



**PUBLIC DRAFT
INITIAL STUDY AND MITIGATED NEGATIVE
DECLARATION**

FOR THE

**BRENTWOOD CORNERSTONE FELLOWSHIP CHURCH
PROJECT**

NOVEMBER 2015

Prepared for:

City of Brentwood
Community Development Department
150 City Park Way
Brentwood, CA 94513

Prepared by:

De Novo Planning Group
1020 Suncoast Lane, Suite 106
El Dorado Hills, CA 95762
(916) 949-3231

D e N o v o P l a n n i n g G r o u p

A Land Use Planning, Design, and Environmental Firm



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INITIAL STUDY

PROJECT TITLE

Brentwood Cornerstone Fellowship Church

LEAD AGENCY NAME AND ADDRESS

City of Brentwood
150 City Park Way
Brentwood, CA 94513

CONTACT PERSON AND PHONE NUMBER

Tim Nielsen, Associate Planner
City of Brentwood
Community Development Department
(925) 516-5151

PROJECT SPONSOR'S NAME AND ADDRESS

Cornerstone Fellowship, Brentwood
6651 Lone Tree Way
Brentwood, CA
(925) 724-5900 ext. 546

PURPOSE OF THE INITIAL STUDY

An Initial Study (IS) is a preliminary analysis which is prepared to determine the relative environmental impacts associated with a proposed project. It is designed as a measuring mechanism to determine if a project will have a significant adverse effect on the environment, thereby triggering the need to prepare an Environmental Impact Report (EIR). It also functions as an evidentiary document containing information which supports conclusions that the project will not have a significant environmental impact or that the impacts can be mitigated to a "Less Than Significant" or "No Impact" level. If there is no substantial evidence, in light of the whole record before the agency, that the project may have a significant effect on the environment, the lead agency shall prepare a Negative Declaration (ND). If the IS identifies potentially significant effects, but: (1) revisions in the project plans or proposals would avoid the effects or mitigate the effects to a point where clearly no significant effects would occur, and (2) there is no substantial evidence, in light of the whole record before the agency, that the project as revised may have a significant effect on the environment, then a Mitigated Negative Declaration (MND) shall be prepared.

This Initial Study has been prepared consistent with CEQA Guidelines Section 15063, to determine if the proposed Brentwood Cornerstone Fellowship Church Project (project) may have a significant effect upon the environment. Based upon the findings and mitigation measures contained within this report, a Mitigated Negative Declaration (MND) will be prepared.

BACKGROUND

On July 22, 2014, the City of Brentwood City Council adopted a comprehensive General Plan Update, which was last updated in 1993 (a partial update involving the Growth Management, Land Use, and Circulation Elements was completed in 2001). An Environmental Impact Report (EIR) was prepared for the General Plan Update, which addressed the potential impacts associated with full build-out of the General Plan Land Use Diagram. The 2014 Brentwood General Plan Update EIR was certified by the Brentwood City Council on July 22, 2014. The General Plan Update Land Use Map designates the project site, located at 6651 Lone Tree Way, as Residential Low Density (R-LD). The proposed project is an allowed use within the existing Residential Low Density General Plan Land Use Designation. The project site is zoned Planned Development (PD-35) and includes an application for a Conditional Use Permit (CUP 15-012). Approval of the CUP by the City of Brentwood would ensure that the proposed project would be compliant with the development and use standards established by the PD-35 zoning district. Given the project's consistency with the allowed uses established by the General Plan, the proposed project would fall within the growth and buildout assumptions described in the 2014 Brentwood General Plan Update EIR. Therefore, in accordance with Section 15150 of the CEQA Guidelines (Section 21083.3 of the Public Resources Code), this Initial Study will tier from the previously certified Environmental Impact Report (EIR) (SCH# 2014022058) prepared for the Brentwood General Plan Update.

PROJECT LOCATION AND SETTING

PROJECT LOCATION

The project site consists of approximately 6.9 acres located in far northern portion of the City of Brentwood, bounded by Lone Tree Way to the north, single-family residents to the west and south, and an adjacent vacant lot to the east. The project site can be identified by its Contra Costa County Assessor's Parcel Numbers 019-050-112, 019-050-013, 019-050-221 & 019-050-222. A portion of the project falls on a City-owned parcel identified by APN 019-050-025.

The project's regional location is shown in Figure 1, the project area and site boundary are shown in Figure 2, and the project site plan is shown in Figure 3.

EXISTING SITE USES

The northern portion of the project site is currently developed, with several small office and classroom buildings, a paved parking area, a paved basketball court, and associated landscaping. These existing buildings were a part of the La Paloma High School previously located on the property. The central and southern portions of the project site are undeveloped, covered with ruderal annual grassland vegetation. Twenty-seven trees are located around the edges and within the currently developed portion of the site.

SURROUNDING LAND USES

The project site is predominantly surrounded by residential and commercial uses. Recently developed single-family residential dwellings border the site to the south and west. Lone Tree Way, a major thoroughfare, is located adjacent to the project site to the north. Commercial uses

are located to the north, beyond Lone Tree Way, and include the Brentwood Junction Shopping Center with a Best Buy, a Walgreens, First Bank, and various restaurants. An extensive commercial area, known as Slatten Ranch, is also located to the northwest of the project site within the City of Antioch, beyond Empire Avenue and to the west of the Brentwood Junction Shopping Center. The land directly to the east of the site is a vacant lot designated for residential development within the Residential-Low Density range. Single-family residences are also located farther to the east, beyond the vacant lot.

GENERAL PLAN AND ZONING DESIGNATIONS

The project site is currently designated Residential Low Density (R-LD) by the City of Brentwood General Plan Land Use Map and is zoned as Planned Development 35 (PD-35).

PROJECT DESCRIPTION

The 6.9-acre site is located at 6651 Lone Tree Way, Brentwood, California. The Applicant (Cornerstone Fellowship, Brentwood) plans to construct a 40,540 square-foot two-story church building and associated site improvements on portions of four infill and redevelopment parcels. Access to the site is currently through a 1.0-acre parcel owned by the City of Brentwood.

In addition to the new building, the project would include construction of an entry plaza, grass activity area, staff break patio area, and a plaza for a children's church. The project would also involve improvements to the existing office and classroom facilities in the northwest part of the site. The new parking lots would provide a total of up to 414 parking spaces. There would be landscape strips of trees and shrubs surrounding the new building and within the parking lots. The existing access road in to the site through the City's property would also be improved. The proposed project would connect to existing City infrastructure to provide water, sewer, and storm drainage to the site.

Construction on 5.9 acres of the site is expected to begin in January 2016, with grading and foundation work continuing through April. The 1.0-acre "Phase 2" parking area would be excluded from the first phase of construction. Construction of the new building would commence in April or May 2016 and is expected to continue through January or February 2017.

REQUESTED ENTITLEMENTS AND OTHER APPROVALS

The City of Brentwood is the Lead Agency for the proposed project, pursuant to the State Guidelines for Implementation of the California Environmental Quality Act (CEQA), Section 15050.

This document will be used by the City of Brentwood to take the following actions:

- Adoption of the Mitigated Negative Declaration (MND)
- Adoption of the Mitigation Monitoring and Reporting Program (MMRP)
- Approval of a Project Conditional Use Permit (CUP) for the proposed project
- Design Review of the proposed structure(s)

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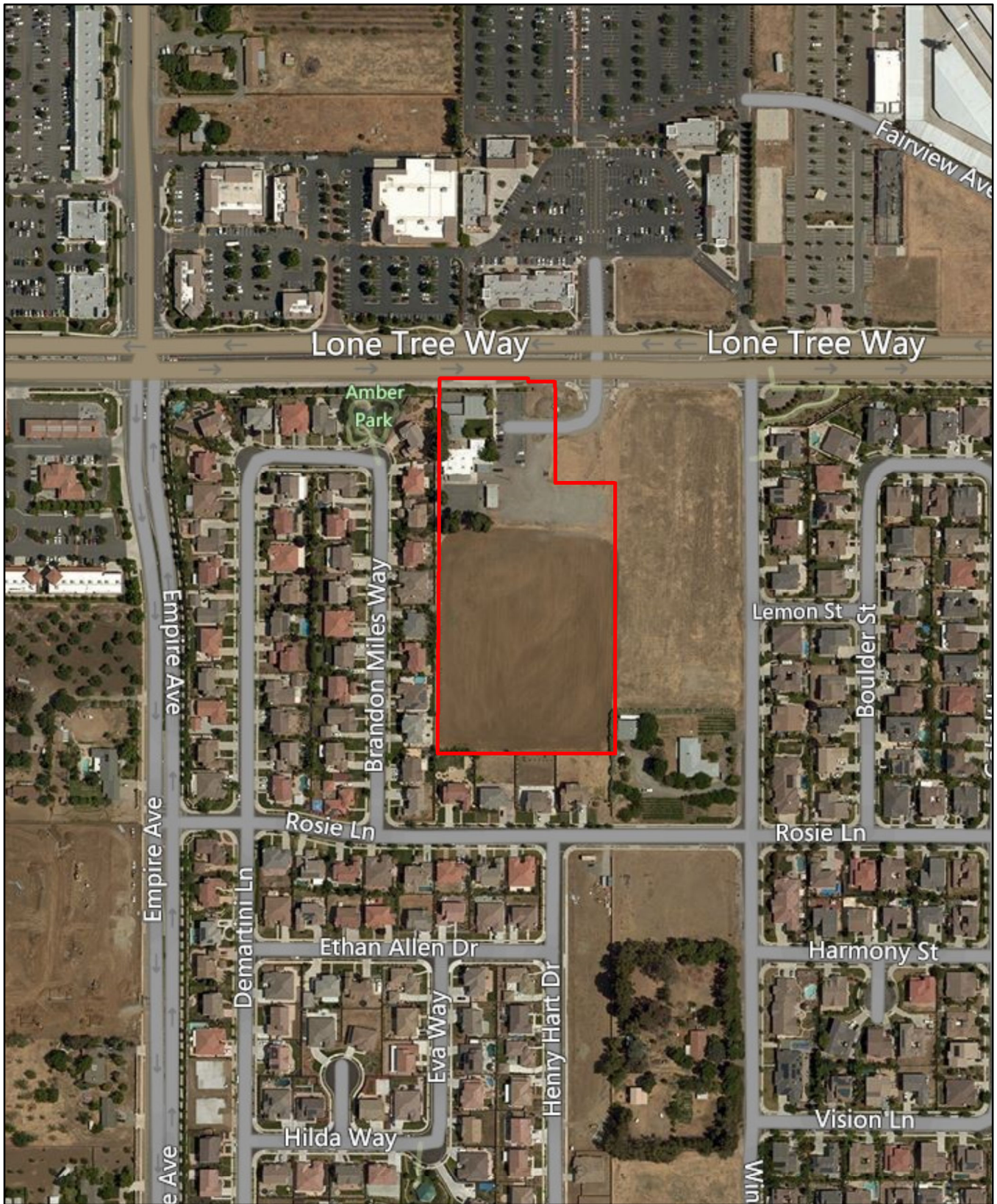


