-11

See Response to Comments 3-3 and 3-8.

Response to Comment 3-12

See Responses to Comments 3-3 and 3-13 through 3-19, below, regarding the further comments referred to in this comment.

Response to Comment 3-13

Explanation of the environmental baseline used in the SEIR analysis is stated on page 1-5 of the Draft SEIR as follows:

Normally, the baseline condition is the physical condition that exists when the NOP is published. However, because an NOP was not circulated for the proposed project and the Draft SEIR is intended to determine whether the proposed project would result in new significant impacts or a substantial increase in the severity of significant impact(s) previously identified in the 1995 EIR, the environmental baseline in the Draft SEIR consists of the approved 1995 ELTSP project. Therefore, conditions resulting from approval and buildout of the 1995 ELTSP were considered to be the baseline against which changes that would result from the proposed project were evaluated.

In cases where an approved project has already undergone environmental review and the environmental document has been adopted by the lead agency, the lead agency can restrict the current review to the incremental effects of the modified project, rather than having to reconsider the overall impacts of the project. In such cases, as the project under review constitutes only a modification of a previously approved project, the “baseline” for the purposes of CEQA is adjusted such that the originally approved project is assumed to exist.² Thus, the environmental baseline for the SEIR is appropriately considered to be the approved ELTSP project.

Response to Comment 3-14

The Draft SEIR was prepared as a program-level SEIR. While development is not proposed at this time, CEQA requires that the project description for an environmental document include later phases or activities of a project that will foreseeably result from project approval (Section 15126).

² See Michael H. Remy et al. *Guide to CEQA, 11th Edition*. Point Arena: Solano Press Books (2007), pg. 207; Stephen L. Kostka and Michael H. Zischke. *Practice Under the Environmental Quality Act, Second Edition* (Vol. 1). Oakland: Continuing Education of the Bar (2018), pgs. 12-32; *Benton v. Board of Supervisors* (1st Dist. 1991) 226 Cal. App. 3d 1467.



In *Laurel Heights Improvement Ass'n v Regents of Univ. of Cal.* (1988) 47 C3d 376, the court determined that CEQA review must include analysis of the environmental effects of future actions if 1) it is a reasonably foreseeable consequence of the initial project, and 2) the future action will be significant in that it will likely change the scope or nature of the initial project or its environmental effects. While specific development proposals are not available at this time, the Draft SEIR considers worst-case buildout conditions associated with the proposed ELTSP text amendments.

Response to Comment 3-15

It would be premature to conduct special-status plant surveys of the project site prior to the submittal of specific development applications. Mitigation Measure 4.1-1 would require a planning-level special-status plant survey during the appropriate season to identify species present on the project site prior to the initiation of any future ground-disturbing activities. If special-status plants are observed on the site during the survey, the populations would be avoided to the maximum degree possible during development, and a Mitigation and Monitoring Plan would be prepared detailing the measures to be implemented to avoid the plant population. As such, implementation of Mitigation Measure 4.1-1 would ensure that future development facilitated by the proposed project would not adversely affect special-status plant species at the time of future construction.

Additionally, it should be noted that CEQA does not require an exhaustive list of all plant species that could occur on a project site. Rather, CEQA requires an analysis of potential impacts to special-status plants that rise to the level of significance pursuant to CEQA as determined by an expert, based on database searches, field surveys, etc. Chapter 4.1 of the Draft SEIR provides that analysis and includes a discussion of recommended pre-construction surveys to address potentially significant impacts.

Response to Comment 3-16

With regard to Mitigation Measure 4.1-2(e), the commenter alleges that the anticipated breeding season for the white-tailed kite and other nesting birds is too short, and the required buffer if nests are found is too small. However, the commenter does not provide substantial justification or evidence in support of such claims.

In response to the comment regarding the required buffer to avoid disturbance of nest sites for the burrowing owl, Mitigation Measure 4.1-2(d) on page 4.1-21 of the Draft SEIR is hereby revised as follows to ensure the required buffer is established consistent with the California Department of Fish and Wildlife (CDFW) Staff Report on Burrowing Owl Mitigation, as determined by a qualified biologist:

Western Burrowing Owl

4.1-2(d) *Prior to the initiation of any future ground-disturbing activities on the project site, a preconstruction survey for burrowing owls shall be conducted. The CDFG's Staff Report on Burrowing Owl Mitigation (CDFG 2012) states that take avoidance (preconstruction) surveys shall be conducted within 14 days prior to ground disturbance. As burrowing owls may recolonize a site after only a few days, time lapses between project activities trigger subsequent take avoidance surveys, including, but not limited to, a final survey conducted within 24 hours prior to ground disturbance to ensure absence of the species. Surveys shall ensure 100 percent visual coverage. The results*



of the survey shall be submitted to the City of Antioch Community Development Department.

If burrowing owls or fresh sign of burrowing owls are not observed during preconstruction surveys, further mitigation is not required and construction may proceed. If burrowing owls or their recent sign are detected on the site, occupied burrows shall be identified by the monitoring biologist and a construction-free buffer (~~up to 250 feet~~) shall be established as determined by a qualified biologist and maintained until a the qualified biologist has determined the burrowing owl has abandoned the burrow.

The above revisions are for clarification purposes only and do not change the conclusions of the Draft EIR.

Response to Comment 3-17

Section 151309(b)(1) of the CEQA Guidelines requires either a list of past, present, and probable future projects producing related or cumulative impacts or a summary of projections contained in an adopted local, regional or statewide plan, or related planning document, including a general plan, that describes or evaluates conditions contributing to the cumulative effect. As discussed on page 4.1-25 and 4.1-26 of the Draft SEIR, the geographic scope for the cumulative biological resources analysis generally included buildout of the City of Antioch General Plan planning area in accordance with adopted land uses. According to the City's General Plan EIR, General Plan buildout would result in development within and adjacent to large areas of undeveloped land that currently contain sensitive biological resources. The General Plan EIR noted that buildout of the General Plan would cumulatively result in the loss of biological resources and wildlife habitat, and that most mitigation programs do not fully replicate the complex ecological relationships that exist in the natural habitat areas that are anticipated for development. Therefore, even though local impacts would be mitigated to a less-than-significant level, the City's General Plan EIR concluded that buildout of the General Plan would result in a substantial regional cumulative impact on biological resources. Because the Draft SEIR's discussion of cumulative biological resources is based on cumulative development pursuant to buildout of the City's General Plan, the analysis is consistent with Section 151309(b)(1) of the CEQA Guidelines.

Response to Comment 3-18

Local plans specifically related to energy use or energy conservation do not exist, and, therefore, the applicable plans for renewable energy or energy efficiency would be State regulations, as outlined on pages 4.2-15 through 4.2-19 of the Draft SEIR. The potential for the project to conflict with or obstruct a State or local plan for renewable energy generation or energy efficiency was considered under Impact 4.2-1.

With respect to the Draft SEIR's reference to AB 1346, the Draft SEIR did not state that the use of fossil-fuel powered small equipment would be prohibited on the project site. Rather, page 4.2-28 of the Draft SEIR states only that AB 1346 would require that all small off-road engines are all-electric by the time that any future development on-site is operational. Thus, it is reasonable to assume that at least a portion of the overall future small equipment that would be used on the site during operations would consist of alternatively-fueled equipment.

Regarding the comment related to diesel fuel consumption if distribution centers are developed on the project site, see Response to Comments 3-4 and 3-8.



Lastly, the comment states that page 4.2-29 of the Draft SEIR references a “following” discussion of cumulative impacts that does not exist. The referenced discussion of cumulative impacts related to energy is presented on page 4.2-32 of the Draft SEIR.

Response to Comment 3-19

The Bay Area Air Quality Management District (BAAQMD) has adopted CEQA Thresholds for Evaluating the Significance of Climate Impacts Justification Report (Justification Report),³ which is included as Appendix B to their CEQA Air Quality Guidelines (BAAQMD Guidelines).⁴ The Justification Report provides substantial evidence in support of the thresholds of significance developed by the BAAQMD. BAAQMD has recommended that lead agencies within the nine counties of the BAAQMD’s jurisdiction use the thresholds of significance when considering the air quality impacts of projects under their consideration. As such, consistent with standard industry practice, the City of Antioch has elected to use the BAAQMD’s thresholds of significance, which are supported by substantial evidence included in the Justification Report, in order to assess GHG emissions within the City.

As discussed on page 6-2 of the BAAQMD Guidelines, as well as within the Justification Report, the BAAQMD’s GHG emissions thresholds were established in compliance with California’s climate goals as set forth in SB 32, Executive Order (EO) B-55-18, and EO S-03-05.3, as well as the State’s Climate Change Scoping Plan. Thus, by using the BAAQMD thresholds of significance, the Draft SEIR evaluated consistency with statewide goals related to GHG emissions.

Response to Comment 3-20

The comment is a conclusory statement and does not address the adequacy of the Draft SEIR.

Response to Comment 3-21

The comment is an introduction and summarizes subsequent comments. See Responses to Comments 3-22 through 3-26, below.

Response to Comment 3-22

See Response to Comment 3-3. Furthermore, substantial changes in circumstances or new information related to air quality since the 1995 ELTSP EIR have not occurred such that a new or more severe impact from what was identified in the 1995 ELTSP EIR would be expected as a result of the proposed project. Additionally, the proposed project does not include any modifications to the land uses assumed and analyzed in the 1995 specific development proposals. Thus, impacts related to air quality associated with the proposed project would be within the scope of what was previously identified within the 1995 ELTSP EIR. Furthermore, due to increasingly stringent federal and statewide regulations pertaining to air quality emissions, including, but not limited to, Building Energy Efficiency Standards and State and federal vehicle standards, actual operational emissions associated with future buildout on the project site (especially related to energy use) would be less than what would have been estimated in the 1995 ELTSP EIR.

³ Bay Area Air Quality Management District. *California Environmental Quality Act Air Quality Guidelines, Appendix B: CEQA Thresholds for Evaluating the Significance of Climate Impacts From Land Use Projects and Plans*. April 2022.

⁴ Bay Area Air Quality Management District. *California Environmental Quality Act Air Quality Guidelines*. April 2023.



Response to Comment 3-23

See Response to Comment 3-22.

Response to Comment 3-24

See Response to Comment 3-22. In addition, because the proposed project does not include any site-specific development plans, designs, or proposals, specific phasing, timing information, and other details regarding the extent of construction activities associated with future potential development of the site is not available at this time. Therefore, any assumption of construction details associated with future development of the site would be speculative and would not change from what was previously analyzed in the 1995 ELTSP EIR.

Typical retail and office/employment uses are not considered major sources of toxic air contaminant (TAC) emissions according to the California Air Resources Board (CARB). While distribution centers involving more than 100 trucks per day are considered a major source of TAC emissions by CARB, assuming future development on the project site would involve such uses is speculative at this time. Consequently, any quantitative analysis of TAC emissions associated with operation of future development on the project site would be speculative at this time and is not warranted. See Response to Comment 3-8.

Response to Comment 3-25

As discussed on pages 4.2-22 and 4.2-23 of the Draft SEIR, the BAAQMD adopted updated CEQA Air Quality Guidelines in April 2023, which include qualitative GHG thresholds. The applicable BAAQMD threshold of significance for GHG emissions are the qualitative thresholds that ensure the Buildings and Transportation categories of criteria are met, as outlined on page 4.2-23 of the Draft SEIR. If a project implements the required design elements, GHG emissions are assumed to be within the BAAQMD thresholds of significance. Contrary to the commenter's reference to such, an "extrapolated BAAQMD quantitative threshold" does not exist.

Mitigation Measure 4.2-2 would ensure that the proposed project is consistent with the BAAQMD Buildings and Transportation standards. Thus, with implementation of Mitigation Measure 4.2-2, the proposed project would not conflict with the applicable BAAQMD thresholds of significance for GHG emissions.

Neither the City, nor BAAQMD, or any other regulatory agency with approval authority over the proposed project has a specific requirement that the project further reduce potential GHG emissions. Thus, a nexus for the City to require the proposed project to implement additional mitigation measures does not exist. Any obligation for the proposed project to implement additional mitigation measures would be voluntary by applicants of future development proposals. Nonetheless, the comment is noted for the record and will be forwarded to the decision-makers for their consideration.