CORNERSTONE CHURCH

Figure 1: Regional Location Map


Data source: California Spatial Information Library.
 Map date: September 28, 2015

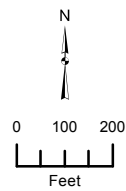
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CORNERSTONE CHURCH

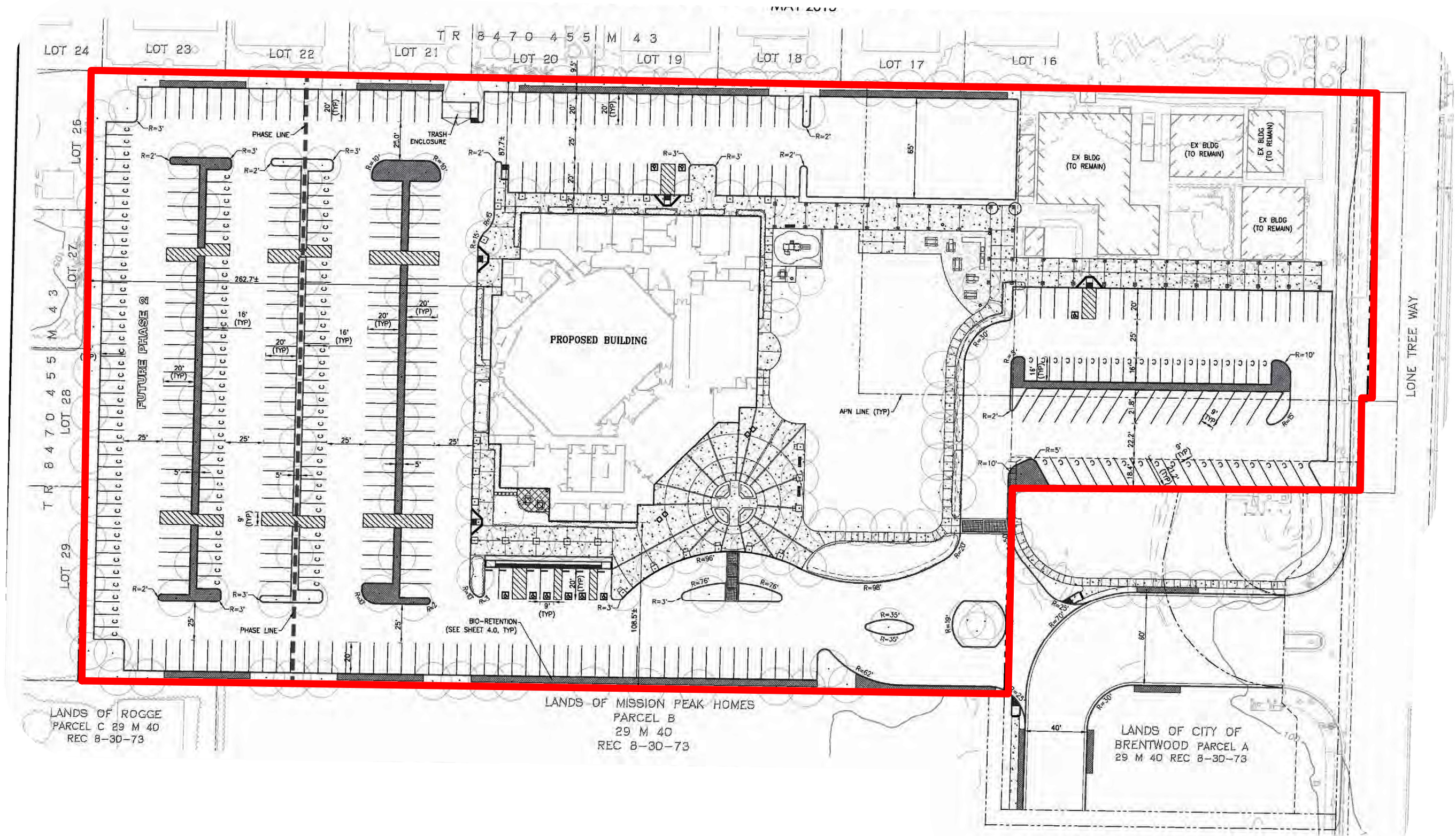
Figure 2: Project Area and Site Boundary

 Project Site Boundary




Data sources: Contra Costa County GIS, ArcGIS Online Bing Maps Hybrid Imagery Service. Map date: September 29, 2015.

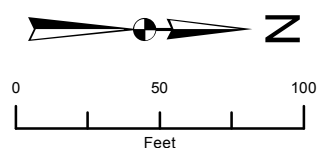
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CORNERSTONE CHURCH

Figure 3: Project Site Plan

 Project Site Boundary



Data sources: Wood Rogers; Contra Costa County GIS, Map date: September 29, 2015.

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ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

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

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

DETERMINATION:

On the basis of this initial evaluation:

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

Signature

Date

EVALUATION INSTRUCTIONS:

- 1) A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
- 2) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
- 3) Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
- 4) "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from Section XVII, "Earlier Analyses," may be cross-referenced).
- 5) Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:
 - a) Earlier Analysis Used. Identify and state where they are available for review.
 - b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
 - c) Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
- 6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.

- 7) Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
- 8) This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.
- 9) The explanation of each issue should identify:
 - a) The significance criteria or threshold, if any, used to evaluate each question; and
 - b) The mitigation measure identified, if any, to reduce the impact to less than significance

EVALUATION OF ENVIRONMENTAL IMPACTS:

In each area of potential impact listed in this section, there are one or more questions which assess the degree of potential environmental effect. A response is provided to each question using one of the four impact evaluation criteria described below. A discussion of the response is also included.

- **Potentially Significant Impact.** This response is appropriate when there is substantial evidence that an effect is significant. If there are one or more "Potentially Significant Impact" entries, upon completion of the Initial Study, an EIR is required.
- **Less than Significant With Mitigation Incorporated.** This response applies when the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact". The Lead Agency must describe the mitigation measures and briefly explain how they reduce the effect to a less than significant level.
- **Less than Significant Impact.** A less than significant impact is one which is deemed to have little or no adverse effect on the environment. Mitigation measures are, therefore, not necessary, although they may be recommended to further reduce a minor impact.
- **No Impact.** These issues were either identified as having no impact on the environment, or they are not relevant to the Project.

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ENVIRONMENTAL CHECKLIST

This section of the Initial Study incorporates the most current Appendix "G" Environmental Checklist Form, contained in the CEQA Guidelines. Impact questions and responses are included in both tabular and narrative formats for each of the 18 environmental topic areas.

I. AESTHETICS -- WOULD THE PROJECT:

	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
a) Have a substantial adverse effect on a scenic vista?			X	
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?			X	
c) Substantially degrade the existing visual character or quality of the site and its surroundings?			X	
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?		X		

RESPONSES TO CHECKLIST QUESTIONS

Responses a), b): Less than Significant. The City of Brentwood is located in the eastern valley area of Contra Costa County, immediately east of the Diablo Range, which includes Mt. Diablo. The City of Brentwood has recognized views of Mt. Diablo as an important visual resource to be preserved (see Policy COS 7-3 of the Conservation and Open Space Element of the Brentwood General Plan).

According to the 2014 Brentwood General Plan Update EIR and the California Scenic Highway Mapping System, administered by Caltrans, the City of Brentwood does not contain officially designated State Scenic Highways¹. However, it should be noted that the segment of State Route 4 (SR 4) located approximately 0.6 miles to the west of the project site is listed as an Eligible State Scenic Highway, but has not yet been officially designated. As such, the project would not damage any scenic resources, such as trees, rock outcroppings, or historic buildings, within a State scenic highway. The 2014 Brentwood General Plan Update EIR identifies SR 4 as a local scenic route due to the distant panoramic vistas of the Diablo Range and Mt. Diablo in particular. Mt. Diablo is located to the southwest of SR 4 and the proposed project, and the proposed project is located to the east of SR 4. As a result, the project structures would not impede views of Mt. Diablo currently afforded to travelers along SR 4.

¹ City of Brentwood. 2014 Brentwood General Plan Update EIR [pg. 3.1-5]. July 22, 2014.

Some residents along Windy Spring Lane, a side street to the east of the project site, currently have distant views of Mt. Diablo that pass through the project site, which may be obstructed by the development of the project. Although the views for some of the residents along Windy Spring Lane are already obstructed due to mature trees and from some residences along Brandon Miles Way, some residents currently have a clear line of site that would be obstructed. However, as an urban infill development, the project was considered as compliant with the buildout scenario of the 2014 Brentwood General Plan Update. The City of Brentwood General Plan EIR has previously considered the potential impact to views to Mt. Diablo and found them to be significant and unavoidable and a Statement of Overriding Considerations for the EIR was adopted. Any future development under the approved General Plan, which would include all development under the proposed project, would be required to comply with all applicable City regulations, policies, and standards, including those identified in the General Plan and the General Plan EIR.

Additionally, twenty-seven trees are located on-site. Some trees may be removed during the construction phase of the proposed project. The City of Brentwood has a tree preservation ordinance for oak trees, as identified by the Brentwood Municipal Code Section 17.470.006. However, none of the twenty-seven trees identified on-site are oak trees (Ray Morneau, 2015). Therefore, none of the trees currently on-site would be considered a scenic resource afforded protection by the Brentwood Municipal Code.

Since the General Plan EIR has previously analyzed and described the impact related to scenic views of Mt. Diablo, and since the project would comply with the General Plan, and since there are no other scenic resources that would be damaged by project development, a substantial adverse effect on scenic vista or scenic resources would not occur as a result of project development. Given the above considerations, this is a **less than significant** impact.

Response c): Less than Significant. The development of the site would change the existing visual setting from predominately vacant land, covered with annual ruderal grasses, and with some existing buildings, and a parking lot, to a fully developed project site. The project would include large parking areas, a two-story church building, an open space area, improvements to the existing office and classroom buildings, and landscaping. Visually, the proposed development would be compatible with other residential and commercial uses in the immediate vicinity of the project site and throughout the City of Brentwood. The visual character of the site and surroundings would be improved by the development of the vacant area that currently constitutes the site.

The proposed architecture for the project would also enhance the aesthetic quality of the development. The church has been designed to fit with the surrounding residential neighborhoods. The final project design would be approved by the City through its design review process. Through this process, the Planning Commission would ensure the design meets the criteria set forth in Municipal Code Section 17.820.007. As a result, development of the project site would result in a **less than significant** impact with respect to substantially degrading the existing visual character or quality of the site and its surroundings.

Response d): Less than Significant with Mitigation. The project site is vacant except for a few small existing office and classroom facilities located at the site's northwest corner. As a result, minimal light or glare is currently emitted from the project site. The change from the current use to a large infill development including a 40,540 square foot two-story building and associated street and project lighting would generate new sources of light and glare. The project site is surrounded by existing residential neighborhoods to the east, west and south, commercial uses to the north, and an adjacent vacant lot to the east. The residences located in the immediate vicinity of the site would be considered sensitive receptors, which could be adversely affected by additional sources of light and glare. The proposed 40,540 square foot building (the church building) would include a large number of windows, which could reflect light to nearby residences. However, vehicle glare would not be noticeable given that the church building would be set back a large distance from Lone Tree Way, which is a main thoroughfare that borders the project site to the north. Vehicles travelling along the nearby side streets (e.g. Lemon Street) may cause headlights to be reflected by some church building windows, but the existing level of traffic along these side streets is such that the effect would be minimal. Therefore, although there would not be a noticeable increase in glare, the increase in light produced by the proposed project would be considered potentially significant.

Implementation of Mitigation Measure 1 would reduce the potential impacts related to light and glare to **less than significant**.

Mitigation Measure(s)

Mitigation Measure 1: *In conjunction with development of the proposed project, the developer shall shield all on-site lighting so that nighttime lighting is directed within the project site and does not illuminate adjacent properties. A detailed lighting plan shall be submitted for the review and approval by the Community Development Department and the Public Works Department in conjunction with the project improvement plans. The lighting plan shall indicate the locations and design of the shielded light fixtures.*

II. AGRICULTURE AND FOREST RESOURCES: WOULD THE PROJECT:

	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?		X		
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?				X
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 1222(g)) or timberland (as defined in Public Resources Code section 4526)?				X
d) Result in the loss of forest land or conversion of forest land to non-forest use?				X
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?			X	

RESPONSES TO CHECKLIST QUESTIONS

Responses a): Less than Significant with Mitigation. The 6.9-acre development plan area is partially developed with small office buildings in the northwest corner of the project site and is otherwise vacant with ruderal annual grassland vegetation. The project site contains 100% Capay Clay (0 to 2 percent slopes). According to the “Guide to Mapping Units” included in the Contra Costa County Soil Survey, Capay Clay is a Class I soil, as defined by the United States Department of Agriculture Natural Resource Conservation Service. The site was historically an orchard (Moore Biological Consultants, 2015).

In Figure 3.2-1 of the City of Brentwood General Plan EIR, the site is classified as Urban and Built-Up Land, and does not include any land that is identified as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance by the California Department of Conservation Farmland Mapping and Monitoring Program.

Section 17.730.020 of the City of Brentwood’s Agricultural Preservation Program states that, “agricultural land” requiring mitigation, includes: “those land areas of Contra Costa County specifically designated as agricultural core (AC) or agricultural lands (AL) as defined in the Contra Costa County general plan; those land areas near the city designated as agricultural conservation (AC) as defined in the Brentwood general plan; and/or other lands upon which agricultural activities, uses, operations or facilities exist or could exist that contain Class I, II, III or IV soils as defined by the United States Department of Agriculture Natural Resource Conservation Service.”

The project site is not designated AC or AL by the Contra Costa County General Plan. The Brentwood General Plan designates the project site as Residential Low Density. However, the site has been active agricultural land in the past, and could continue to be used for agricultural purposes were it to remain undeveloped. Furthermore, the site contains Class I soils, as defined by the U.S. Department of Agriculture Natural Resource Conservation Service. The proposed project is therefore subject to compliance with Chapter 17.730, Agricultural Preservation Program, of the Brentwood Municipal Code.

Implementation of the following mitigation measure would bring the proposed project in compliance with Chapter 17.730 of the Brentwood Municipal Code and reduce the impact to **less than significant**.

Mitigation Measure(s)

Mitigation Measure 2: *The Project applicant must preserve agricultural lands by paying an in-lieu fee established by City Council resolution. The fee may be adjusted annually but may not be increased by more than ten percent during any twelve-month period.*

Response b): No Impact. The project site is not under Williamson Act contract, nor is the site zoned for agricultural use. The current land use designation for the project site is Residential Low Density and the zoning for the site is Planned Development (PD-35). The proposed project would include a Conditional Use Permit. Therefore, the project would have no impact with respect to conflicting with agricultural zoning or Williamson Act contracts. There is **no impact**.

Responses c) and d): No Impact. The project site is not considered forest land (as defined in Public Resources Code section 12220[g]), timberland (as defined by Public Resources Code section 4526), and is not zoned Timberland Production (as defined by Government Code section 51104[g]). Therefore, the proposed project would have no impact with regard to conversion of forest land or any potential conflict with forest land, timberland, or Timberland Production zoning. Therefore, there is **no impact**.

Responses e): Less than Significant. Individual project impacts to the loss of prime farmland are addressed in item **a)** above, and subject to the requirements of Mitigation Measure 2. The proposed project would not be anticipated to promote off-site development of existing agricultural land because the proposed infrastructure is sized to serve only the project area. In addition, the project site is consistent with the type and intensity of land uses anticipated by the General Plan. Finally, the project site is not considered to be forest land. Therefore, the proposed project would result in a **less than significant** impact to the existing environment that could individually or cumulatively result in loss or conversion of farmland to non-agricultural uses or conversion of forest land to non-forest uses.

III. AIR QUALITY -- WOULD THE PROJECT:

	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
a) Conflict with or obstruct implementation of the applicable air quality plan?			X	
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?			X	
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?			X	
d) Expose sensitive receptors to substantial pollutant concentrations?		X		
e) Create objectionable odors affecting a substantial number of people?			X	

EXISTING SETTING

The project site is located within the boundaries of the Bay Area Air Quality Management District (BAAQMD). This agency is responsible for monitoring air pollution levels and ensuring compliance with federal and state air quality regulations within the San Francisco Bay Area Air Basin (SFBAAB) and has jurisdiction over most air quality matters within its borders.

RESPONSES TO CHECKLIST QUESTIONS

Response a): Less than Significant.

The SFBAAB is currently designated as a nonattainment area for State and federal ozone, State and federal particulate matter 2.5 microns in diameter (PM_{2.5}), and State particulate matter 10 microns in diameter (PM₁₀) standards. The BAAQMD, in cooperation with the Metropolitan Transportation Commission (MTC) and the Association of Bay Area Governments (ABAG), prepared the 2005 Ozone Strategy, which is a roadmap depicting how the Bay Area will achieve compliance with the State one-hour air quality standard for ozone as expeditiously as practicable and how the region will reduce transport of ozone and ozone precursors to neighboring air basins. Although the California Clean Air Act does not require the region to submit a plan for achieving the State PM₁₀ standard, the 2005 Ozone Strategy is expected to also reduce PM₁₀ emissions. In addition, to fulfill federal air quality planning requirements, the BAAQMD adopted a PM_{2.5} emissions inventory for year 2010, which was submitted to the U.S. Environmental Protection Agency (USEPA) on January 14, 2013 for inclusion in the State Implementation Plan (SIP).

The current plan in place to achieve progress toward attainment of the federal ozone standards is the *Revised San Francisco Bay Area Ozone Attainment Plan for the 1-Hour National Ozone*

Standard. The USEPA recently revoked the 1-hour federal ozone standard; however, the region is designated nonattainment for the new 8-hour standard that replaced the older one-hour standard. Until the region either adopts an approved attainment plan or attains the standard and adopts a maintenance plan, the *Revised San Francisco Bay Area Ozone Attainment Plan for the 1-Hour National Ozone Standard* remains the currently applicable federally-approved plan.

The aforementioned applicable air quality plans contain mobile source controls, stationary source controls, and transportation control measures (TCMs) to be implemented in the region to attain the State and federal ozone standards within the SFBAAB. The plans are based on population and employment projections provided by local governments, usually developed as part of the General Plan update process. The proposed project would be considered to conflict with, or obstruct implementation of, an applicable air quality plan if the project would be inconsistent with the Ozone Attainment Plan's growth assumptions, in terms of population, employment, or regional growth in Vehicle Miles Traveled (VMT). The growth assumptions are based on ABAG projections that are, in turn, based on the City's General Plan. The proposed project would not induce growth beyond levels considered in the General Plan and as such the project would be considered consistent with the growth assumptions of the applicable air quality plans. As a result, the proposed project would not conflict with or obstruct implementation of the applicable air quality plans. This is a **less than significant** impact.

Responses b), c): Less than Significant with Mitigation. According to the California Environmental Quality Act (CEQA) Guidelines, an air quality impact may be considered significant if the proposed project's implementation would result in, or potentially result in, conditions that violate any existing local, State or federal air quality regulations. In order to evaluate ozone and other criteria air pollutant emissions and support attainment goals for those pollutants designated as nonattainment in the area, the BAAQMD has established significance thresholds associated with development projects for emissions of reactive organic gases (ROG), nitrogen oxide (NO_x), PM₁₀, and PM_{2.5}. The BAAQMD's significance thresholds, expressed in pounds per day (lbs/day) for project-level and tons per year (tons/yr) for cumulative, listed in Table 1, are recommended for use in the evaluation of air quality impacts associated with proposed development projects.

Table 1: BAAQMD Thresholds of Significance

Pollutant	Construction (lbs/day)	Operational (lbs/day)	Cumulative (tons/year)
ROG	54	54	10
NO _x	54	54	10
PM ₁₀	82	82	15
PM _{2.5}	54	54	10

Source: BAAQMD, CEQA Guidelines, May 2011.

In addition, the BAAQMD identifies screening criteria for development projects, which provide a conservative indication of whether a development could result in potentially significant air quality impacts. If the screening criteria are met by a project, a detailed air quality assessment of that project's air pollutant emissions would be required. The proposed project consists of a place of worship, and associated development. The following screening criteria are used by the

BAAQMD for a place of worship development project to determine if the development is subject to more rigorous quantitative analysis:

- 439,000 square feet for operational criteria pollutants;
- 61,000 square feet for operational greenhouse gas (GHG) (addressed in Section XII); or
- 277,000 square feet for construction criteria pollutants.