Response to Comment 3-26

See Response to Comment 3-25. In addition, the City of Antioch is not within the Southern California Association of Governments (SCAG)'s jurisdictional area, and any air quality and GHG mitigation measures set forth by SCAG or their planning documents are not applicable to the proposed project.



Response to Comment 3-27

The comment does not address the adequacy of the Draft SEIR.



Letter 4

Meadow Creek Group, LLC

1500 Willow Pass Court, Concord, CA 94520 · Ph (925) 685-0110 · Fax (925) 685-0660

February 26, 2024

City of Antioch
Attn: Zoe Merideth, Acting Planning Manager
200 H Street
Antioch, CA 94531

Re: East Lone Tree Specific Plan Project – Property Owner Comments

Dear Ms. Merideth,

Thank you very much for sharing your January 11, 2024 memo informing us of the Notice of Availability of the East Lone Tree Specific Plan Project, with the comment period deadline of Monday, February 26, 2024. We at Meadow Creek Group, LLC are one of the few remaining property owners with undeveloped land within the Project Site area that are currently covered by the pre-existing East Lone Tree Specific Plan, which was adopted back in May 1996 almost 28 years ago.

With no real momentum in the commercial/office/employment market over the past *three decades since this Specific Plan was first adopted*, and the ever evolving challenges this market sector faces in developing/creating new opportunities that fit the current CR/E (Regional Retail/Employment) designation, we are very appreciative the City of Antioch has taken it upon themselves to update this Specific Plan in the hopes it can be a catalyst for new development on these remaining vacant pieces of land. For example, the previous owner of our parcels was a nationwide commercial developer who gave up after years of trying on their end to deliver a Specific Plan compliant project.

With that said though, we feel we need to provide our comments within this letter to help further improve upon the East Lone Tree Specific Plan Project and be a real catalyst for incentivizing new development on these remaining vacant/undeveloped parcels. Just like how the City of Antioch already rezoned APN 056-012-098 with its recent Housing Element update to rezone that +/- 6 acre parcel to be for multi-family housing opportunities (where Meadow Creek Group, LLC is currently processing its completed FDP Application for 129 townhome style units) to create more housing opportunities in this part of the City for more residents to be in the area to shop and support the already extensive amount of existing commercial/shopping centers nearby.

Since we acquired our properties within the Specific Plan in 2021 our commercial brokerage team at TRI Commercial has been tirelessly marketing the property and has not received any legitimate interest from reputable commercial developers. Our commercial broker outreach has even recently worked with Costar/Ten-X to garner nation-wide exposure, to cast a net broader than just local developers in the region, for the commercial development opportunities our properties currently have to offer. They did not receive any

4-1

4-2



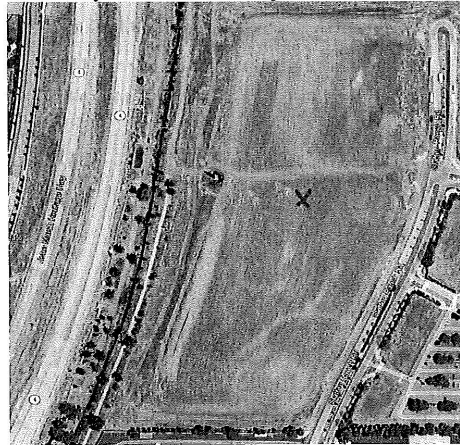
Letter 4
Cont.

4-2
Cont.

interest. However, we have received some interest from individual owner-users who would like to move/expand businesses in Antioch, but only on smaller pieces. There is simply too much acreage for any commercial development to absorb for a “commercial master plan” on our larger piece of property, which we have been informed to date we are unable to subdivide without an approved master plan.

The following parcels are the two remaining pieces of land we own within the existing Specific Plan where one is in the current Project Site area and one is not:

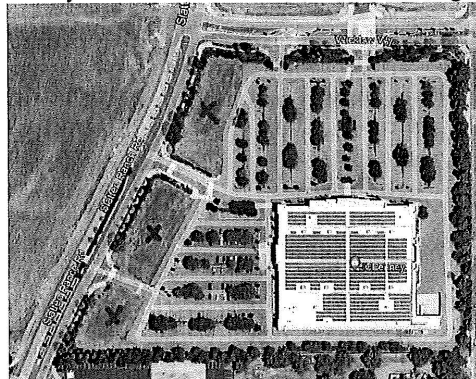
- **APN 056-012-095:** +/- 18 acres on the western side of Slatten Ranch Road along HWY 4
 - Currently included in Project Site area, thank you.



○

4-3

- **APN 056-012-093:** three existing building pads in the shared JC Penney parking lot
 - Not currently included in Project Site area but could be for added flexibility, as these three existing building pad sites on this APN have not yet been built on since the original entitlements granted back in 2007 and has not garnered any current/recent interest from commercial development groups. Including this parcel in the Project Site area will provide greater flexibility to develop these 3 pad sites as they still have been unbuilt since the original entitlements.



○



Letter 4
Cont.

The following are our comments on the Draft SEIR for the City to consider before finalizing anything for adoption:

- **Collaboration with Property Owners** – while we continue to be appreciative the City has taken this first step to improve upon the East Lone Tree Specific Plan, there should be more collaboration with the remaining property owners here before any updates are finalized and adopted. Given these remaining pieces of vacant land have not been developed for nearly three decades since the specific plan was originally adopted, the property owners and their brokers can provide valuable insights and information to the City to update this specific plan so that it can be the catalyst for promoting new development we all want it to be. Other than the formal circulation and comment period we are working through now, there has been no opportunity for property owners and the City to work together and collaborate.
- **Land Use Considerations/Additions** – primary reason there should be more collaboration with the property owners and the City is to sit down and discuss alternative land uses for these remaining vacant properties. We are appreciative that the draft plan updates are intended to streamline approval/permitting process for the already allowed uses in the specific plan, but there should be a more holistic approach to collaborating with the Planning Department & Economic Development Department to collaborate on a fresh approach for what alternative land uses can be evaluated to promote more economic development for the City of Antioch. A fresh perspective on the existing allowed uses should be looked at to see what can and should be added here to promote commercial development as the Specific Plan has contemplated for the past few decades; for example more flexible light-industrial/employment/office flex-spaces.

Also, with many existing commercial/retail/employment facilities in Antioch sitting vacant, let alone undeveloped commercial land like our parcels here, the City should consider additional land uses such as residential and quazi-residential uses (e.g. housing of varying densities, senior/active-adult style housing, and assisted living facilities). Additional housing units would generate new residents for Antioch to shop and support the existing commercial businesses in the City, while creating more rooftops/residents that commercial developers look for when evaluating commercial properties.

- **Subdivision of Existing Parcels** – since acquiring APN 056-012-095 (+/- 18 acres backing up to HWY 4) the constant feedback we have heard from the commercial development community is there is simply too much acreage for any one commercial developer to absorb. There has been some interest from smaller owner/users that are looking for 5 acres or less to develop for their business ventures, but unable to work on the entire +/- 18 acres.

As currently drafted, Section 3.4 of the Draft SEIR would prohibit individual planning efforts for smaller pieces of land, where the City has already informed us we are unable to process a minor subdivision to break the +/- 18 acres into smaller parcels to be developed without a master-plan already approved. This section should be modified to allow for subdividing larger pieces of land into smaller, more developable pieces of land for individual owner/users, as there has been no commercial developer out there showing real interest in a master-planned commercial development. If the City still desires to see

4-4



**Letter 4
Cont.**

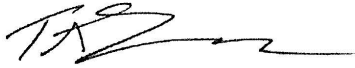
4-4
Cont.

commercial style development in this area, we need to be able to subdivide the property into smaller pieces to be planned individually rather than master planned.

4-5

Thank you again for the opportunity to provide our comments on the Draft SEIR updates for the East Lone Tree Specific Plan. Rather than the City rushing to finalize and adopt these updates, we would sincerely appreciate the opportunity for further collaboration and discussions with the City, the remaining property owners of these vacant land areas, and the development/brokerage community in the hopes the finalized updates to the Specific Plan act as a catalyst to activate these vacant pieces of the property for continued economic development for and within the City of Antioch.

Sincerely,



Trent Sanson
Meadow Creek Group, LLC
Phone: 925-852-0541



LETTER 4: MEADOW CREEK GROUP, LLC

Response to Comment 4-1

The comment is an introductory statement and does not address the adequacy of the Draft SEIR.

Response to Comment 4-2

The comment is related to the ELTSP Amendment text and does not address the adequacy of the Draft SEIR. The comment has been forwarded to the decision-makers as part of their consideration of the proposed project.

Response to Comment 4-3

The comment relates to the scope of the ELTSP Amendment and does not address the adequacy of the Draft SEIR. The comment has been forwarded to the decision-makers as part of their consideration of the proposed project.

Response to Comment 4-4

See Response to Comment 4-3.

Response to Comment 4-5

The comment is a conclusory statement and does not address the adequacy of the Draft SEIR. The comment is noted for the record and will be forwarded to the decision-makers as part of their consideration of the proposed project.



3. Revisions to the Draft SEIR Text

3. REVISIONS TO THE DRAFT SEIR TEXT

3.1 INTRODUCTION

The Revisions to the Draft Supplemental Environmental Impact Report (SEIR) Text chapter provides all corrections, additions, and revisions made to the Draft SEIR.

Section 15088.5 of the State CEQA Guidelines states that a lead agency is required to recirculate a draft EIR when “significant new information” is added to the document after public notice is given of the availability of the Draft EIR for public review under Section 15087 but before certification. Pursuant to this section, the term “information” can include changes in the project or environmental setting, as well as additional data or other information. New information added to an EIR is not considered “significant” unless the EIR is changed in a way that deprives the public of a meaningful opportunity to comment upon a substantial adverse environmental effect of the project or a feasible way to mitigate or avoid such an effect (including a feasible project alternative) that the City has decided not to implement.

“Significant new information” requiring recirculation includes any of the following:

1. A new significant environmental impact would result from the project or for a new mitigation measure proposed to be implemented.
2. A substantial increase in the severity of an environmental impact would result unless mitigation measures are adopted that reduce the impact to a level of insignificance.
3. A feasible project alternative or mitigation measure considerably different from other previously analyzed would clearly lessen the environmental impacts of the project, but the project’s proponents decline to adopt it.
4. The Draft EIR was so fundamentally and basically inadequate and conclusory in nature that meaningful public review and comment were precluded.

Recirculation is not required where the new information added to the EIR merely clarifies or amplifies or makes insignificant modifications in an adequate EIR. The modifications to the Draft SEIR analyzed herein have been examined with these requirements and obligations in mind. The changes represent minor clarifications and amplifications of the analysis contained in the Draft SEIR and do not constitute significant new information that, in accordance with CEQA Guidelines Section 15088.5, would trigger the need to recirculate portions or all of the Draft SEIR.

3.2 DESCRIPTION OF CHANGES

New text is double underlined and deleted text is ~~struck through~~. Text changes are presented in the page order in which they appear in the Draft SEIR.

2 Executive Summary

For clarification purposes, Table 2-1 beginning on page 2-5 of Chapter 2, Executive Summary, of the Draft SEIR is hereby revised to reflect changes made to Mitigation Measure 4.1-2(d). Rather than include the entirety of Table 2-1 with revisions shown where appropriate, only the impact for which mitigation has been revised is presented on the following pages. The revisions are for



clarification and amplification purposes only, and do not change the conclusions of the Draft SEIR. Please refer to the end of the Description of Changes section of this chapter for Table 2-1.

3 Project Description

The proposed amendment to Article 9 of the ELTSP, shown on pages 3-7 and 3-8 of the Draft SEIR, is hereby revised, as shown below. The new revisions are shown in **red**, while the proposed revisions previously included in the Draft SEIR remain shown as ~~strikethrough~~ and double underlined text.

SECTION 9.2: Development Entitlement Process

Planned Development Process:

All developments within the Specific Plan Area are required to go through the Planned Development Review process as determined by Section 23 of the Antioch Municipal Zoning Code. Exceptions to this requirement are identified in Section 9.4 and as described in CR/E and CE section below. The Planned Development This process requires the following major steps:

- A. The submittal and approval of a preliminary development plan. While optional under the Zoning Ordinance, this is a requirement of the Specific Plan.
- B. The submittal and approval of Planned Development Zoning and a Final Development Plan as specified in the Antioch Municipal Code (Section 23).
- C. The submittal and approval of a use permit for each phase of development as specified in the Antioch Municipal Code (Section 27).
- D. As a requirement in all Specific Plan updates and in compliance with the City's NPDES permit's C.3 provision, private Green Infrastructure facilities shall be built as a result of the development of parcels. Green Infrastructure is intended to improve stormwater quality, reduce flood risk, and provide other environmental and health benefits to the City of Antioch. In addition, as part of the Design Review process and related street frontage improvements, the City of Antioch shall identify and pursue opportunities for Green Infrastructure on private and public property.