Accordingly, if a place of worship development is less than or equal to the screening size for operational or construction criteria pollutants, or for operational GHG, the development would not be expected to result in potentially significant air quality impacts, and a detailed air quality assessment would not be required.

It should be noted that the BAAQMD was challenged in Superior Court, on the basis that the BAAQMD failed to comply with CEQA when it adopted its CEQA guidelines, including thresholds of significance. The BAAQMD was ordered to set aside the thresholds and conduct CEQA review of the proposed thresholds. On August 13, 2013, the First District Court of Appeal reversed the trial court's decision striking down BAAQMD's CEQA thresholds of significance for GHG emissions. The Court of Appeal's held that CEQA does not require BAAQMD to prepare an EIR before adopting thresholds of significance to assist in the determination of whether air emissions of proposed projects might be deemed "significant." The Court of Appeal's decision provides the means by which BAAQMD may ultimately reinstate the GHG emissions thresholds, though the court's decision does not become immediately effective. It should be further noted that a petition for review has been filed; however, the court has limited its review to the following issue: Under what circumstances, if any, does CEQA require an analysis of how existing environmental conditions will impact future residents or users (receptors) of a proposed project? Ultimately, the thresholds of significance used to evaluate proposed developments are determined by the CEQA lead agency. Per CEQA Guidelines Section 15064.7, the City has elected to use the BAAQMD's thresholds and methodology for this project, as they are based on substantial evidence and remain the most up-to-date, scientifically-based method available to evaluate air quality impacts. Thus, the BAAQMD's thresholds of significance presented in Table 1, and the screening criteria, are utilized for this analysis.

Implementation of the proposed project would contribute local emissions in the area during both the construction and operational phases of the proposed project. As the proposed project involves the development of approximately 40,540 square feet of new building area, the project does not exceed the screening criteria for operational or construction-related criteria pollutants resulting from a place of worship development. As such, the proposed project would not be expected to result in potentially significant operational or construction-related air quality impacts, and a quantification of project emissions is not warranted or required.

The proposed project would not result in construction, operational, or cumulative emissions above the applicable BAAQMD thresholds of significance. Accordingly, the project would not violate air quality standards nor contribute to the region's nonattainment status of ozone; therefore the project results in a **less than significant** impact.

Response d): Less than Significant with Mitigation. Emissions of carbon monoxide (CO) are of potential concern, as the pollutant is a toxic gas that results from the incomplete combustion of carbon-containing fuels such as gasoline or wood. CO emissions are particularly related to traffic levels.

In addition to screening criteria for criteria pollutants and GHGs, BAAQMD has established screening criteria for localized CO emissions, including the following:

- Consistency with applicable congestion management programs;
- Project traffic increase traffic volumes at intersections to more than 44,000 vehicles per hour; or
- Project traffic increase traffic volumes at intersections to more than 24,000 vehicles per hour where vertical and/or horizontal mixing is substantially limited (e.g., tunnel, parking garage, underpass, etc.).

As the City has elected to use the BAAQMD's thresholds and methodology for this project, the BAAQMD's screening criteria for localized CO emissions presented above are utilized for this analysis.

A General Plan amendment is not required for the proposed project. A Conditional Use Permit (CUP) would be included as a part of the proposed project, and the proposed use would be considered consistent with the growth assumptions of the General Plan. Subsequently, the project would result in similar mobile source emissions as currently anticipated for the site in the General Plan EIR. In addition, none of the affected intersections currently involve traffic volumes of 44,000 vehicles per hour (or 24,000 vehicles per hour where vertical and/or horizontal mixing is substantially limited), and would not increase traffic volumes greater than 44,000 vehicles per hour as a result of the proposed project. Therefore, according to the BAAQMD screening criteria above, the proposed project would not be expected to result in substantial increase in levels of CO at surrounding intersections, and the project would not generate or be subjected to localized concentrations of CO in excess of applicable standards.

Toxic Air Contaminants (TACs) are also a category of environmental concern. The California Air Resources Board's (CARB) *Air Quality and Land Use Handbook: A Community Health Perspective* (Handbook) provides recommendations for siting new sensitive land uses near sources typically associated with significant levels of TAC emissions, including, but not limited to, freeways and high traffic roads, distribution centers, and rail yards. It should be noted that the project site is approximately 0.3 miles west from the nearest railroad tracks; however, due to the lack of idling trains, the CARB does not consider tracks to be a significant source of TAC emissions. The project site is not located in the vicinity of any rail yard. The CARB has identified diesel particulate matter (DPM) from diesel-fueled engines as a TAC; thus, high volume freeways, stationary diesel engines, and facilities attracting heavy and constant diesel vehicle traffic are identified as having the highest associated health risks from DPM. Health risks from TACs are a function of both the concentration of emissions and the duration of exposure. Health-related risks associated with DPM in particular are primarily associated with long-term exposure and associated risk of contracting cancer.

Children, pregnant women, the elderly, and those with existing health problems are considered more sensitive to air pollution than others. Accordingly, land uses that are typically considered to be sensitive receptors include residences, schools, day care centers, playgrounds, and medical facilities. The proposed project includes the development of a church facility, many of whose attendees and/or staff would be considered sensitive receptors. The CARB, per its Handbook, considers that any project placing sensitive receptors within 500 feet of a major roadway or freeway may have the potential to expose those receptors to DPM. Similarly, the BAAQMD recommends placement of overlay zones at least 500 feet from all freeways and high volume roadways. The nearest freeway, SR 4, is located approximately 0.6 miles to the west of the project site. Therefore, the project site is not located within 500 feet of any freeway or high volume roadway, and would not be subjected to substantial concentrations of DPM associated with such.

The project does not involve long-term operation of any stationary diesel engine or other major on-site stationary source of TACs. Relatively few vehicle trips associated with operations of the proposed use would be expected to be composed of diesel-fueled vehicles. Therefore, the project would not generate any substantial concentrations of TACs during operations. Construction activities have the potential to generate DPM emissions related to the number and types of equipment typically associated with construction. Off-road heavy-duty diesel equipment used for site grading, paving, and other construction activities result in the generation of DPM. Nearby residences to the west and south would be considered the nearest existing sensitive receptors to the project site and could become exposed to DPM emissions from the site during construction activities. Residences to the east could also be exposed. In addition, Pioneer Elementary School is located approximately 0.5 miles to the southwest. However, construction is temporary and occurs over a relatively short duration in comparison to the operational lifetime of the proposed project. In addition, only portions of the site would be disturbed at a time during buildout of the proposed project, with operation of construction equipment regulated and occurring intermittently throughout the course of a day. Thus, the likelihood that any one sensitive receptor would be exposed to high concentrations of DPM for any extended period of time would be very low. Because health risks associated with exposure to DPM or any TAC are correlated with high concentrations over a long period of exposure (e.g., over a 70-year lifetime), the temporary, intermittent construction-related DPM emissions would not be expected to cause any health risks to nearby sensitive receptors. Thus, construction of the proposed project would not expose any nearby existing sensitive receptors to any short-term substantial concentrations of TACs.

The City of Brentwood was previously advised of two serious cases of Valley Fever contracted during an archeological excavation near the southern City limit boundary. Valley Fever is an infection caused by inhalation of the spores of the *Coccidioides immitis* fungus, which grows in soils and are released during earthmoving. The fungus is very prevalent in the soils of California's San Joaquin Valley. The ecological factors that appear to be most conducive to survival and replication of the spores are high summer temperature, mild winters, sparse rainfall, and alkaline, sandy soils. Earth moving during development of the project site could put nearby residents at a greater risk of exposure to Valley Fever; however, because fungus spores need to become airborne in order to enter the respiratory tract of humans, and landscaping, building pads, and streets associated with the development would eliminate most fugitive dust, the threat

is more serious for construction workers than for nearby residents. Residents living in close proximity to the project site during construction may be at risk of being exposed to the disease due to proximity and a relatively lower immunity. As a result, measures should be taken to reduce the potential for exposure of the disease during construction to both construction workers and residents nearby. These include measures to control dust through construction site irrigation, soil stabilizers and landscaping. Paving roads, planting grass, and other measures that reduce dust where people live, work, or engage in recreation have been shown to reduce the incidence of infection. Sufficient wetting of the soil prior to grading activities can reduce exposure to airborne spores of the fungus.

Development of the project site could potentially expose construction workers and nearby residents to fungus spores that cause Valley Fever. Grading activities associated with development have the potential to release the fungus into the air, increasing the risk of infection to the surrounding population. Implementation of the project may result in human health impacts due to exposure to fungus spores which cause Valley Fever.

In conclusion, the proposed project would not expose sensitive receptors to substantial concentrations of any TACs after mitigation. Therefore, impacts related to exposure of sensitive receptors to substantial pollutant concentrations would be considered **less than significant**.

Implementation of the following mitigation measures would reduce the construction-related impact of potential Valley Fever exposure to **less than significant**.

Mitigation Measure(s)

Mitigation Measure 3: *Prior to the issuance of a grading permit, the Applicant/Developer shall prepare an Erosion Prevention and Dust Control Plan. The plan shall be followed by the project's grading contractor and submitted to the Public Works Department, which will be responsible for field verification of the plan during construction.*

The plan shall comply with the City's grading ordinance and shall include the following control measures and other measures as determined by the Public Works Department to be necessary for the proposed project:

- *Cover all trucks hauling construction and demolition debris from the site;*
- *Water all exposed or disturbed soil surfaces at least twice daily;*
- *Use watering to control dust generation during demolition of structures or break-up of pavement;*
- *Pave, apply water three times daily, or apply (non-toxic) soil stabilizers on all unpaved parking areas and staging areas;*
- *Sweep daily (with water sweepers) all paved parking areas and staging areas;*
- *Provide daily clean-up of mud and dirt carried onto paved streets from the site;*
- *Enclose, cover, water twice daily or apply non-toxic soil binders to exposed stockpiles (dirt, sand, etc.);*
- *Limit traffic speeds on unpaved roads to 15 mph;*
- *Install sandbags or other erosion control measures to prevent silt runoff to public roadways;*

- *Replant vegetation in disturbed areas as quickly as possible;*
- *Install wheel washers for all exiting trucks, or wash off the tires or tracks of all trucks and equipment leaving the site;*
- *Install wind breaks, or plant trees/vegetative wind breaks at windward side(s) or construction areas;*
- *Suspend excavation and grading activity when winds (instantaneous gusts) exceed 25 mph;*
- *Limit the area subject to excavation, grading, and other construction activity at any one time;*
- *Unnecessary idling of construction equipment shall be avoided;*
- *Equipment engines shall be maintained in proper working condition per manufacturers' specifications;*
- *During periods of heavier air pollution (May to October), the construction period shall be lengthened to minimize the amount of equipment operating at one time;*
- *Where feasible, the construction equipment shall use cleaner fuels, add-on control devices and conversion to cleaner engines.*

Mitigation Measure 4: *To the extent feasible, construction employees shall be hired from local populations, since it is more likely that they have been previously exposed to the fungus which causes Valley Fever and are therefore immune.*

Mitigation Measure 5: *During periods of high dust in the grading phase, crews must use National Institute for Occupational Safety and Health (NIOSH) approved N95 masks or better or other more stringent measures in accordance with the California Division of Occupational Safety and Health regulations.*

Mitigation Measure 6: *The operator cab of area grading and construction equipment must be enclosed and air-conditioned.*

Response e): Less than Significant. According to the CARB's Handbook, some of the most common sources of odor complaints received by local air districts are sewage treatment plants, landfills, recycling facilities, waste transfer stations, petroleum refineries, biomass operations, autobody shops, coating operations, fiberglass manufacturing, foundries, rendering plants, and livestock operations. The proposed project site is located in a developed area and is surrounded by existing residential land uses to the west, south, and east. Commercial (primarily retail) land uses are located to the north, and vacant land is situated directly to the east. Accordingly, the proposed project is not located in the vicinity of any substantial objectionable odor sources such as those mentioned above.

Operation of the proposed project would not generate notable odors. The proposed project is a place of worship (church) development, which is compatible with the surrounding land uses. Place of worship land uses are not typically associated with the creation of substantial objectionable odors. Occasional mild odors may be generated during landscaping maintenance (equipment exhaust), but the project would not otherwise generate odors.

Diesel fumes from construction equipment and delivery trucks are often found to be objectionable; however, construction of the proposed project would be temporary and diesel emissions would be temporary and regulated. This is a **less than significant** impact and no mitigation is required.

IV. BIOLOGICAL RESOURCES -- WOULD THE PROJECT:

	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?		X		
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?			X	
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?			X	
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?			X	
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?			X	
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?			X	

RESPONSES TO CHECKLIST QUESTIONS

Response a): Less than Significant with Mitigation.

The following section is based upon the Planning Survey Report (PSR) prepared for the project site by Moore Biological Consultants in order to comply with and receive Permit coverage under the East Contra Costa County Habitat Conservation Plan (ECCCHCP).

The open fields in the south and east parts of the site are vegetated with ruderal annual grassland vegetation that has been highly disturbed by past agricultural use, development in the site and surrounding parcels, and other human activities. The on-site grasslands are periodically disked and/or mowed for weed abatement and parking. Dominant grassland species in the site include oats (*Avena fatua*), soft chess brome (*Bromus hordeaceus*), ripgut brome (*Bromus diandrus*), foxtail barley (*Hordeum murinum*), prickly lettuce (*Lactuca serriola*), black mustard (*Brassica*

nigra), common mallow (*Malva neglecta*), morning glory (*Convolvulus arvensis*), and filaree (*Erodium* spp.).

The northwest part of the site is already developed. The developed areas include offices and classrooms, landscaping, and parking areas. The only trees in the site are around the offices and classrooms and include pines and some ornamentals. The largest trees up are approximately 25 feet tall. There are 16 trees that would be potential bird nest sites. There are also a few ornamental shrubs around the offices and classrooms. There are no blue elderberry (*Sambucus mexicana*) shrubs within or adjacent to the site.

Special Status Plant Species

A survey to assess potentially suitable habitat for special-status plants was undertaken on July 29, 2015. The site was systematically searched by walking throughout the site. As described above, the northwest part of the site is already developed with offices, classrooms, and parking lots, and the south and east parts of the site are ruderal annual grassland that is periodically mowed, disked, and used for parking. Due to an absence of potentially suitable habitat for special-status plants, focused surveys during the blooming period of each species were not warranted.

Special Status Wildlife Species

Based upon the on-site habitats, four covered wildlife species may occur on the project site. Each of these species is discussed below.

San Joaquin kit fox

The south and east parts of the site is ruderal annual grassland that is just within the northern tip of the historical range of San Joaquin kit fox (*Vulpes macrotis mutica*). The north half of the site is not within the modeled range of the species (i.e., it is not mapped as either “Suitable Core Habitat” or “Suitable Low Use Habitat”). However, the south part of the site is mapped as “Suitable Low Use Habitat”. Therefore, the on-site grasslands were inspected for burrows or dens with evidence of kit fox occupancy (i.e. scat, tracks) or burrows or dens that meet the dimensional criteria for kit fox. Comprehensive inspection of potential den habitat was accomplished by walking meandering transects throughout the property. No potential San Joaquin kit fox dens were observed.

Burrowing Owl

The south and east parts of the site are ruderal annual grassland that is within the range of western burrowing owl (*Athene cunicularia*). California Department of Fish and Wildlife’s California Natural Diversity Database contains four occurrences of western burrowing owl within 0.5 miles of the site. The site was inspected for burrowing owls and ground squirrel burrows with evidence of burrowing owl occupancy (i.e., white wash, pellets, feathers). Comprehensive inspection of potential burrowing owl habitat was accomplished by walking meandering transects throughout the property. No western burrowing owls or burrows with evidence of burrowing owl occupancy were observed.

Swainson's Hawk

The south and east parts of the site are ruderal annual grassland along the extreme western edge of the range of Swainson's hawks (*Buteo swainsoni*). The only potential nest trees in the site are the trees surrounding the offices and classrooms. There are only a few potential nest trees near and visible from the site. All of the trees in and visible from the site were inspected for raptor stick nests. No raptor stick nests were observed in the on-site trees or off-site trees visible from the site. No Swainson's hawks were observed during the field survey, which was conducted in the latter part of the nesting season of this species. Due to the location of the site along the extreme west edge of the Swainson's hawk nesting range, it is considered unlikely this species will nest in trees in or near the site in the future.

Golden Eagle

The south and east parts of the site are ruderal annual grassland that is within the range of golden eagles (*Aquila chrysaetos*). The only potential nest trees in the site are the trees surrounding the offices and classrooms. There are also a few potential nest trees near and visible from the site. Trees in and visible from the site were inspected for raptor stick nests. No nests were observed in the on-site trees or off-site trees visible from the site. No golden eagles were observed and this species nests more often on cliffs in remote natural areas than in trees in urban settings.

Conclusion

Due to the disturbed nature of the project site's ruderal annual grassland cover type, suitable habitat does not exist to support special-status plant species known to occur within the annual grassland cover type of East Contra Costa County. While the presence of special-status wildlife species is relatively unlikely, based upon the current land cover types found on-site, in accordance with the ECCCHCP, wildlife species surveys are required to determine whether any special-status wildlife species are occupying the project site prior to initiating on-site ground disturbance and vegetation removal. If the necessary preconstruction surveys are not carried out, the project could result in a potentially significant adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the U.S. Fish and Wildlife Service (USFWS), or the California Department of Fish and Wildlife (CDFW). In addition, the proposed project could result in potentially significant impacts to federally- or state-protected birds not covered under the ECCCHCP (i.e., white-tailed kite, migratory birds).

The following mitigation measures would reduce the above-stated special-status wildlife impacts to a **less than significant** level.

Mitigation Measure(s)

Mitigation Measure 7: *Prior to the issuance of grading or construction permits for the project site, the developer shall submit an ECCCHCP application and associated fee worksheet to the City of Brentwood Community Development Department for review and approval. The developer shall pay the applicable ECCCHCP per-acre fee in effect for Zone I in compliance with Section 16.168.070 of the Brentwood Municipal Code. The developer shall receive a Certificate of Coverage from the City*

of Brentwood and submit a construction monitoring report to the ECCC Habitat Conservancy for review and approval. The Certificate of Coverage will confirm the fee has been received, that other ECCC HCP/NCCP requirements have been met or will be performed, and will authorize take of covered species.

San Joaquin Kit Fox

Mitigation Measure 8A: Prior to any ground disturbance related to covered activities, a USFWS/CDFW– approved biologist will conduct a preconstruction survey in areas identified in the planning surveys as supporting suitable breeding or denning habitat for San Joaquin kit fox. The surveys will establish the presence or absence of San Joaquin kit foxes and/or suitable dens and evaluate use by kit foxes in accordance with USFWS survey guidelines. Preconstruction surveys will be conducted within 30 days of ground disturbance. On the parcel where the activity is proposed, the biologist will survey the proposed disturbance footprint and a 250-foot radius from the perimeter of the proposed footprint to identify San Joaquin kit foxes and/or suitable dens.

Adjacent parcels under different land ownership shall not be surveyed. The status of all dens shall be determined and mapped. Written results of the preconstruction survey shall be submitted to the USFWS within 5 working days after survey completion and before the start of ground disturbance. Concurrence is not required prior to initiation of activities covered under the ECCCHCP. If San Joaquin kit foxes and/or suitable dens are identified in the survey area, Mitigation Measure 8B shall be implemented. If kit foxes and/or suitable dens are not discovered, then further mitigation is not necessary.

Mitigation Measure 8B:

Dens within Proposed Disturbance Footprint

If a San Joaquin kit fox den is discovered in the proposed disturbance footprint during the surveys required under Mitigation Measure 8A, the following measures shall be implemented by a USFWS/CDFW-approved biologist:

- The den shall be monitored for 3 days by a USFWS/CDFW-approved biologist, using a tracking medium or an infrared beam camera to determine if the den is currently being used.
- Unoccupied dens shall be destroyed immediately to prevent subsequent use.
- If a natal or pupping den is found, USFWS and CDFW shall be notified immediately. The den shall not be destroyed until the pups and adults have vacated, and then only after further consultation with USFWS and CDFW.
- If kit fox activity is observed at the den during the initial monitoring period, the den shall be monitored for an additional 5 consecutive days from the time of the first observation to allow any resident animals to move to another den while den use is actively discouraged. For dens other than natal or pupping dens, use of the den could be discouraged by partially plugging the entrance with soil such that any resident animal could easily escape. Once the den is determined to be unoccupied it may be excavated under the direction of the biologist.

Alternatively, if the animal is still present after 5 or more consecutive days of plugging and monitoring, the den may have to be excavated when, in the judgment of the biologist, the den is temporarily vacant (i.e., during the animal's normal foraging activities).