All of the discretionary actions required as part of the Final Development Plan process shall include a finding of consistency with the East Lone Tree Specific Plan consistent with State law.

In addition to the submittal requirement identified in the Antioch Municipal Code, for Preliminary and Final Development Plan identified in the Antioch Municipal Code, the following information shall be submitted:

- A cut and fill map showing proposed site grading with the Preliminary Development Plan.
- Conceptual architecture of residential units, including range of unit sizes with the Final Development Plan.



- Streetscape depicting typical mix of "garage forward" and "house forward" units with the Final Development Plan.
- Photo montages or other visual analysis shall be required at the discretion of the Planning Commission with the Preliminary or Final Development Plan.
- A phasing plan identifying the anticipated increments of development and the infrastructure proposed to be constructed as part of each phase.

CR/E Regional Retail/Employment and CE Employment Retail

Development of four parcels designated CR/E and CE (APNs 053-072-003, 053-072-025, 053-072-026, and 056-120-095) shall require a Use Permit and Design Review by the Planning Commission and not the Planned Development process described above. The Use Permit and Design Review process shall be as outlined in Articles 26 and 27 of the Antioch Municipal Code.

The above revision is a staff-initiated change to add Green Infrastructure facilities as a requirement for future development on the project site, which is intended to provide environmental benefits and would not result in any increased impacts. Therefore, the above revision would not modify the analysis or conclusions of the Draft SEIR.

4.1 Biological Resources

Mitigation Measure 4.1-2(d) on page 4.1-21 of the Draft SEIR is hereby revised as follows:

Western Burrowing Owl

4.1-2(d) *Prior to the initiation of any future ground-disturbing activities on the project site, a preconstruction survey for burrowing owls shall be conducted. The CDFG's Staff Report on Burrowing Owl Mitigation (CDFG 2012) states that take avoidance (preconstruction) surveys shall be conducted within 14 days prior to ground disturbance. As burrowing owls may recolonize a site after only a few days, time lapses between project activities trigger subsequent take avoidance surveys, including, but not limited to, a final survey conducted within 24 hours prior to ground disturbance to ensure absence of the species. Surveys shall ensure 100 percent visual coverage. The results of the survey shall be submitted to the City of Antioch Community Development Department.*

If burrowing owls or fresh sign of burrowing owls are not observed during preconstruction surveys, further mitigation is not required and construction may proceed. If burrowing owls or their recent sign are detected on the site, occupied burrows shall be identified by the monitoring biologist and a construction-free buffer (~~up to 250 feet~~) shall be established as determined by a qualified biologist and maintained until a the qualified biologist has determined the burrowing owl has abandoned the burrow.

The above revisions are for clarification purposes only and do not change the conclusions of the Draft SEIR.



**Table 2-1
 Summary of Impacts and Mitigation Measures**

Impact	Level of Significance Prior to Mitigation	Mitigation Measures	Level of Significance After Mitigation
<i>4.1 Biological Resources</i>			
4.1-2 Have a substantial adverse effect, either directly or through habitat modifications, on special-status wildlife species.	S	<p><i>Western Burrowing Owl</i> 4.1-2(d) <i>Prior to the initiation of any future ground-disturbing activities on the project site, a preconstruction survey for burrowing owls shall be conducted. The CDFG's Staff Report on Burrowing Owl Mitigation (CDFG 2012) states that take avoidance (preconstruction) surveys shall be conducted within 14 days prior to ground disturbance. As burrowing owls may recolonize a site after only a few days, time lapses between project activities trigger subsequent take avoidance surveys, including, but not limited to, a final survey conducted within 24 hours prior to ground disturbance to ensure absence of the species. Surveys shall ensure 100 percent visual coverage. The results of the survey shall be submitted to the City of Antioch Community Development Department.</i></p> <p><i>If burrowing owls or fresh sign of burrowing owls are not observed during preconstruction surveys, further mitigation is not required and construction may proceed. If burrowing owls or their recent sign are detected on the site, occupied burrows shall be identified by the monitoring biologist and a construction-free buffer (up to 250 feet) shall be established <u>as determined by a qualified biologist</u> and maintained until <u>a</u> <u>the</u> qualified biologist has determined the burrowing owl has abandoned the burrow.</i></p>	LS



4. Mitigation Monitoring and Reporting Program

4. MITIGATION MONITORING AND REPORTING PROGRAM

4.1 INTRODUCTION

Section 15097 of the California Environmental Quality Act (CEQA) requires all State and local agencies to establish monitoring or reporting programs for projects approved by a public agency whenever approval involves the adoption of either a “mitigated negative declaration” or specified environmental findings related to an EIR.

The following is the Mitigation Monitoring and Reporting Program (MMRP) for the East Lone Tree Specific Plan (ELTSP) Project (proposed project). The intent of the MMRP is to ensure implementation of the mitigation measures identified within the ELTSP Environmental Impact Report (EIR), certified by the City of Antioch City council in August 1995, as well as any modified and new mitigation measures identified within the Supplemental EIR (SEIR). Unless otherwise noted, the cost of implementing the mitigation measures as prescribed by this MMRP shall be funded by the applicants of future development projects proposed within the project site.

4.2 COMPLIANCE CHECKLIST

The MMRP contained herein is intended to satisfy the requirements of CEQA as they relate to the 1995 ELTSP EIR and SEIR prepared by the City of Antioch. This MMRP is intended to be used by City staff and mitigation monitoring personnel to ensure compliance with mitigation measures during project implementation. Mitigation measures identified in this MMRP were developed in the 1995 ELTSP EIR and SEIR that were prepared for the proposed project.

The 1995 ELTSP EIR and SEIR present a detailed set of mitigation measures that will be implemented throughout the lifetime of the project. Mitigation is defined by CEQA Guidelines, Section 15370, as a measure that:

- Avoids the impact altogether by not taking a certain action or parts of an action;
- Minimizes impacts by limiting the degree or magnitude of the action and its implementation;
- Rectifies the impact by repairing, rehabilitating, or restoring the impacted environment;
- Reduces or eliminates the impact over time by preservation and maintenance operations during the life of the project; or
- Compensates for the impact by replacing or providing substitute resources or environments.

The intent of the MMRP is to ensure the implementation of adopted mitigation measures. The MMRP will provide for monitoring of construction activities as necessary and in-the-field identification and resolution of environmental concerns.

This MMRP includes changes to the previous MMRP included in the Final 1995 ELTSP EIR. New text is indicated in double underline and text to be deleted is reflected by a ~~strike through~~.



Monitoring and documenting the implementation of mitigation measures will be coordinated by the City of Antioch. The table in Section 4.3 identifies the mitigation measure, the monitoring action for the mitigation measure, the responsible party for the monitoring action, and timing of the monitoring action. The applicant will be responsible for fully understanding and effectively implementing the mitigation measures contained within the MMRP. The City will be responsible for monitoring compliance.

4.3 MITIGATION MONITORING AND REPORTING PROGRAM

The following table indicates the mitigation measure number, the impact the measure is designed to address, the measure text, the monitoring agency, implementation schedule, and an area for sign-off indicating compliance.



MITIGATION MONITORING AND REPORTING PROGRAM					
East Lone Tree Specific Plan					
Impact Number	Impact	Mitigation Measure	Monitoring Agency	Implementation Schedule	Sign-off
B. Transportation					
B1	<p>The addition of project traffic would worsen deficient conditions at the following intersections:</p> <ul style="list-style-type: none"> • Lone Tree Way/James Donlon Blvd. • Lone Tree Way/Fairview Ave. • Lone Tree Way/Dallas Ranch Rd. 	<p>Mitigation Measure B1: The following intersection improvements would be needed to mitigate deficient conditions to an acceptable level:</p> <p><i>B1a Lone Tree Way/James Donlon Boulevard</i></p> <ul style="list-style-type: none"> • Add 2nd eastbound right-turn lane or channelized "free-right" and 2nd northbound left-turn lane (9%) <p><i>B1b Fairview Avenue/Lone Tree Way</i></p> <ul style="list-style-type: none"> • Will operate at acceptable conditions with planned year 2010 widenings (9%) <p><i>B1c Dallas Ranch Road/Lone Tree Way</i></p> <ul style="list-style-type: none"> • Add exclusive eastbound right-turn lane (10%) 	City of Antioch Community Development Department	Completed	
B2	<p>The project would deteriorate level of service to unacceptable levels at the following intersections:</p> <ul style="list-style-type: none"> • SR 4 eastbound ramps/Lone Tree Way • Sunset Drive/Laurel Rd. • Deer Valley Rd./Lone Tree Way 	<p>Mitigation Measure B2: The following improvements would be needed to mitigate deficient conditions:</p> <p><i>B2a SR 4 eastbound ramps/Lone Tree Way</i></p> <ul style="list-style-type: none"> • Add 2nd eastbound right-turn lane or channelized "freeright" (7%) <p><i>B2b Sunset Drive/Laurel Rd.</i></p> <ul style="list-style-type: none"> • Add 2nd southbound left-turn lane (56%) <p><i>B2c Deer Valley Rd./Lone Tree Way</i></p> <ul style="list-style-type: none"> • Add exclusive eastbound right-turn lane (10%) 	City of Antioch Community Development Department	Completed	Not applicable to the Specific Plan Amendment
B4	The five intersections listed below currently meet	Mitigation Measure B4: Signalize the following intersections:	City of Antioch Community		



MITIGATION MONITORING AND REPORTING PROGRAM East Lone Tree Specific Plan					
Impact Number	Impact	Mitigation Measure	Monitoring Agency	Implementation Schedule	Sign-off
	<p>the peak hour signal warrant and would meet the peak hour signal warrant for the Project scenario.</p> <ul style="list-style-type: none"> • Deer Valley Rd./Balfour Rd. • Sand Creek Rd./Lone Tree Way • Fairview Ave./Sand Creek Rd. • O'Hara Ave./Lone Tree Way • Empire Ave./Lone Tree Way 	<p><i>B4a Deer Valley Road/Balfour Road</i></p> <ul style="list-style-type: none"> • (5%) <p><i>B4b Sand Creek Road/Lone Tree Way</i></p> <ul style="list-style-type: none"> • (19%) <p><i>B4c Fairview Avenue/Sand Creek Road</i></p> <ul style="list-style-type: none"> • (13%) <p><i>B4d O'Hara Avenue/Lone Tree Way</i></p> <ul style="list-style-type: none"> • (5%) <p><i>B4e Empire Avenue/Lone Tree Way</i></p> <ul style="list-style-type: none"> • (9%) 	Development Department	<p>Not applicable to the Specific Plan Amendment</p> <p>Not applicable to the Specific Plan Amendment</p> <p>Completed</p> <p>Completed</p> <p>Completed</p>	
B5	<p>The following intersections would meet the peak hour signal warrant (in at least one peak hour) for the Project scenario:</p> <ul style="list-style-type: none"> • Sunset Drive/Lone Tree Way • Empire Ave./Laurel Road • Canada Valley Rd./Lone Tree Way • Sunset Dr./Laurel 	<p>Mitigation Measure B5: Signalize the following intersections:</p> <p><i>B5a Sunset Drive/Lone Tree Way</i></p> <ul style="list-style-type: none"> • (17%) <p><i>B5b Empire Avenue/Laurel Road</i></p> <ul style="list-style-type: none"> • (16%) <p><i>B5c Canada Valley Road/Lone Tree Way</i></p> <ul style="list-style-type: none"> • (28%) <p><i>B5d Sunset Drive/Laurel Road</i></p> <ul style="list-style-type: none"> • (56%) 	City of Antioch Community Development Department	<p>Completed</p> <p>Completed</p> <p>Completed</p> <p>Not applicable to the Specific Plan Amendment</p>	



MITIGATION MONITORING AND REPORTING PROGRAM					
East Lone Tree Specific Plan					
Impact Number	Impact	Mitigation Measure	Monitoring Agency	Implementation Schedule	Sign-off
	<ul style="list-style-type: none"> Rd. • Sunset Dr./Wild Horse Drive • Lone Tree Way/Regional Commercial Use Driveway 	<p><i>B5e Sunset Drive/Wild Horse Drive</i></p> <ul style="list-style-type: none"> • (20%) <p><i>B5f Lone Tree Way/Regional Commercial Driveway</i></p> <ul style="list-style-type: none"> • (29%) 		<p>Not applicable to the Specific Plan Amendment</p> <p>Completed</p>	
B6	<p>The addition of project traffic would worsen deficient conditions at the following locations:</p> <ul style="list-style-type: none"> • SR 4 westbound ramps/Lone Tree Way • SR 4 westbound ramps/Hillcrest Ave. • SR 4 eastbound ramps/Hillcrest Ave. • Lone Tree Way/James Donlon Blvd. • Dallas Ranch Rd./Lone Tree Way • Hillcrest Ave./Lone Tree Way 	<p>Mitigation Measure B6a: <i>The following intersection improvements would mitigate deficient conditions to an acceptable level:</i></p> <p><i>B6a SR 4 westbound ramps/Lone Tree Way</i></p> <ul style="list-style-type: none"> • Add 2nd northbound left-turn lane (9%) <p><i>B6b SR 4 westbound ramps/Hillcrest Avenue</i></p> <ul style="list-style-type: none"> • Add 2nd northbound left-turn lane (15%) <p><i>B6c SR 4 eastbound ramps/Hillcrest Avenue</i></p> <ul style="list-style-type: none"> • Channelized “free-right” and exclusive northbound right-turn lane (12%) <p><i>B6d Lone Tree Way/James Donlon Boulevard</i></p> <ul style="list-style-type: none"> • Add exclusive eastbound right-turn lane and 2nd northbound left-turn lane (13%) <p><i>B6e Dallas Ranch Road /Lone Tree Way</i></p> <ul style="list-style-type: none"> • Add exclusive eastbound right-turn lane and 2nd northbound left-turn lane (13%) <p><i>B6f Hillcrest Avenue/Lone Tree Way</i></p>	City of Antioch Community Development Department	<p>Completed</p> <p>Completed</p> <p>Not applicable to the Specific Plan Amendment</p> <p>Completed</p> <p>Completed</p>	



MITIGATION MONITORING AND REPORTING PROGRAM					
East Lone Tree Specific Plan					
Impact Number	Impact	Mitigation Measure	Monitoring Agency	Implementation Schedule	Sign-off
		<ul style="list-style-type: none"> Add exclusive southbound and westbound right-turn lanes (27%) 			
B7	<p>The following intersections would deteriorate to deficient level of service conditions as a result of the Project:</p> <ul style="list-style-type: none"> Deer Valley Rd./New Sand Creek Rd. Deer Valley Rd./Lone Tree Way Dallas Ranch Rd./New Sand Creek Rd. Hillcrest Ave./Laurel Ave. Dallas Ranch Rd./Lone Tree Way 	<p>Mitigation Measure B7: The following intersection improvements would be needed to mitigate deficient conditions to an acceptable level:</p> <p><i>B7a Deer Valley Road/New Sand Creek Road</i></p> <ul style="list-style-type: none"> Add exclusive southbound right-turn lane and 2nd eastbound left-turn lane (4%) <p><i>B7b Deer Valley Road/Lone Tree Way</i></p> <ul style="list-style-type: none"> Add exclusive eastbound and northbound right-turn lanes (21%) <p><i>B7c Dallas Ranch Road/New Sand Creek Road</i></p> <ul style="list-style-type: none"> Add 2nd southbound left-turn lane (2%) <p><i>B7d Hillcrest Avenue/Laurel Road</i></p> <ul style="list-style-type: none"> Add exclusive eastbound right-turn lane (41%) <p><i>B7e Dallas Ranch Road/Lone Tree Way</i></p> <ul style="list-style-type: none"> See Mitigation Measure B6 (13%) 	City of Antioch Community Development Department	<p>Superseded by Sand Creek Focus Area projects</p> <p>Superseded by Sand Creek Focus Area projects</p> <p>Superseded by Sand Creek Focus Area projects</p> <p>Completed</p> <p>Completed</p>	
B8	<p>The five intersections listed below currently meet the peak hour signal warrant and would meet the peak hour signal warrant for the Project scenario.</p>	<p>Mitigation Measure B8: Signalize the following intersections:</p> <p><i>B8a Lone Tree Way/Sand Creek Road</i></p> <ul style="list-style-type: none"> (46%) <p><i>B8b Empire Avenue/Laurel Road</i></p> <ul style="list-style-type: none"> (44%) 	City of Antioch Community Development Department	<p>Completed</p> <p>Completed</p>	



MITIGATION MONITORING AND REPORTING PROGRAM					
East Lone Tree Specific Plan					
Impact Number	Impact	Mitigation Measure	Monitoring Agency	Implementation Schedule	Sign-off
	<ul style="list-style-type: none"> • Lone Tree Way/Sand Creek Rd. • Empire Ave./Laurel Rd. • O'Hara Ave./Lone Tree Way • Sunset Drive/Laurel Rd. • Dallas Ranch Rd./Lone Tree Way 	<p><i>B8c O'Hara Avenue/Lone Tree Way</i></p> <ul style="list-style-type: none"> • (28%) <p><i>B8d Sunset Drive/Laurel Road</i></p> <ul style="list-style-type: none"> • (31%) <p><i>B8e Dallas Ranch Road/Lone Tree Way</i></p> <ul style="list-style-type: none"> • (13%) 		<p>Completed</p> <p>Not applicable to the Specific Plan Amendment</p> <p>Completed</p>	
B9	<p>The fifteen intersections listed on the following page would meet the peak hour warrant (in at least one peak hour) for the Project scenario.</p> <ul style="list-style-type: none"> • Deer Valley Rd./New Sand Creek Rd. • Sunset Drive/Lone Tree Way • Canada Valley Rd./Lone Tree Way • Dallas Ranch Rd./New Sand Creek Rd. • Hillcrest Ave./New Sand Creek Rd. 	<p>Mitigation Measure B9: Signalize the following intersections:</p> <p><i>B9a Deer Valley Road/New Sand Creek Road</i></p> <ul style="list-style-type: none"> • (4%) <p><i>B9b Sunset Drive/Lone Tree Way</i></p> <ul style="list-style-type: none"> • (15%) <p><i>B9c Canada Valley Road/Lone Tree Way</i></p> <ul style="list-style-type: none"> • (50%) <p><i>B9d Dallas Ranch Road/New Sand Creek Road</i></p> <ul style="list-style-type: none"> • (2%) <p><i>B9e Hillcrest Avenue/New Sand Creek Road</i></p> <ul style="list-style-type: none"> • (5%) <p><i>B9f New Sand Creek Road/Kaiser Driveway</i></p> <ul style="list-style-type: none"> • (3%) 	City of Antioch Community Development Department	<p>Completed</p> <p>Completed</p> <p>Completed</p> <p>Superseded by Sand Creek Focus Area projects</p> <p>Completed</p> <p>Superseded by Sand Creek Focus</p>	



MITIGATION MONITORING AND REPORTING PROGRAM					
East Lone Tree Specific Plan					
Impact Number	Impact	Mitigation Measure	Monitoring Agency	Implementation Schedule	Sign-off
	<ul style="list-style-type: none"> • New Sand Creek Rd./Kaiser Drive-way • New Sand Creek Rd./Zone 451 Residential Access • New Sand Creek Rd./South Dallas Ranch Rd. • New Sand Creek Rd./Zone 453 Residential Access • Dallas Ranch Rd./Zone 434 Residential Access • Deer Valley Rd./Kaiser Access • Deer Valley Rd./Zones 434/455 Residential Access • Hillcrest Ave./Zones 459/460 Residential Access • Lone Tree Way/Regional Commercial 	<p><i>B9g New Sand Creek Rd./Zone 451 Res. Access</i></p> <ul style="list-style-type: none"> • (3%) <p><i>B9h New Sand Creek Rd./South Dallas Ranch Road</i></p> <ul style="list-style-type: none"> • (3%) <p><i>B9i New Sand Creek Rd./Zone 453 Res. Access</i></p> <ul style="list-style-type: none"> • (3%) <p><i>B9j Dallas Ranch Rd./Zone 434 Res. Access</i></p> <ul style="list-style-type: none"> • (3%) <p><i>B9k Deer Valley Road/Kaiser Access</i></p> <ul style="list-style-type: none"> • (2%) <p><i>B9l Deer Valley Road/Zones 434/455 Res. Access</i></p> <ul style="list-style-type: none"> • (4%) <p><i>B9m Hillcrest Avenue/Zones 459/460 Res. Access</i></p> <ul style="list-style-type: none"> • (4%) <p><i>B9n Lone Tree Way/Regional Commercial Driveway</i></p> <ul style="list-style-type: none"> • (20%) 		<p>Area projects</p> <p>Superseded by Sand Creek Focus Area projects</p> <p>Superseded by Sand Creek Focus Area projects</p> <p>Superseded by Sand Creek Focus Area projects</p> <p>Not applicable to the Specific Plan Amendment</p> <p>Completed</p> <p>Not applicable to the Specific Plan Amendment</p> <p>Not applicable to the Specific Plan Amendment</p> <p>Completed</p>	



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	<ul style="list-style-type: none"> Driveway Lone Tree Way/Regional Commercial Driveway 	<i>B9o Lone Tree Way/Regional Commercial Driveway</i> <ul style="list-style-type: none"> (28%) 		Completed	
B10	Need for adequate access to onsite commercial and employment areas.	Mitigation Measure B10: <i>Address in subsequent plans in a manner complying with the Specific Plan and with City of Antioch standards.</i>	City of Antioch Community Development Department	Prior to the approval of any project improvement plan	
B11, B12, B13	Need to provide adequate spacing of intersections, roadway widths, sidewalks and bike lanes consistent with City standards.	Mitigation Measures B11, B12, B13: <i>Intersections, roadways, sidewalks and bike lanes will be designed in subsequent plans to meet the City's standards.</i>	City of Antioch Community Development Department	Prior to the approval of any project improvement plan	
B14	Need to provide facilities in support of non-automobile circulation.	Mitigation Measure B14: <i>Address provision of bicycle parking, showers at employment centers and connections to adjacent development in subsequent plans.</i>	City of Antioch Community Development Department	Prior to the approval of any project improvement plan	
B15, B16, B17	Need to provide for site-specific layout and circulation design meeting needs for school-related circulation, delivery access and parking, emergency vehicle access, and user parking.	Mitigation Measures B15, B16, and B17: <i>Address school pedestrian access, access for emergency and service vehicles, and parking in subsequent plans.</i>	City of Antioch Community Development Department	Prior to the approval of any project improvement plan	
B18	Project construction traffic will increase traffic and congestion on local roadways and intersections.	Mitigation Measure B18: <i>Develop a detailed construction traffic plan.</i> <u><i>See Mitigation Measure 4.3-1.</i></u>	See Mitigation Measure 4.3-1	See Mitigation Measure 4.3-1	



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B19	Transit routes serving the project and bus stops have not been identified.	<p>Mitigation Measure B19: <i>There are two factors that will improve the transit accessibility of the project:</i></p> <ol style="list-style-type: none"> <i>The project should be designed to allow for ready access to arterial and collector streets by pedestrians. This means that cul-de-sacs that back onto arterial and collector streets should have a pedestrian/bicycle link between the cul-de-sac and the main road.</i> <i>Bus turnouts and passenger shelters should be provided on major streets to accommodate future transit service.</i> <p><i>Transit routes will need to be addressed in subsequent plans.</i></p>	City of Antioch Community Development Department	Prior to the approval of any project improvement plan	
B20	Many additional roadways and intersections would be significantly impacted if one phase of the project were built entirely before the other phase (i.e., housing before employment).	Mitigation Measure B20: <i>Implement incentives for employment-bearing land uses to help assure that employment in FUA #2 will be established in the same general time frame as housing.</i>	City of Antioch Community Development Department	Ongoing	
4.3-1	<u>Conflict with a program, plan, ordinance, or policy addressing the circulation system during construction activities.</u>	<u>4.3-1 Prior to the issuance of any grading and/or building permits for any CR/E or CE designated site within the ELTSP area, the project applicant that is proposing to develop a CR/E or CE designated site shall submit a construction management plan for the applicable site, subject to review and approval by the City Engineer. The requirements within the construction management plan shall include, but are not necessarily limited to, the following elements:</u>	City of Antioch Community Development Department City Engineer	Prior to the issuance of any grading and/or building permits for any CR/E or CE designated site within the ELTSP area	