Dens outside Proposed Disturbance Footprint (Construction Monitoring)

If a San Joaquin kit fox den is discovered outside of the proposed disturbance footprint during the surveys required under Mitigation Measure 8A exclusion zones around each den entrance or cluster of entrances shall be demarcated. The configuration of exclusion zones shall be circular, with a radius measured outward from the den entrance(s). Covered activities shall not occur within the exclusion zones. Exclusion zone radii for potential dens shall be at least 50 feet and shall be demarcated with four to five flagged stakes. Exclusion zone radii for known dens shall be at least 100 feet and demarcated with staking and flagging that encircles each den or cluster of dens, but does not prevent access to the den by kit fox.

Burrowing Owl

Mitigation Measure 9A: *Prior to any ground disturbance related to activities covered under the ECCCHCP, a preconstruction survey of the 6.9-acre development plan area shall be completed. The surveys shall establish the presence or absence of western burrowing owl and/or habitat features, and evaluate use by owls in accordance with CDFW survey guidelines.²*

On the parcel where the activity is proposed, the USFWS/CDFW-approved biologist shall survey the proposed disturbance footprint and a 500-foot radius from the perimeter of the proposed footprint to identify burrows and owls. Adjacent parcels under different land ownership need not be surveyed. The survey shall take place near the sunrise or sunset in accordance with CDFW guidelines. All burrows or burrowing owls shall be identified and mapped. Survey shall take place no more than 30 days prior to construction. During the breeding season (February 1-August 31), surveys shall document whether burrowing owls are nesting on or directly adjacent to disturbance areas. During the non-breeding season (September 1-January 31), surveys shall document whether burrowing owls are using habitat on or directly adjacent to any disturbance area. Survey results would be valid only for the season during which the survey is conducted. The survey results shall be submitted to CDFW and the City of Brentwood Community Development Department.

If burrowing owls and/or burrows are identified in the survey area, Mitigation Measure 9B shall be implemented. If burrowing owls and/or suitable burrows are not discovered, then further mitigation is not necessary.

Mitigation Measure 9B: *If burrowing owls are found during the breeding season (February 1-August 31), the project proponent shall avoid all nest sites that could be disturbed by project construction during the remainder of the breeding season, or while the nest is occupied by adults or young.*

² California Burrowing Owl Consortium. Burrowing Owl Survey Protocol and Mitigation Guidelines. April 1993.

Avoidance shall include establishment of a 250-foot non-disturbance buffer zone. Construction may occur during the breeding season if a qualified biologist monitors the nest and determines that the birds have not begun egg-laying and incubation, or that the juveniles from the occupied burrows have fledged. During the non-breeding season (September 1-January 31), the project proponent shall avoid the owls and the burrows they are using, if possible. Avoidance shall include the establishment of a 160-foot non-disturbance buffer zone.

If occupied burrows for burrowing owls are not avoided, passive relocation shall be implemented. Owls shall be excluded from burrows in the immediate impact zone and within a 160-foot buffer zone by installing one-way doors in burrow entrances. These doors shall be in place for 48 hours prior to excavation. The project area shall be monitored daily for 1 week to confirm that the owl has abandoned the burrow. Whenever possible, burrows shall be excavated using hand tools and refilled to prevent re-occupation.³ Plastic tubing or a similar structure shall be inserted in the tunnels during excavation to maintain an escape route for any owls inside the burrow.

Swainson's Hawk

Mitigation Measure 10A: *Prior to any ground disturbance related to activities covered under the ECCCHCP, which are conducted during the nesting season (March 15- September 15), a USFWS/CDFW-approved biologist shall conduct a preconstruction survey no more than 30 days prior to construction in order to establish whether occupied Swainson's hawk nests are located within 1,000 feet of the project site. If potentially occupied nests are identified within 1,000 feet of the project site, then their occupancy will be determined by observation from public roads or by observations of Swainson's hawk activity (e.g. foraging) near the project site. A written summary of the survey results shall be submitted to the City of Brentwood Community Development Department. If occupied nests occur on-site or within 1,000 feet of the project site, then Mitigation Measure 10B shall be implemented. If occupied nests are not found, further mitigation is not necessary.*

Mitigation Measure 10B: *During the nesting season (March 15-September 15), covered activities within 1,000 feet of occupied nests or nests under construction shall be prohibited to prevent nest abandonment. If site-specific conditions, or the nature of the covered activity (e.g., steep topography, dense vegetation, and limited activities) indicate that a smaller buffer could be used, the ECCC Habitat Conservancy may coordinate with CDFW/USFWS to determine the appropriate buffer size. If young fledge prior to September 15, covered activities could proceed normally. If the active nest site is shielded from view and noise from the project site by other development, topography, or other features, the project applicant can apply to the ECCC Habitat Conservancy for a waiver of this avoidance measure. Any waiver must also be approved by USFWS and CDFW. While nest is occupied, activities outside the buffer can take place.*

³ California Department of Fish and Game. Staff Report on Burrowing Owl Mitigation. March 7, 2012. It should be noted the California Department of Fish and Game is now the California Department of Fish and Wildlife.

All active nest trees will be preserved on site, if feasible. Nest trees, including non-native trees, lost to covered activities will be mitigated by the project proponent according to the requirements below.

Mitigation for Loss of Nest Trees

The loss of non-riparian Swainson's hawk nest trees will be mitigated by the project proponent by:

If feasible on-site, planting 15 saplings for every tree lost with the objective of having at least 5 mature trees established for every tree lost according to the requirements listed below, and inclusion of at least one of the two following options:

- 1. Pay the Implementing Entity an additional fee to purchase, plant, maintain, and monitor 15 saplings on the HCP/NCCP Preserve System for every tree lost according to the requirements listed below, OR*
- 2. The project proponent will plant, maintain, and monitor 15 saplings for every tree lost at a site to be approved by the Implementing Entity (e.g., within an HCP/NCCP Preserve or existing open space linked to HCP/NCCP preserves), according to the requirements listed below.*

The following requirements will be met for all planting options:

·Tree survival shall be monitored at least annually for 5 years, then every other year until year 12. All trees lost during the first 5 years will be replaced. Success will be reached at the end of 12 years if at least 5 trees per tree lost survive without supplemental irrigation or protection from herbivory. Trees must also survive for at least three years without irrigation.

·Irrigation and fencing to protect from deer and other herbivores may be needed for the first several years to ensure maximum tree survival.

·Native trees suitable for this site should be planted. When site conditions permit, a variety of native trees will be planted for each tree lost to provide trees with different growth rates, maturation, and life span, and to provide a variety of tree canopy structures for Swainson's hawk. This variety will help to ensure that nest trees will be available in the short term (5-10 years for cottonwoods and willows) and in the long term (e.g., Valley oak, sycamore). This will also minimize the temporal loss of nest trees.

·Riparian woodland restoration conducted as a result of covered activities (i.e., loss of riparian woodland) can be used to offset the nest tree planting requirement above, if the nest trees are riparian species.

·Whenever feasible and when site conditions permit, trees should be planted in clumps together or with existing trees to provide larger areas of suitable nesting habitat and to create a natural buffer between nest trees and adjacent development (if plantings occur on the development site).

·Whenever feasible, plantings on the site should occur closest to suitable foraging habitat outside the Urban Development Area (UDA).

·Trees planted in the HCP/NCCP preserves or other approved offsite location will occur within the known range of Swainson's hawk in the inventory area and as close as possible to high-quality foraging habitat.

Golden Eagle

Mitigation Measure 11A: *Prior to any ground disturbance related to activities covered under the ECCCHCP, a USFWS/CDFW-approved biologist shall conduct a preconstruction survey within 0.5 miles of the project site to establish whether nests of golden eagles are occupied. A written summary of the survey results shall be submitted to the City of Brentwood Community Development Department. If occupied nests occur on-site or within 0.5 miles of the project site, then Mitigation Measure 11B shall be implemented. If occupied nests are not found, further mitigation is not necessary.*

Mitigation Measure 11B: *Covered activities shall be prohibited within 0.5 mile of active golden eagle nests. If site-specific conditions, or the nature of the covered activity (e.g., steep topography, dense vegetation, and limited activities) indicate that a smaller buffer could be used, the ECCCH Habitat Conservancy may coordinate with CDFW/USFWS to determine the appropriate buffer size. The qualified biologist, at the applicant's expense, shall also engage in construction monitoring. Construction monitoring shall focus on ensuring that ground disturbance related activities do not occur within the buffer zone established around an active nest. Construction monitoring would ensure that direct effects to golden eagles are minimized.*

White-tailed Kite

Mitigation Measure 12: *White-tailed kite (*Elanus caeruleus*), another "fully protected species," per California Fish and Game Code Section 3511, could potentially nest in trees in or near the site. Prior to any ground disturbance related to covered activities that occur during the nesting season (March 15-August 31), a qualified biologist will conduct a preconstruction survey no more than 1 month prior to construction to establish whether white-tailed kite is nesting in trees within or visible from the site. In the event active nests of fully protected species are found, the applicant shall notify the Implementing Entity and consult with CDFW for further guidance.*

Responses b), c): Less than Significant. Riparian habitats are described as the land and vegetation that is situated along the bank of a stream or river. Wetlands are areas where water covers the soil, or is present either at or near the surface of the soil all year or for varying periods of time during the year. Wetlands usually must possess hydrophytic vegetation (i.e., plants adapted to inundated or saturated conditions), wetland hydrology (e.g., topographic low areas, exposed water tables, stream channels), and hydric soils (i.e., soils that are periodically or permanently saturated, inundated or flooded). Vernal pools are seasonal depressional wetlands that are covered by shallow water for variable periods from winter to spring, but may be completely dry for most of the summer and fall. Vernal pools range in size from small puddles to shallow lakes and are usually found in a gently sloping plain of grassland.

Riparian habitat does not exist at the project site. There are no other additional kinds of aquatic habitat at the site. As a result, the implementation of the proposed project would have a **less than significant** impact to any riparian habitat, seasonal wetlands, or vernal pools as defined by Section 404 of the Clean Water Act through direct removal, filling, hydrological interruption, or other means.

Responses d): Less than Significant. While the proposed project would result in substantial development of the project site, the site is predominately surrounded by existing residential development to the south, east, and west, and existing commercial development to the north. The project site and the vacant lot to the east provide limited opportunities for native, resident, or migratory wildlife to use as a movement corridor. The CNDDDB record search did not reveal any documented wildlife corridors or wildlife nursery sites on or adjacent to the project site. Furthermore, the field survey did not reveal any wildlife corridors or wildlife nursery sites on or adjacent to the project site.

Given that the project site is primarily surrounded by development, impacts related to the movement of any resident or migratory fish or wildlife species or with established resident or migratory wildlife corridors, or impeding the use of wildlife nursery sites are considered **less than significant**.