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		<ul style="list-style-type: none"> <u>Project staging plan to maximize on-site storage of materials and equipment.</u> <u>A set of comprehensive traffic control measures, including scheduling of major truck trips and deliveries to avoid peak hours; lane closure proceedings; signs, cones, and other warning devices for drivers; and designation of construction access routes.</u> <u>Permitted construction hours;</u> <u>Location of construction staging;</u> <u>Identification of parking areas for construction employees, site visitors, and inspectors, including on-site locations; and</u> <u>Provisions for street sweeping to remove construction related debris on public streets.</u> 			
C. Air Quality					
C1	Regional air quality standards would be exceeded.	<p>Mitigation Measure C1:</p> <p>C1a <i>The proposed project shall comply with the air quality policies of the Antioch General Plan.</i></p> <p><i>The project shall demonstrate compliance with the General Plan by ensuring that the local circulation system will encourage and accommodate the use of transportation modes other than the automobile.</i></p>	City of Antioch Community Development Department	Prior to the approval of any project improvement plan	



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		<p><i>C1b Implement Antioch's Transportation Demand Management ordinance.</i></p> <p><i>The Transportation Demand Management Ordinance (TDM) shall be applied to all phases of the proposed project and include specific trip reduction goals and enforcement procedures. The available strategies for meeting the TDM goals should include, but not be limited to, the following:</i></p> <ul style="list-style-type: none"> • <i>Incentives to use public transit</i> • <i>Ridesharing</i> • <i>Cycling and walking</i> • <i>Alternative work hours</i> • <i>Parking management</i> • <i>Transportation coordination at job sites</i> • <i>Transit terminal/transfer station</i> • <i>New transit routes</i> • <i>Provision of transit amenities</i> 	City of Antioch Community Development Department	Prior to the approval of any project improvement plan	
C2	Fugitive dust would be generated during the construction period.	<p>Mitigation Measure C2: <i>Control construction period fugitive dust in all phases of project development beyond the initial phase. Controls shall include the following:</i></p> <ul style="list-style-type: none"> • <i>Provide equipment and staffing for watering of all exposed or disturbed soil as required by the City.</i> • <i>Water or cover stockpiles of debris, soil, sand or other materials that can be blown by the wind.</i> • <i>Sweep construction areas and adjacent streets of all mud and debris, since this material can be pulverized and later resuspended by vehicle traffic.</i> 	City of Antioch Community Development Department	During all phases of construction	



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		<ul style="list-style-type: none"> • Limit the speed of all construction vehicles to 15 miles per hour while on site. • Suspend earthmoving and other dust-producing activities during periods of high winds. 			
D. Noise					
D1	Project construction would result in high levels of construction noise.	<p>Mitigation Measure D1:</p> <p>D1a Limit hours of noise-generating construction activity.</p> <p>Noise-generating construction equipment, including truck traffic to and from the site for any purpose, should be limited to the hours of 8:00 AM to 5:00 PM. Trucks should be restricted to major arterial roadways and should avoid residential neighborhoods when possible.</p> <p>D1b Minimize equipment noise.</p> <p>All construction equipment shall be properly muffled and maintained.</p> <p>D1c Protect sensitive receptors from excessive construction noise.</p> <p>All stationary noise-generating construction equipment, such as air compressors, should be located as far as practical from residences. Such equipment, when near occupied residences, should be acoustically shielded where possible using wood screens or other available barriers such as construction trailers.</p>	<p>City of Antioch Community Development Department</p> <p>City of Antioch Community Development Department</p> <p>City of Antioch Community Development Department</p>	<p>During construction activities</p> <p>During construction activities</p> <p>During construction activities</p>	



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		<i>“Quiet” construction equipment, particularly air compressors, shall be selected whenever possible. The prudent selection of such equipment, along with the use of proper mufflers, should result in maximum construction-related noise generated by a particular piece of equipment or no more than 85 dBA when measured at a distance of 50 feet from a piece of equipment operating at its noisiest mode.</i>			
D2	<p>Potential for excessive traffic noise at new sensitive receptors.</p> <p>Traffic noise within the Specific Plan area could exceed applicable guidelines at new residential receptors.</p>	<p>Mitigation Measure D2:</p> <p>D2a <i>Achieve CNEL of 60 dBA or less.</i></p> <p><i>A combination of open space buffer zones and/or noise barriers along roadways could be used to reduce the CNEL to 60 dBA or less. The specific heights and limits of noise barriers or open space buffer zones cannot be determined until a site plan is developed for each portion of the Specific Plan area. Figure 19 shows the largest (worst-case) open space buffer zones required in order to mitigate noise levels in outdoor activity areas without any additional attenuation due to topography or noise barriers. As a general guideline, a 6-foot high barrier would be required to provide the 5 dBA of noise reduction necessary at the 65 dBA contour and a 10-12 foot high barrier would be required at the 70 dBA contour.</i></p> <p>D2b <i>Site and design residences to meet interior noise standards.</i></p>	<p>City of Antioch Community Development Department</p> <p>City of Antioch Engineering Division</p> <p>City of Antioch Community</p>	<p>Prior to the approval of any project improvement plan</p> <p>Prior to the approval of any project</p>	



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		<p><i>All single- and multi-family housing located within the 60 dBA CNEL contour shall be designed such that the indoor CNEL level shall not exceed 45 dBA. The designs for the housing shall be reviewed by a qualified acoustical engineer and the necessary noise control treatments incorporated into the design. All such units shall be provided with forced air ventilation systems so that windows may be kept closed at the discretion of the occupants for noise control. Additional noise control treatments could include sound rated windows and doors. A report shall be prepared following the requirements of Title 24, Part 2 of the California Administrative Code for all multi-family housing within the 60 CNEL contour distances. A similar report shall be provided for single-family housing to the City of Antioch.</i></p>	<p>Development Department City of Antioch Engineering Division</p>	improvement plan	
E. Geology, Soils and Seismicity					
E1	Soils on hillslopes could be subject to slope failure and erosion.	<p>Mitigation Measure E1: <i>Appropriate structure and road design would reduce hazards associated with unstable hillslopes and erosion.</i></p> <p><i>A grading plan shall be prepared by the site developer for final design review of the project. Pursuant to Uniform Building Code requirements, the grading plan shall be prepared by a licensed civil engineer and include soils engineering and engineering geology reports. The grading plan shall accurately show all cut and fill areas and provide calculated earthwork volumes. The grading plan shall also address erosion control and describe drainage facilities. The soil engineering and engineering geology reports required</i></p>	City of Antioch Community Development Department	Prior to the issuance of any grading permit and during construction activities	



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		<p>for the grading plan shall specifically address the slope stability of any proposed cut slopes and potentially unstable areas, including north-northeastern slopes, and their suitability for any proposed building, roadway, or other infrastructure development. Their recommendations shall be included in the grading and building plans prepared for the project. All grading activities shall be routinely inspected by the project geotechnical engineer in order to ensure that recommendations are incorporated during field activities.</p> <p>The following measures should be considered in development of the recommendations for the grading plan:</p> <ul style="list-style-type: none"> • During or following completion of construction activities, exposed soils shall be stabilized by mechanical methods or landscaped with drought-tolerant plantings to control erosion. Erosion control should be implemented in conformance with guidelines in the Association of Bay Area Governments (ABAG) Manual of Standards for Erosion and Sediment Control Measures. • Construction of structures for human occupancy and infrastructure elements shall be setback from the crest of slopes that are higher than ten feet and steeper than 25 percent (4H: 1 V). • Subsurface drains shall be placed beneath all fills and designed to discharge to the storm drainage system. 			



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		<ul style="list-style-type: none"> The differential thickness of fills placed beneath structures and infrastructure elements shall be minimized to control differential settlement of the fills. Surface water drainage shall be controlled to prevent discharge of water onto or into fills placed at the project site. Prior to placement of thick structural fills, all surficial soils and weathered bedrock shall be excavated to minimize the potential for down-slope creep. Design of fills shall address the potential for fills or portions of fills to eventually become saturated. All surface drainage facilities shall be inspected and maintained on a routine basis by a designated public agency or a homeowners' association to prevent erosion problems. 			
E2	Structures could sustain damage from differential settlement due to weak or expansive soils.	<p>Mitigation Measure E2: Site and building design shall take account of weak and/or expansive soils.</p> <p>The soils engineering and engineering geology reports shall identify areas where weak and expansive soil would likely affect proposed development and provide design specifications for minimizing the potential for damage due to weak and expansive soils. The following measures shall be considered for building designs:</p> <ul style="list-style-type: none"> Building foundations and improvements founded on expansive soils shall consist of drilled pier and grade beams, deepened footings (to address expansive soil), or post-tensioned slabs. Alternatively, expansive soils shall be removed and replaced with compacted 	City of Antioch Community Development Department	Prior to the approval of any project improvement plan	



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		<p><i>non-expansive soil prior to foundation construction, or other appropriate stabilization techniques implemented acceptable to the City of Antioch.</i></p> <ul style="list-style-type: none"> • <i>Subgrade soils for pavements shall consist of moisture-conditioned, lime-treated, or non-expansive soil.</i> • <i>Surface and subsurface water shall be directed away from foundation elements to minimize variations in soil moisture.</i> 			
E3	Strong ground shaking during an earthquake could cause structural damage and slope failure, and could result in injuries to the public.	<p>Mitigation Measure E3:</p> <p><i>E3a Site planning and building design shall incorporate provisions to reduce risk to life and property from seismic activity.</i></p> <p><i>E3b All buildings, underground utilities, and other improvements shall be designed and constructed in accordance with seismic design criteria presented in the Uniform Building Code.</i></p> <p><i>Hazards can be reduced by engineered structural components that minimize damage from ground shaking and firmly anchoring non-structural objects that may become hazards due to ground shaking. The engineering geology report shall include structural design criteria that would minimize impacts to the project associated with strong ground shaking</i></p>	<p>City of Antioch Community Development Department City of Antioch Engineering Division</p> <p>City of Antioch Community Development Department</p> <p>City of Antioch Engineering Division</p>	<p>Prior to the approval of any project improvement plan</p> <p>Prior to the approval of any project improvement plan</p>	



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		during an earthquake. The report shall identify any liquefaction hazards that may exist. The engineering geology report shall provide design criteria for structures in areas that may undergo liquefaction during an earthquake. Alternatively, building shall not be permitted in areas subject to liquefaction.			
E4	Urban development on the east side of the planning area could expose future population to safety risks in connection with natural gas extraction activities.	<p>Mitigation Measure E4: Implement actions to protect the public from risks associated with natural gas extraction activities, for the duration of those activities.</p> <p>Actions shall include:</p> <ol style="list-style-type: none"> (1) No new extraction permits shall be issued, consistent with policies in the Antioch General Plan. (2) Current owners of mineral rights leases shall be contacted by the California Division of Oil, Gas, and Geothermal Resources and the City of Antioch Department of Community Development to assess future plans pertaining to natural gas exploration and production at the project site. The City of Antioch shall establish access routes for exploration and production equipment. (3) Setback distances from existing and proposed production wells shall be established for urban development in the vicinity of natural gas operations, in accordance with safety criteria established by the California Division of Oil, Gas, and Geothermal Resources. Protective barriers may be required where appropriate (4) If necessary, proposed development plans shall designate an area for preservation as a future 	City of Antioch Community Development Department	<p>Prior to the approval of any project improvement plan</p> <p>Ongoing</p>	



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		<i>site for consolidation of gas wells and gas production.</i>			
F. Flooding and Drainage					
F1	Potential degradation of water quality during construction.	<p>Mitigation Measure F1: Prepare and comply with Storm Water Pollution Prevention Plan.</p> <p><i>Water quality of runoff is regulated by the Federal National Pollution Discharge Elimination System (NPDES) Program (established by the Clean Water Act); the program objective is to control and reduce pollutants to water bodies from nonpoint discharges. The program is administered by the California Regional Water Quality Control Boards. The Central Valley Regional Water Quality Control Board (RWQCB) issues NPDES nonpoint source permits for discharges to water bodies in the North Coast region for municipalities and major industries.</i></p> <p><i>Projects disturbing more than five acres of land during construction are required to file a Notice of Intent (Non to be covered under the State NPDES General Construction Permit for discharges of storm water associated with construction activity. A project sponsor must propose control measures that are consistent with the State General Permit. A Storm Water Pollution Prevention Plan (SWPPP) shall be developed and implemented for each site covered by the general permit. A SWPPP should include Best Management Practices (BMPs) designed to reduce potential impacts to surface water quality through the construction and life of the project.</i></p>	<p>City of Antioch Community Development Department</p> <p>Central Valley Regional Water Quality Control Board</p> <p>Contra Costa County Flood Control District</p>	Prior to the issuance of any grading permit	



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		<p>A SWPPP should be prepared that, when properly implemented, would reduce or eliminate impacts to surface water quality from all phases of the project. Required elements of the SWPPP include:</p> <ul style="list-style-type: none"> • Construction Storm Water Management Controls. These would include practices to minimize the contact of construction materials and equipment with storm water. The SWPPP should include specific requirements that earthmoving equipment not be operated within an active creek channel. Operation of equipment near creeks should be strictly limited. • Erosion and Sediment Control. BMPs designed to reduce erosion of exposed soil may include, but are not limited to: soil stabilization controls, watering for dust control, perimeter silt fences, placement of hay bales and sediment basins. • Post-Construction Stormwater Management. This refers to measures taken to prevent storm water pollution associated with post-construction activities at the developed site. Controls may include pervious concrete surfaces, painted drain inlets ("Dump no Waste-Drains to Bay") and stream protection buffers. The agency or group responsible for long-term maintenance of post-construction storm water controls will be determined jointly by the City of Antioch and the Contra Costa County Flood Control District. These agencies may require the formation of homeowners associations or 			



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		<p><i>light and landscape districts to sponsor or conduct the required maintenance.</i></p> <p><i>The specific BMPs that would be required of a project can be found in SF Bay Regional Water Quality Control Board Staff Recommendations for New and Redevelopment Controls for Storm Water Programs (1994). Additional sources of information regarding BMPs are the California Storm Water Municipal and Construction Activity BMP Handbooks (Storm Water Quality Task Force, 1993). The selection of BMPs required for a specific project is based on the size of the development and the sensitivity of the area. A model SWPPP for a new subdivision is available for review from the Contra Costa County Stormwater Pollution Control Program.</i></p>			
F2	<p>Portions of the planning area are located in the 100-year flood hazard zone and could be subject to damage during flooding.</p>	<p>Mitigation Measure F2: <i>Defer development in the 100-year flood zone until capacity improvements have been provided for.</i></p> <p><i>Prior to development of the areas designated as within the 100-year flood zone, improvements to the East Antioch Creek channel and Lindsey Basin shall be made that would increase the capacities of these drainage system components to allow conveyance and/or storage of the 100-year flows. The design and construction of the improvements shall be the responsibility of the Contra Costa County Flood Control District (CCCFCD) in tandem with the developer(s) of the projects within these areas. The design shall consider total buildout of the planning area and all cumulative projects with drain to East Antioch Creek and potential downstream flooding effects. When</i></p>	<p>City of Antioch Community Development Department</p> <p>Contra Costa County Flood Control District</p>	<p>Prior to development within any areas designated as within the 100-year flood zone</p>	



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		CCFCD has accepted a design for improvements, the District shall request a Conditional Letter of Map Revision from FEMA. Upon approval by FEMA, the developer will work with CCFCD to obtain necessary authorizations, permits and financing to implement the flood protection improvements.			
F3	Impervious surfaces constructed as part of future development may cause increases in the volume and velocity of storm water runoff and potentially increase flood hazards.	<p>Mitigation Measure F3: Construct needed facilities to detain runoff onsite to avoid increased downstream flooding.</p> <p>The Infrastructure Plan EIR includes an extensive summary and assessment of preliminary engineering work for storm water facilities for each of the FUA #2 development scenarios covered in that EIR (see pp. 120-128). Preliminary size and cost estimates are presently being updated for the proposed Specific Plan. It is expected that any revisions to these facilities that are necessitated by the development allowed under the proposed plan would be feasible.</p> <p>A tentative map for each phase of development of the project would be submitted to the City of Antioch Department of Community Development (ADCD), Building Division for review. Grading and drainage plans would be reviewed for compliance with City requirements by the ADCD, Engineering Division. Any undersized components in the downstream storm drain system would be identified at that time and new design required prior to plan approval. Compliance with the existing review process is an adequate mitigation measure to reduce this potential impact to a level of insignificance.</p>	<p>City of Antioch Community Development Department</p> <p>City of Antioch Building Division</p> <p>City of Antioch Engineering Division</p>	Prior to the approval of any tentative map, grading plan, or drainage plan	



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G. Public Safety					
G1	Construction workers and the public may be exposed to potentially hazardous materials during project development.	<p>Mitigation Measure G1: <i>Implement measures to assure that site development does not result in public safety hazards from accidental fuel releases, from release of asbestos in demolition activities, or from exposure to agriculture-related or other chemicals that may have been used or disposed of onsite.</i></p> <p><i>Releases of fuel products from pipelines are the responsibility of the pipeline owner. If releases have occurred, the pipeline owner shall investigate and remediate soil and groundwater according to state and local regulations. The accurate locations of pipelines and easements shall be determined and marked prior to development in areas adjacent to reduce the potential for damage to the pipelines during nearby excavation or grading activities. The developer shall contact the pipeline owners and request procedures or restrictions for moving heavy equipment over pipelines, if such movement is likely to occur over pipelines other than at established crossings. If applicable, these procedures shall be submitted with the development plan.</i></p> <p><i>Contractors for the project shall develop a site safety and hazardous materials management plan. The plan shall identify hazardous materials that would be temporarily stored onsite, storage and containment areas and methods, responsible personnel, and safety and emergency procedures in case of accidental releases or exposures. If development were to occur near areas affected by hazardous materials, the affected areas shall be identified within the plan and</i></p>	<p>City of Antioch Community Development Department</p> <p>Contra Costa County Fire Prevention District</p> <p>Contra Costa County Environmental Health Division</p>	Prior to the approval of any project improvement plan	



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		<p><i>safety procedures outlined for work in those areas. Procedures to be undertaken in the event that unknown contamination is discovered shall be documented in the plan. Procedures for moving heavy equipment over or operating near underground pipelines shall be included in the plan if applicable. The plan(s) should be reviewed and approved by the County Fire Prevention District and/or the County Environmental Health Division.</i></p> <p><i>An asbestos survey shall be conducted by a California-registered asbestos consultant at all buildings proposed to be demolished or renovated and constructed prior to the 1970s, or suspected having asbestos-containing materials. If asbestos-containing materials are found to be present, they shall be remediated by a qualified, licensed asbestos abatement contractor in accordance with regulations and notification requirements of the Bay Area Air Quality Management District.</i></p> <p><i>A preliminary site assessment (for hazardous materials) shall be conducted by a California registered environmental assessor on all parcels with former agricultural uses prior to development.</i></p> <ul style="list-style-type: none"> <i>• The assessment shall identify areas where releases of agricultural chemicals, petroleum products, or other potentially hazardous materials are suspected, such as former oil and gas well locations and where other hazards, such as improperly abandoned water wells, or land disposal sites, are located.</i> <i>• Soil samples shall be collected by a qualified environmental consultant from areas where orchards and field crops are currently or were</i> 			



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		<p><i>historically grown and from areas where potential releases of hazardous materials were identified by the preliminary site assessment to verify the presence or absence of potentially hazardous materials. Sample analyses shall be selected on the basis of known or suspected chemical use.</i></p> <ul style="list-style-type: none"> • <i>Inactive water wells shall be properly abandoned by a licensed well driller under permit from CCCEHD.</i> • <i>Any materials previously disposed of at land disposal sites shall be removed and recycled or disposed of at an appropriate landfill.</i> <p><i>Areas with confirmed releases of potentially hazardous materials shall be investigated/remediated according to requirements of the CCCEHD or other applicable regulatory agency.</i></p>			
G2	Potential health impacts may result from exposure to electromagnetic fields, PCBs and effects associated with overhead electrical lines.	<p>Mitigation Measure G2: <i>Implement accepted practices to alert the public to the risks of exposure to electromagnetic field and to hazardous substances associated with electrical transmission.</i></p> <p><i>Because the potential health effects of EMF exposure have not been confirmed by scientific studies, information on the health issues of EMF exposure and the exposure profiles from overhead transmission lines shall be provided by the developer to individuals who may reside near transmission lines summarizing the results of the most recent studies pertaining to EMF exposure.</i></p>	City of Antioch Community Development Department	Prior to the approval of any project improvement plan	



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		<p><i>Prior to development plan submittal, all existing transformers shall be checked for the presence of PCBs by PG&E. If PCBs are present, PG&E shall remove and replace the equipment with non-PCB containing equipment. If any leaks or spills are discovered during this activity or during a preliminary site assessment, an investigation shall be conducted by a qualified environmental consultant to assess impacts from the release and propose remedial actions. Any remediation of PCBs shall be completed prior to development of the parcel in question.</i></p> <p><i>All metal structures or objects located adjacent to transmission line easements shall be properly grounded to prevent electrical shocks from persons or animals in contact with those objects.</i></p>			
G3	Development of the project site would result in an increase in the use, storage and disposal of hazardous materials.	<p>Mitigation Measure G3: Comply with all policies, laws and regulations regarding use and storage of hazardous materials.</p> <p><i>Existing federal, state and local hazardous materials laws and regulations, and household hazardous waste programs would mitigate potential hazards associated with hazardous materials management. Businesses that manage hazardous materials have specific permit, storage and reporting requirements depending on the types of hazardous materials managed.</i></p> <p><i>Reduction of hazardous materials used by small businesses and households can be encouraged through education. To encourage use reduction, the City of Antioch shall provide information regarding waste minimization and alternatives to hazardous</i></p>	City of Antioch Community Development Department	<p>Prior to the approval of any project improvement plan</p> <p>Ongoing</p>	



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		<p><i>materials use to be included with mailers or other notices advertising local household hazardous waste collection programs. The information may include specific examples of product alternatives and sources for more information. Additional sources of information may include the CCCEHD, which maintains information regarding alternatives to household hazardous materials use and appropriate disposal, and the County Agricultural Commissioner's Office which maintains information regarding alternatives to agricultural chemical use for landscaping and household orchards and gardens. Additional information regarding reduction of hazardous materials use is generally available at County libraries.</i></p>			
G4	<p>Development of the project could result in exposure of people to potential hazards associated with gas exploration and production.</p>	<p>Mitigation Measure G4: Conform with public safety standards with respect to location of residential and other development in the vicinity of operating and abandoned gas wells.</p> <p><i>Any development in the vicinity of the existing operating gas well shall be designed to conform with setback requirements for a "critical well", as defined in State Onshore Well Regulations. Gas wells are considered "critical" if they are within 300 feet of buildings intended for human occupancy or an airport runway, or within 100 feet of a public street, highway, railway, watercourse, public recreational facility or wildlife preserve.</i></p> <p><i>Construction of structures for human occupancy over abandoned gas wells shall be discouraged. Geotechnical reports prepared for grading plans shall include identification of the location of all abandoned gas wells. If abandoned wells are identified, the method</i></p>	City of Antioch Community Development Department	Prior to the approval of any project improvement plan	