Responses e), f): Less than Significant. Vegetation on the project site currently consists of ruderal vegetation and pre-existing urban development. The site is within the boundaries of the ECCC HCP/NCCP. In July 2007 the ECCC HCP/NCCP was adopted by Contra Costa County, the City of Brentwood, other member cities, the USFWS and the CDFW. The ECCC HCP/NCCP provides guidance for the mitigation of impacts to covered species. Mitigation of impacts is accomplished through the payment of a Development Fee. The Development Fee requires payment based on a cost per acre for all acres converted to non-habitat with the cost per acre based on the quality of the habitat converted. The fees are used to acquire higher value habitats in preserved areas and to fund their restoration and management. Because the City of Brentwood is a signatory to the ECCC HCP/NCCP, anticipated project impacts could be mitigated through the payment of Development Impact fees to the ECCC HCP/NCCP Conservancy. The proposed project would comply with the ECCC HCP/NCCP requirements regarding special-status species, and the applicant would be required to pay the associated Development Fee, to the Conservancy, per *Mitigation Measure 7*. Therefore, the proposed project would not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Conservation Community Plan, or other approved local, regional, or state habitat conservation plan, resulting in an impact that is **less than significant**.

V. CULTURAL RESOURCES -- WOULD THE PROJECT:

	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
a) Cause a substantial adverse change in the significance of a historical resource as defined in '15064.5?			X	
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to '15064.5?		X		
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?		X		
d) Disturb any human remains, including those interred outside of formal cemeteries?		X		

RESPONSES TO CHECKLIST QUESTIONS

Response a): Less than Significant. A Cultural Study was prepared by Peak & Associates, Inc. A review of literature maintained by the Northwest Information Center (NWIC) of the California Historical Resources Information System at Sonoma State University was conducted by center staff. The report, File Number 15-0005, indicated that most of the central and southern portions of the area had been surveyed. The area of the existing buildings in the northwest corner of the site and a small parcel just east of them had not been surveyed in the past.

The survey recorded the only cultural resource known in the immediate vicinity, P-07-002567, the De Martini property. This resource consisted of several standing buildings near the corner of Lone Tree Way and Empire Avenue related to the De Martini Ranch and did not extend into the current project area.

There have been several other surveys and reports in the near vicinity of the project area, but the aforementioned survey is the only one that included portions of the current project area. Several reports have been filed with the Information Center regarding the general project vicinity, but these involved little or no fieldwork.

The 2014 Brentwood General Plan Update EIR identifies 24 historic properties in the Brentwood Planning Area. None of the 24 properties listed are within the proposed project site.⁴ Additionally, the portable classrooms and office buildings in the northwest corner of the proposed project site are not associated with historically important persons or events, are quite the opposite from representing a distinctive architectural style or the work of a master and are far too recent to be the subject of useful archeological study. They are not eligible for the National Register of Historic Places or the California Register of Historical Resources.

⁴ City of Brentwood. 2014 Brentwood General Plan Update EIR [pg. 3.5-7]. July 22, 2014.

For the above-stated reasons, development of the proposed project would have a **less than significant** impact on historical resources.

Responses b), c), d): Less than Significant with Mitigation. A field reconnaissance of the Area of Potential Effect (APE), defined by the property boundaries, was conducted on July 10, 2015 by Peak & Associates' archeologist Mike Lawson. No evidence of prehistoric occupation or use of this area was observed.

The parcel has been recently plowed and this, plus heavy rodent activity, provided excellent visibility. Linear transects spaced at 3-5 meters were employed in the survey, which included all of the property except the area occupied by portable classrooms.

Soil consisted of sandy loam with considerable gravel and small cobbles of local stone, mostly sedimentary and metaphoric. Occasional chunks of concrete were observed, probably from dumped material related to the construction all around the project area. Modern glass and plastic was also observed in small quantities.

The process of taking out the previously existing orchard on the property would have been tremendously destructive to any prehistoric properties in the APE. Additionally, the absence of a reliable surface water supply in the immediate area makes this an unlikely location for prehistoric settlement. However, ground-disturbing activities may have the potential to uncover buried cultural deposits. As a result, during construction and excavation activities, unknown archaeological resources, including human bone, may be uncovered, resulting in a potentially significant impact.

Implementation of the following mitigation measures would reduce the construction-related impacts to a **less than significant** level.

Mitigation Measure(s)

Mitigation Measure 13: *Prior to grading permit issuance, the developer shall submit plans to the Community Development Department for review and approval which indicate (via notation on the improvement plans) that if historic and/or cultural resources are encountered during site grading or other site work, all such work shall be halted immediately within the area of discovery and the developer shall immediately notify the Community Development Department of the discovery. In such case, the developer shall be required, at their own expense, to retain the services of a qualified archaeologist for the purpose of recording, protecting, or curating the discovery as appropriate. The archaeologist shall be required to submit to the Community Development Department for review and approval a report of the findings and method of curation or protection of the resources. Further grading or site work within the area of discovery would not be allowed until the preceding work has occurred.*

Mitigation Measure 14: *Pursuant to State Health and Safety Code §7050.5 (c) State Public Resources Code §5097.98, if human bone or bone of unknown origin is found during construction, all work shall stop in the vicinity of the find and the Contra Costa County Coroner shall be contacted immediately. If the remains are determined to be Native American, the coroner shall notify the Native American Heritage Commission who shall notify the person believed to be the most likely*

descendant. The most likely descendant shall work with the contractor to develop a program for re-internment of the human remains and any associated artifacts. Additional work is not to take place within the immediate vicinity of the find until the identified appropriate actions have been implemented.

VI. GEOLOGY AND SOILS -- WOULD THE PROJECT:

	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.		X		
ii) Strong seismic ground shaking?		X		
iii) Seismic-related ground failure, including liquefaction?			X	
iv) Landslides?			X	
b) Result in substantial soil erosion or the loss of topsoil?		X		
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?			X	
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?		X		
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?				X

RESPONSES TO CHECKLIST QUESTIONS

Responses a.i), a.ii): Less than Significant with Mitigation. The following section is based upon the Geotechnical Study (July 31, 2015) prepared for the project site by The PRA Group (available for review at Brentwood City Hall).

The site is not located within a currently designated Alquist-Priolo Earthquake Fault Zone and known surface expression of active faults does not exist within the site. However, the site is located within a seismically active region. The nearest active faults are the Greenville Fault and the Concord Fault, located about 8.5 miles west and 14.3 miles southwest, respectively. The Greenville Fault is considered to be capable of a moment magnitude earthquake of 6.8 to 7.0.

Geologic Hazards

Potential seismic hazards resulting from a nearby moderate to major earthquake could generally be classified as primary and secondary. The primary seismic hazard is ground rupture, also called surface faulting. The common secondary seismic hazards include ground shaking and ground lurching.

Ground Rupture

Because the property does not have known active faults crossing the site, and the site is not located within an Earthquake Fault Special Study Zone, ground rupture is unlikely at the subject property.

Ground Shaking

An earthquake of moderate to high magnitude generated within the San Francisco Bay region could cause considerable ground shaking at the site, similar to that which has occurred in the past. The project would be built using standard engineering and seismic safety design techniques. Building design at the project site would be completed in conformance with the recommendations of the Geotechnical Study, as reviewed and approved by the City of Brentwood Building Division. The structures would meet the requirements of applicable Building and Fire Codes, including the 2013 California Building Code (CBC), as adopted or updated by the City of Brentwood. Seismic design provisions of current building codes generally prescribe minimum lateral forces, applied statically to the structure, combined with the gravity forces of dead-and-live loads. The code-prescribed lateral forces are generally considered to be substantially smaller than the comparable forces that would be associated with a major earthquake. Therefore, structures would be able to: (1) resist minor earthquakes without damage, (2) resist moderate earthquakes without structural damage but with some nonstructural damage, and (3) resist major earthquakes without collapse but with some structural as well as nonstructural damage.

Ground Lurching

Ground lurching is a result of the rolling motion imparted to the ground surface by energy released during an earthquake. Such rolling motion could cause ground cracks to form in weaker soils. The potential for the formation of these cracks is considered greater at contacts between deep alluvium and bedrock. Such an occurrence is possible at the site as in other locations in the Bay Area, but based on the site location, the offset is expected to be very minor.

Conclusion

The project site is not within an Alquist-Priolo Special Studies Zone; however, the Geotechnical Study report prepared for the proposed project indicates that the Brentwood area is located in a seismically active zone. Eight active faults are located within an approximate 50-mile radius of the project site. The nearest State of California zoned, active faults are the Greenville and Concord faults, located approximately 8.5 miles southwest and 14.3 miles west, respectively. Development of the proposed project in this seismically active zone could expose people or

structures to substantial adverse effects, including the risk of loss, injury, or death involving rupture of a known earthquake fault and/or strong seismic ground shaking. Therefore, a potentially significant impact could result.

Implementation of the following mitigation measure would ensure the potential impacts are **less than significant**.

Mitigation Measure(s)

Mitigation Measure 15: *All grading and foundation plans for the development shall be designed by a Civil and Structural Engineer and reviewed and approved by the Director of Public Works/City Engineer, Chief Building Official, and a qualified Geotechnical Engineer prior to issuance of grading and building permits to ensure that all geotechnical recommendations specified in the geotechnical report are properly incorporated and utilized in the project design.*

Responses a.iii), c): Less than Significant. Soil liquefaction results from loss of strength during cyclic loading, such as that which is imposed by earthquakes. Soils most susceptible to liquefaction are clean, loose, saturated, uniformly graded, and fine-grained sands. The site is relatively level.

The Geotechnical Study revealed that the site is underlain by intermixes of alluvial fluvial deposits that have a consistency of clayey silt, sandy clay, clayey sand, and silty sand, with and without cobbles. The medium brown and brown clayey silt and sandy clay sediments have a penetration resistance (blow counts) classified as stiff to very stiff, while the medium brown clayey sand and medium brown, and gray silty sand sediments varied from medium dense to very dense.

The Geotechnical Study concludes that based on the material types and densities of granular materials encountered in the borings, and their review of the Contra Costa County Community Department’s January 18, 2005, “Contra Costa County General Plan, 2005-2020”, the proposed project site is located in an area mapped as having a “Generally Moderate to Low” estimated liquefaction potential. Therefore, considering the low risk of liquefaction at the proposed project site coupled with the fact that the City of Brentwood requires new development to conform to the requirements described in the CBC, the impact would be considered **less than significant**.

Responses a, iv): Less than Significant. The proposed project site is not susceptible to landslides because the area is essentially flat. This is a **less than significant** impact.