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		<i>of abandonment shall be described and evaluated for possible hazards. The design of any structure for human occupancy located over an abandoned gas well shall incorporate gas/vapor barrier systems with appropriate provisions for ventilation of accumulating gas.</i>			
H. Public Services					
H1	Development allowed by the proposed plan would require the construction of new facilities and the possible expansion of existing facilities.	Mitigation Measure H1: <i>Incorporate Fire District planning and financing mechanisms into the Specific Plan and development process.</i> <i>Projects within the Specific Plan area shall pay CCCCDF fees applicable at the time development proceeds. Incorporate CCCCDF planning input into project design and approval to ensure that adequate provisions are made for access, water supply and compliance with Fire Code requirements. Coordinate the timing of development in the Specific Plan area with CCCCDF construction and staffing of new stations, in order to prevent excessive response times and the depletion of resources that serve existing development.</i>	City of Antioch Community Development Department Contra Costa County Fire Protection District	Prior to the approval of any project improvement plan	
H2	Commercial and industrial development would require water flow for fire protection.	Mitigation Measure H2: <i>The proposed plan specifies the appropriate water main sizes to deliver flows at the required rate.</i>	City of Antioch Community Development Department	Prior to the approval of any project improvement plan	
H3	Project buildout would significantly increase enrollment, requiring the provision of additional schools and/or classrooms.	Mitigation Measure H3: <i>H3a Accommodate increased enrollment by a variety of strategies, including provision of portable facilities, year round education, double sessions and construction of new facilities.</i>	Antioch Unified, Brentwood Union, and Liberty Union High School	Prior to the approval of any project improvement plan	



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		<p><i>H3b Require portions of FUA #2 that are within the AUSD to join the current Mello-Roos District or provide an alternate funding mechanism for construction of school facilities.</i></p> <p><i>H3c Require portions of FUA #2 that are within the BUESD to join the existing development agreement with the school district or provide an alternate funding mechanism for construction of elementary and middle school facilities.</i></p> <p><i>H3d Require portions of FUA #2 that are within the LUHSD to provide a funding mechanism for construction of high school facilities.</i></p>	<p>Districts</p> <p>City of Antioch Community Development Department</p> <p>Antioch Unified School District</p> <p>City of Antioch Community Development Department</p> <p>Brentwood Union School District</p> <p>City of Antioch Community Development Department</p> <p>Liberty Union High School District</p>	<p>Prior to the approval of any project improvement plan</p> <p>Prior to the approval of any project improvement plan</p> <p>Prior to the approval of any project improvement plan</p>	
I. Infrastructure					
I1	Existing local roadway facilities would need to be extended and new vehicular circulation and	<p>Mitigation Measure I1:</p> <p><i>I1a Completion of roadway improvements including:</i></p> <ul style="list-style-type: none"> <i>Widening Lone Tree Way to a six lane</i> 	City of Antioch Community Development	Completed	



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	access facilities would need to be provided.	<p style="text-align: center;"><i>arterial</i></p> <ul style="list-style-type: none"> • <i>Extending Laurel Rd. as a four lane arterial</i> • <i>Construction of Sunset Dr. as a new four lane arterial</i> • <i>Construction of collector roadways on as-need basis</i> • <i>The possible realignment of Empire Ave.</i> <p style="text-align: center;"><i>(See Chapter III.I.2 (1) for a more detailed description of these improvements.)</i></p>	<p>Department</p> <p>City of Antioch Engineering Department</p>	<p>Completed</p> <p>Not applicable to the Specific Plan Amendment</p> <p>Continual as needed for each project</p> <p>Not applicable to the Specific Plan Amendment</p>	
		<p>11b <i>Provision of access and circulation routes to specific parcels.</i></p>	<p>City of Antioch Community Development Department</p> <p>City of Antioch Engineering Department</p>	<p>Prior to the approval of any project improvement plan</p>	
		<p>11c <i>Compliance with City and State standards (or modified by Specific Plan guidelines) in circulation and parking design construction, including, but not limited to, parking standards, handicap requirements, fire equipment access, sit distances, etc.</i></p>	<p>City of Antioch Community Development Department</p> <p>City of Antioch Engineering</p>	<p>Prior to the approval of any project improvement plan</p>	



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		<i>Plans for extension and/or upgrading of public roads and for design and construction of internal driveways, circulation and parking facilities, shall be submitted to the City of Antioch Department of Community Development (ADCD), Engineering Division, for review and compliance with City requirements and standards.</i>	Department		
12	Domestic water supply infrastructure would need to be extended for water storage, pumping and conveyance.	<p>Mitigation Measure 12:</p> <p><i>12a Construction of water system improvements including:</i></p> <ul style="list-style-type: none"> • <i>Extension of the 12" water lines within Country Hills Dr. and Canada Valley Rd.</i> • <i>Extension of the 16" water lines within Laurel Rd. and Lone Tree Way</i> • <i>Construction of a 16" water line within Sunset Dr.</i> • <i>Construction of a 12" water line within Jacuzzi Rd.</i> • <i>Addition of pump(s) to the existing Zone III East pump stations(s)</i> <p><i>(See Chapter III.1.2 (2) for a more detailed description of these improvements.)</i></p> <p><i>12b Compliance with City design and construction standards, including connections as required</i></p>	<p>City of Antioch Community Development Department</p> <p>City of Antioch Engineering Department</p> <p>Contra Costa County Fire Protection District</p> <p>City of Antioch Community</p>	<p>Completed</p> <p>Completed</p> <p>Partially completed; continual as needed for each project</p> <p>Not applicable to the Specific Plan Amendment</p> <p>Not applicable to the Specific Plan Amendment</p> <p>Prior to the approval of any project</p>	



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		<p><i>by the City of Antioch's ADCD, Engineering Department and internal water distribution plans meeting City standards for various land uses, fire flows and landscape needs. Compliance with City design standards.</i></p> <p><i>City review and approval of water plans is required and the Contra Costa Fire Protection District should be consulted relative to the required fire flows and access.</i></p> <p><i>Recycling of wastewater or the use of surplus Irrigation District water or raw river water may be considered for the planning area. This type of water recycling to service future demands should be explored in greater detail.</i></p>	<p>Development Department</p> <p>City of Antioch Engineering Department</p> <p>Contra Costa County Fire Protection District</p>	improvement plan	
13	Sewer lines ranging in size from 8" to 12" would need to be extended to form a comprehensive collection system.	<p>Mitigation Measure I3:</p> <p><i>I3a Extension of sewer lines ranging in size from 8" to 12"</i></p> <p><i>I3b Compliance with City design and construction standards, including incorporating sewer connection requirements, manholes and any other needed improvements in the overall design and submitting those plans for City review and approval.</i></p>	<p>City of Antioch Community Development Department</p> <p>City of Antioch Engineering Department</p> <p>City of Antioch Community Development Department</p> <p>City of Antioch</p>	<p>Prior to the approval of any project improvement plan</p> <p>Prior to the approval of any project improvement plan</p>	



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		<i>13c Designing internal sewer collection system to address City State and Federal standards regarding disposal of hazardous materials (from the commercial sites) and submitting plans for such systems to the appropriate responsible agency, as identified under Section III.G.</i>	Engineering Department City of Antioch Community Development Department City of Antioch Engineering Department	Prior to the approval of any project improvement plan	
14	Development of the planning area will increase the demand for electrical, natural gas, cable and telephone services.	Mitigation Measure 14: <i>Development applicants shall provide documentation to the City that these services can be provided for all phases of the project in a timely manner. Applicants shall coordinate with the utility companies and the City in planning and scheduling future facilities for the Planning Area. All utilities shall be located below grade and designed according to the City of Antioch's street and infrastructure guidelines.</i>	City of Antioch Community Development Department	Prior to the approval of any project improvement plan	
15	Existing oil pipelines and irrigation laterals may need to be relocated during the course of roadway improvements where feasible.	Mitigation Measure 15: <i>Development applicants shall coordinate with the pipeline and irrigation companies and appropriate health and safety agencies with regard to the design, timing, access and easement requirements related to respective utility relocation.</i>	City of Antioch Community Development Department	Prior to the approval of any project improvement plan	
J. Vegetation and Wildlife					
J1	Development allowed by the proposed plan would affect wetland habitat located in the southwest corner of the planning area. Further study will be required to determine the	Mitigation Measure J1: <i>The developer of any subsequent project(s) shall be required to have a formal wetland delineation undertaken and verified by the Army Corps of Engineers. Based on the findings of that delineation, the developer may be required to have a wetland replacement plan prepared by a biologist qualified to prepare such plans, and shall commit to its</i>	City of Antioch Community Development Department	Prior to the approval of any grading plan	



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	exact boundaries of this wetland due to the existence of offsite drainage facilities of an interim nature.	<i>implementation in a manner, and on a schedule, acceptable to the Corps and to the City of Antioch.</i>	U.S. Army Corp of Engineers		
J2	Water quality in East Antioch Creek would be degraded.	<p>Mitigation Measure J2: A site management plan shall be developed to prevent water quality degradation. An acceptable site management plan would include the following elements:</p> <ul style="list-style-type: none"> • Baseline studies conducted prior to construction which establish existing water quality in East Antioch Creek during winter flows; • Best management practices consistent with existing National Pollution Discharge Elimination System (NPDES) permits regulating non-point source pollution; • Quarterly monitoring of water quality in East Antioch Creek to ensure that state water quality standards are met; and • Remedial measures which would be implemented should water quality in East Antioch Creek diminish below state water quality standards 	City of Antioch Community Development Department	<p>In conjunction with the submittal of any improvement plan</p> <p>Prior to and during any construction activities</p> <p>Ongoing</p>	
J3	Active raptor nests could be disturbed.	Mitigation Measure J3: Construction activities during the nesting season (February through July) could disturb nesting raptors and should be preceded by surveys conducted by a qualified ornithologist. If nesting raptors are located in proposed construction areas such that nesting success will be doubtful, then construction should be postponed until the nesting season is over.	City of Antioch Community Development Department	Prior to any construction that would occur during the nesting season (February through July)	
4.1-1	Have a substantial adverse effect, either	<u>4.1-1 Prior to the initiation of any future ground-disturbing activities on the project site, the</u>	City of Antioch Community	Prior to the initiation of any future	



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	<p><u>directly or through habitat modifications, on special-status plant species.</u></p>	<p><u>project applicant shall retain a qualified biologist to conduct a planning-level special-status plant survey during the appropriate season to identify the species. Project construction shall not be initiated until the special-status plant survey is completed and mitigation is implemented, if necessary and required prior to starting construction.</u></p> <p><u>A special-status plant survey report that includes the methods used, survey participants, and associated findings shall be prepared and submitted to the City no more than 30 days following the completion of the final site visit conducted as part of the survey. A record of any special-status plant species identified within the project site during the preconstruction surveys shall be submitted to the CNDDDB. If new special-status plant populations are not found on the site during the appropriately timed surveys, additional mitigation is not required. If construction is not started within two years after the special-status plant survey is completed, the City may require additional special-status plant surveys.</u></p> <p><u>If special-status plants are observed on the site during the survey, the populations shall be avoided to the maximum degree possible during project development, and a Mitigation and Monitoring Plan shall be prepared detailing the measures to be implemented to avoid the plant population. Measures shall include, but</u></p>	<p>Development Department</p>	<p>ground-disturbing activities on the project site</p>	



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		<p><i>not be limited to, establishment of appropriate buffers during construction, fencing of the population prior to and during construction, and regular monitoring of the preserved population by a biologist during and after construction activities. The Mitigation and Monitoring Plan shall be implemented prior to the initiation of project grading. If the plant populations cannot be avoided, the applicant shall hire a qualified biologist to prepare a seed collection and replanting plan in coordination with the City of Antioch to reduce impacts to the identified special-status plant populations, subject to review and approval by the City of Antioch Community Development Department.</i></p>			
4.1-2	<p>Have a substantial adverse effect, either directly or through habitat modifications, on special-status wildlife species.</p>	<p><u>American Badger</u> 4.1-2(a) <i>The project applicant shall retain a qualified biologist to conduct a preconstruction survey to determine the presence or absence of badgers no more than seven days prior to the initiation of any future ground-disturbing activities on the project site. If badgers are not identified, further mitigation is not required. If an active badger den is identified during preconstruction surveys within or immediately adjacent to an area subject to construction, a qualified biologist shall establish a construction-free buffer of up to 300 feet around the badger den. Once the biologist has determined that the badger has vacated the burrow, the burrow can be collapsed or excavated, and ground disturbance can proceed. Should the burrow be determined to be a natal or reproductive den,</i></p>	City of Antioch Community Development Department	No more than seven days prior to the initiation of any ground-disturbing activities	



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		<p><u>and because badgers are known to use multiple burrows in a breeding burrow complex, a biological monitor shall be present on-site during construction activities in the vicinity of the burrows to ensure that the buffer is adequate to avoid direct impact to individuals or natal/reproductive den abandonment. The monitor shall be required to be present until it is determined that the badger young are of an independent age and construction activities would not harm individual badgers. A written summary of the survey results shall be submitted to the City of Antioch Community Development Department.</u></p> <p><u>San Joaquin Kit Fox</u> 4.1-2(b) <u>A qualified biologist shall conduct preconstruction surveys no more than 14 days prior to site grading to determine the presence or absence of kit fox. If kit fox is not identified during the surveys, further mitigation is not required. If an active kit fox den is identified during preconstruction surveys within or immediately adjacent to an area subject to construction, a qualified biologist shall establish a construction free buffer of up to 300 feet around the San Joaquin kit fox den. Once the biologist has determined that the San Joaquin kit fox has vacated the den, the den can be collapsed or excavated, and ground disturbance can proceed. Should the den be determined to be a natal or reproductive den, a biological monitor shall be present on-site</u></p>	City of Antioch Community Development Department	No more than 14 days prior to any site grading	



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		<p><u>during construction activities in the vicinity of the dens to ensure that the buffer is adequate to avoid direct impact to individuals or natal/reproductive den abandonment. The monitor shall be required to be present until it is determined that the young are of an independent age and construction activities would not harm individual San Joaquin kit fox. A written summary of the survey results shall be submitted to the City of Antioch Community Development Department.</u></p> <p><u>Swainson's Hawk</u> 4.1-2(c) <u>Prior to the initiation of any future ground-disturbing activities on the project site that occur during the nesting season (March 15th to September 15th) within a half-mile of a potential nest tree, a qualified biologist shall conduct preconstruction surveys within the construction zones and adjacent lands to identify any nesting pairs of Swainson's hawks within 14 days prior to the onset of ground disturbance. Preconstruction surveys are not required for construction activities located farther than a half-mile from a potential nest tree. Surveys shall follow the protocol in the Recommended Timing and Methodology for Swainson's Hawk Nesting Surveys in California's Central Valley (Swainson's Hawk Technical Advisory Committee 2000), including the survey period lengths identified therein. A written summary of the survey results shall be submitted to the City of Antioch Community Development</u></p>	<p>City of Antioch Community Development Department</p>	<p>Within 14 days prior to initiation of any ground-disturbing activities that would occur during the nesting season (March 15th to September 15th)</p>	



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		<p><u>Department.</u></p> <p><u>If active nests are not found during preconstruction surveys, further mitigation is not necessary. If any active nests are discovered in or near proposed construction zones, the qualified biologist shall establish a suitable construction-free buffer around the active nest site. The buffer shall be identified on the ground with flagging or fencing and shall be maintained until the qualified biologist has determined that the young have fledged.</u></p> <p><u>Western Burrowing Owl</u> 4.1-2(d) <u>Prior to the initiation of any future ground-disturbing activities on the project site, a preconstruction survey for burrowing owls shall be conducted. The CDFG's Staff Report on Burrowing Owl Mitigation (CDFG 2012) states that take avoidance (preconstruction) surveys shall be conducted within 14 days prior to ground disturbance. As burrowing owls may recolonize a site after only a few days, time lapses between project activities trigger subsequent take avoidance surveys, including, but not limited to, a final survey conducted within 24 hours prior to ground disturbance to ensure absence of the species. Surveys shall ensure 100 percent visual coverage. The results of the survey shall be submitted to the City of Antioch Community Development Department.</u></p>	<p>City of Antioch Community Development Department</p>	<p>Within 14 days prior to initiation of any ground-disturbing activities</p>	



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		<p><u>If burrowing owls or fresh sign of burrowing owls are not observed during preconstruction surveys, further mitigation is not required and construction may proceed. If burrowing owls or their recent sign are detected on the site, occupied burrows shall be identified by the monitoring biologist and a construction-free buffer shall be established as determined by a qualified biologist and maintained until the qualified biologist has determined the burrowing owl has abandoned the burrow.</u></p> <p><u>White-tailed Kite and Other Nesting Birds and Raptors</u> 4.1-2(e) <u>Prior to the initiation of any future ground-disturbing activities or tree removal on-site during the breeding season (typically between February 1st and August 31st), the project applicant shall retain a qualified biologist to conduct preconstruction migratory bird and raptor nesting surveys within 14 days prior to the onset of ground disturbance. The nesting migratory bird surveys shall cover the project site and the raptor nesting surveys shall encompass the site and lands within 250 feet of the site, where accessible. A written summary of the survey results shall be submitted to the City of Antioch Community Development Department. If nesting migratory birds or raptors are not identified during the surveys, further mitigation is not required.</u></p>	<p>City of Antioch Community Development Department</p>	<p>Within 14 days prior to initiation of any ground-disturbing activities or tree removal that would occur during the breeding season (typically between February 1st and August 31st)</p>	



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		<u>If nesting migratory birds or raptors are identified during the surveys, an appropriate construction-free buffer shall be established. The actual size of the buffer, which would be determined by the qualified biologist, will depend on the species, topography, and type of activity that would occur in the vicinity of the nest. The project buffer shall be monitored periodically by the qualified biologist to ensure compliance. Construction or earth-moving activity shall not occur within the established buffer until determined by a qualified biologist that the young have fledged.</u>			
4.1-5	<u>Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance.</u>	<p>4.1-5 <u>Prior to any tree removal, an arborist report shall be prepared by a certified arborist and submitted to the City of Antioch Community Development Department for review and approval. In conjunction with submittal of the arborist report, a site plan showing all trees proposed for removal shall be submitted. All trees that are legally removed as part of the proposed project shall be replaced according to the following schedule, to the satisfaction of the City of Antioch Community Development Department:</u></p> <ol style="list-style-type: none"> 1. <u>Each established tree: two 24-inch box trees.</u> 2. <u>Each mature tree: two 48-inch box trees.</u> <p><u>The locations and sizes of the replacement trees shall be clearly shown on the final landscape plans, which shall be submitted to</u></p>	City of Antioch Community Development Department	Prior to any tree removal and the issuance of any building permit	



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		<u>the City of Antioch Community Development Department for review and approval prior to building permit issuance for any future development within the project site.</u>			
K. Cultural Resources					
K1	Subsurface archaeological resources, including human remains, could be present at the project site.	<p>Mitigation Measure K1:</p> <p><i>K1a Initial ground-disturbing construction activities within the site boundaries shall be monitored by a qualified archeologist.</i></p> <p><i>A qualified archeological monitor shall be present during excavation and grading at site CA-CCo-691H. The monitor shall be capable of recognizing and assessing potential historic archeological resources should they be discovered during excavation or grading. Onsite monitoring should include the following:</i></p> <ul style="list-style-type: none"> <i>In the event a potentially significant resource is uncovered during ground-disturbing activities, the machine operator should cease work until such time that the resource can be evaluated.</i> <i>In the event the resource is found to be significant (or a feature is encountered), mechanical excavation in the area should cease temporarily until formal site recording or data recovery, and compliance with the provisions of CEQA Supplemental Document J, is performed under the supervision of an archeologist meeting</i> 	City of Antioch Community Development Department	During any ground-disturbing activities	



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		<p><i>the criteria of applicable federal regulations.</i></p> <ul style="list-style-type: none"> • <i>All archeological materials recovered shall be analyzed and reported upon in a manner consistent with state requirements and current professional standards.</i> • <i>Significant historical artifacts recovered during mitigation should be curated in a professional facility meeting current state and federal standards for curation.</i> <p><i>K1b Section 7050.5(b) of the California Health and Safety Code should be implemented in the event that human remains, or possible human remains, are located. It states:</i></p> <p><i>In the event of discovery or recognition of any human remains in any location other than a dedicated cemetery, there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains until the coroner of the county in which the human remains are discovered has determined, in accordance with Chapter 10 (commencing with Section 27460) of Part 3 of Division 2 of Title 3 of the Government Code, that the remains are not subject to the provisions of Section 27492 of the Government Code or any other related provisions of law concerning investigation of the circumstances, manner and cause of death, and the recommendations concerning treatment and disposition of the human remains have been made to the person responsible for the excavation, or to his</i></p>	<p>City of Antioch Community Development Department</p> <p>County Coroner</p> <p>Native American Heritage Commission</p> <p>Most Likely Descendant</p>	<p>During any ground-disturbing activities</p>	



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		<p><i>or her authorized representative, in the manner provided in Section 5097.98 of the Public Resources Code.</i></p> <p><i>The County Coroner, upon recognizing the remains as being of Native American origin, is responsible to contact the Native American Heritage Commission within 24 hours. The Commission has various powers and duties to provide for the ultimate disposition of any Native American remains, as does the assigned Most Likely Descendant. Sections 5097.98 and 5097.99 of the Public Resources Code also call for "protection to Native American human burials and skeletal remains from vandalism and inadvertent destruction". To achieve this goal, it is recommended the construction personnel on the project be instructed as to the potential for discovery of cultural or human remains, and both the need for proper and timely reporting of such finds, and the consequences of failure thereof.</i></p>			
L. Visual Resources					
L1	Potential adverse impact on important visual resources of the site.	<p>Mitigation Measure L1: <i>Site planning and grading plans shall respect the integrity of the ridge that is an important visual resource of the planning area.</i></p> <p><i>The Draft Specific Plan has been particularly attentive to the retention of the ridge as an important aesthetic feature within FUA #2. The Specific Plan recognizes that some residential sites would abut the ridgetop open space, and seeks means to assure that these edges be given a natural appearance. The Specific Plan sets forth guidelines (grading specifications and illustrations) to</i></p>	City of Antioch Community Development Department	Prior to the approval of any site plan or grading plan	



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Impact Number	Impact	Mitigation Measure	Monitoring Agency	Implementation Schedule	Sign-off
		<i>provide guide site and grading plan review to assure that the intention of the Specific Plan - to maintain the visual quality and integrity of the ridge - will be achieved. The Specific Plan also calls for the improvement of the channel of East Antioch Creek as an amenity to future development.</i>			
L2	Potential for elements of Specific Plan development to create adverse visual impacts or demonstrably negative aesthetic effects.	<p>Mitigation Measure L2:</p> <p>L2a <i>Utilize site plan review and design review to mitigate any adverse aesthetic impacts of the Specific Plan.</i></p> <p><i>The design provisions of the Specific Plan are intended to assure that the quality and appearance of development will not only satisfy the visual criteria of CEQA and the aesthetic standards of the City, but also the short- and long-term desire of residents for distinct and attractive neighborhoods. That has been a strong element in the evolution of the Specific Plan design guidelines, which will provide on-going guidance to the Design Review Board, the City Planning Commission and the City Council as individual projects are proposed for consideration and approval once the Specific Plan is adopted.</i></p> <p><i>The City's Design Review Board will be the principal implementing agency of the design guidelines in the Specific Plan. All projects and specific development that come before the Board will be considered in light of those guidelines. The Board may refine a project's</i></p>	<p>City of Antioch Community Development Department</p> <p>City of Antioch Design Review Board</p>	In conjunction with any site plan and design review	



MITIGATION MONITORING AND REPORTING PROGRAM East Lone Tree Specific Plan					
Impact Number	Impact	Mitigation Measure	Monitoring Agency	Implementation Schedule	Sign-off
		<p><i>site layout, building plans, landscaping, building design and handling of specific site and project features in the course of design review, to assure consistency of individuals projects with the direction adopted the Specific Plan.</i></p> <p>L2b <i>The City of Antioch should take steps, as part of its participation in planning for the SR 4 Bypass, to assure that sound attenuation elements of the Bypass satisfy the city's design guidelines.</i></p>	City of Antioch Community Development Department	Completed	
Greenhouse Gas Emissions and Energy					
4.2-2	<p><u>Generate GHG emissions, either directly or indirectly, that may have a significant impact on the environment, or conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of GHGs.</u></p>	<p>4.2-2 <u>The following requirements shall be noted on all future project improvement plans, subject to review and approval by the City of Antioch Community Development Department:</u></p> <ul style="list-style-type: none"> <u>Consistent with the BAAQMD's Buildings standard a., natural gas shall be prohibited in any structures proposed within the project site.</u> <u>Consistent with the BAAQMD's Transportation criterion b., future development on the project site shall be constructed to include electric vehicle (EV) parking spaces consistent with the most recently adopted CALGreen Code Tier 2 off-street EV requirements.</u> 	City of Antioch Community Development Department	Prior to the approval of any project improvement plan	