Response b): Less than Significant with Mitigation. The project site currently consists of existing mobile classroom and office buildings at the northwest corner of the site, some impervious surface, and a large vacant area. According to the Project Description prepared for the proposed project by the Applicant/Developer, development of the proposed project would result in the creation of approximately 5 acres of new impervious surface area. The development of the project site would cause ground disturbance of top soil. The ground disturbance would be limited to the areas proposed for grading and excavation, including the residential building pads and drainage, sewer, and water infrastructure improvements. After grading and excavation, and prior to overlaying the disturbed ground surfaces with impervious surfaces and structures, the

potential exists for wind and water erosion to occur, which could adversely affect downstream storm drainage facilities.

Without implementation of appropriate Best Management Practices (BMPs) related to prevention of soil erosion during construction, development of the project would result in a potentially significant impact with respect to soil erosion.

Implementation of the following mitigation measures would ensure the impact is **less than significant**.

Mitigation Measure(s)

Mitigation Measure 16. *Prior to grading permit issuance, the applicant shall submit a final grading plan to the Director of Public Works/City Engineer for review and approval. If the grading plan differs significantly from the proposed grading illustrated on the approved project plans, plans that are consistent with the new revised grading plan shall be provided for review and approval by the Director of Public Works/City Engineer.*

Mitigation Measure 17. *Any applicant for a grading permit shall submit an erosion control plan to the Director of Public Works/City Engineer for review and approval. The plan shall identify protective measures to be taken during construction, supplemental measures to be taken during the rainy season, the sequenced timing of grading and construction, and subsequent revegetation and landscaping work to ensure water quality in creeks and tributaries in the General Plan Area is not degraded from its present level. All protective measures shall be shown on the grading plans and specify the entity responsible for completing and/or monitoring the measure and include the circumstances and/or timing for implementation.*

Mitigation Measure 18: *Grading, soil disturbance, or compaction shall not occur during periods of rain or on ground that contains freestanding water. Soil that has been soaked and wetted by rain or any other cause shall not be compacted until completely drained and until the moisture content is within the limit approved by a Soils Engineer. Approval by a Soils Engineer shall be obtained prior to the continuance of grading operations. Confirmation of this approval shall be provided to the Public Works Department prior to commencement of grading.*

Response d): Less than Significant with Mitigation. Expansive soils shrink/swell when subjected to moisture fluctuations, which could cause heaving and cracking of slabs-on-grade, pavements, and structures founded on shallow foundations. Building damage due to moisture changes in expansive soils could be reduced by appropriate grading practices and using post-tensioned slab foundations or similarly stiffened foundation systems which are designed to resist the deflections associated with soil expansion. The Geotechnical Study found that, based upon the site geology and the materials disclosed in the exploratory test borings, the site is underlain by moderately clayey silt that have a moderate shrink/swell potential that could have an adverse effect on building foundations. Therefore, because of the presence of expansive soils on the site, a **potentially significant** impact could occur.

Implementation of the following mitigation measure, as provided by the Geotechnical Study, would ensure the impact is **less than significant**.

Mitigation Measure(s)

Mitigation Measure 19: *The proposed structure shall be supported on a structural mat foundation system, or other comparable solution developed by a qualified engineer, to resist the potential heave of expansive soils. Perimeter grading shall be performed (toward the streets, sidewalks, driveways, etc.) in order to provide positive drainage away from the foundation.*

Response e): No Impact. The project has been designed to connect to existing City sewer system and septic systems will not be used. Therefore, **no impact** would occur related to soils incapable of adequately supporting the use of septic tanks.

XII. GREENHOUSE GAS EMISSIONS -- WOULD THE PROJECT:

	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?			X	
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gasses?			X	

RESPONSES TO CHECKLIST QUESTIONS

Responses a), b): Less than Significant. Implementation of the proposed project would cumulatively contribute to increases of GHG emissions that are associated with global climate change. Estimated GHG emissions attributable to future development would be primarily associated with increases of carbon dioxide (CO₂) and, to a lesser extent, other GHG pollutants, such as methane (CH₄) and nitrous oxide (N₂O). Sources of GHG emissions include area sources, mobile sources or vehicles, utilities (electricity and natural gas), water usage, wastewater generation, and the generation of solid waste. The common unit of measurement for GHG is expressed in terms of annual metric tons of CO₂ equivalents (MTCO₂e/yr).

The City of Brentwood has determined that the BAAQMD thresholds of significance are the best available option for evaluation of GHG impacts for this project and, thus, are used in this analysis.

The BAAQMD identifies screening criteria for development projects, which provide a conservative indication of whether a development could result in a potentially significant impact associated with GHG emissions. If the screening criterion for GHG is met by a project, an assessment of that project's GHG emissions would be required. The operational GHG screening criterion for a place of worship is 61,000 square feet. Because the proposed project consists of approximately 40,540 square feet of building development (less than 61,000 square feet), a GHG assessment is not required for the proposed project. As such, the proposed project would not be expected to result in potentially significant GHG impacts.

Therefore, the project would not conflict with any applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of GHGs, and impacts associated with the generation of GHG emissions would be considered **less than significant**.

VIII. HAZARDS AND HAZARDOUS MATERIALS -- WOULD THE PROJECT:

	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?		X		
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?		X		
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?			X	
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?				X
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?				X
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?				X
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?			X	
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?				X

RESPONSES TO CHECKLIST QUESTIONS

Responses a), b): Less than Significant with Mitigation. The following discussion addresses potential hazards associated with existing site conditions of the 6.9-acre project site, as well as the potential use of hazardous materials during operation of the project.

Existing Site Conditions and Associated Hazards

A Phase I Environmental Site Assessment (Phase I Report), dated August 6, 2015, was prepared for the project site by Geocon Consultants, Inc. Geocon Consultants found that the proposed project site is depicted on the United States Geological Survey’s (USGS) Brentwood, California,

7.5-minute topographic maps (USGS, 1978) in the southwestern quarter of Section 2 of Township 1 North, Range 2 East, Mount Diablo Base and Meridian.

The Phase I Report found that several properties close to the project site that are potential sources of public hazards. The findings as described in the Phase 1 Report are as follows:

- The City of Brentwood operates a building 100 feet to the northeast of the project site (at 6691 Lone Tree Way) that had an underground storage tank (according to the Contra Costa Co. Site List database) and whose property generated asbestos-containing waste that was transported offsite for disposal in 2003. However, based on the downgradient position relative to the project site, this former facility would be unlikely to have impacted the site.
- De Martini Ranches is located 300 feet west of the project site (at 6561 Lone Tree Way), which had an underground storage tank (according to the Contra Costa Co. Site List database). Based on the lack of a reported release from the UST and its crossgradient position relative to the project site, this former facility appears unlikely to have impacted the project site.
- New Life Cleaners is located 530 feet northeast of the project site (at 6730 Lone Tree Way). The dry cleaner has operated since 2006. Based on the lack of a reported release and its downgradient position relative to the project site, this dry cleaner appears unlikely to have impacted the project site.
- A Walgreens (#9978) is located 580 feet northwest of the project site (at 6570 Lone Tree Way). No violations were reported for this business on the RCRA-CESQG database. Based on the type of business and its crossgradient position relative to the project site, this business appears unlikely to have impacted the project site.
- Kragen Auto Parts (#4240) is located 640 feet northeast (at 6720 Lone Tree Way). According to the HAZNET database, this business generated unspecified oil-containing waste, metal dust, and machining waste which was transported offsite for disposal between 2007 and 2009. No other pertinent information about this business was provided under this listing.

Geocon Consultants also conducted a reconnaissance of the project site on July 10, 2015.

Aerial Photograph Interpretation

Historical aerial photographs dated 1950, 1959, 1966, 1968, 1972, 1979, 1982, 1984, 1993, 1998, 2005, 2006, 2009, 2010, and 2012 were reviewed by Geocon Consultants, Inc. to assess the history of the subject site and the immediate vicinity. Row crops were present on the project site in 1950 and again from as early as 1979 to sometime after 1998. An orchard was present on the project site from as early as 1959 to sometime after 1972. The agricultural use of the project site dating back to at least 1950 suggests that organochlorine pesticides (OCP) and metals such as arsenic and lead may be present in soil on the project site. The past agricultural use of the project site is considered an environmental concern for the project site. No other land uses that would suggest the presence of RECs were observed on the project site or adjacent properties in the aerial photographs.

Topographic Maps

Geocon Consultants, Inc., reviewed historical topographic maps provided by EDR for the years 1914, 1916, 1943, 1954, 1968, and 1978. An orchard was depicted on the project site on the 1943, 1954, 1968, and 1978 maps. The past presence of an orchard on the project site suggests that persistent pesticides and metals may be present in soil on the project site. The past agricultural use of the project site is considered an environmental concern for the project site. The topographic maps do not depict any other land uses that would suggest the presence of RECs on the project site or adjacent properties.

Structures

The northern portion of the project site is developed with six structures including: a main office with adjacent storage sheds, student ministry building, adult education building, preschool/nursery building, elementary school building, and an office/storage building. These buildings were previously utilized by La Paloma High School.

Hazardous Substances

According to the Phase I prepared for the project site, the undeveloped portion of the project site consists of a tilled field. A dumpster enclosure is in the northern portion of the project site next to the church office. A buried natural gas pipeline marker is in the northern portion of the project site adjacent to the east of the dumpster enclosure. According to information provided by the project client, the pipeline is inactive and extends north to south, just to the east of the dumpster enclosure and west to east, just to the south of the dumpster enclosure.

Proposed Project Uses

The proposed project has limited potential for the routine transport, use, or disposal of hazardous materials. The proposed uses would not involve the routine transport, use, or disposal of hazardous materials, or present a reasonably foreseeable release of hazardous materials.

Conclusion

The Phase 1 ESA revealed no evidence of recognized environmental conditions (RECs) in connection with the project site or adjoining properties. However, previous agriculture use of areas of the site that may not have been addressed by the removal action are still considered an environmental concern for the project site. Further assessment of the potential presence of pesticides and associated metals in shallow soil on the project site may be warranted if it can be determined that the previous removal action was limited to a particular area of the project site and did not address all areas of the project site previously used for agricultural purposes. Therefore, based on the analysis discussed above, development of the proposed project would result in a potentially significant impact regarding hazardous materials.

Implementation of the following mitigation measures would ensure the impacts are **less than significant**.

Mitigation Measure(s)

Mitigation Measure 20: *Prior to initiation of any ground disturbance activities, evenly distributed soil samples shall be conducted throughout the proposed project property for analysis of pesticides and heavy metals. The samples shall be submitted for laboratory analysis of pesticides and heavy metals per DTSC and EPA protocols. The results of the soil sampling shall be submitted to the City of Brentwood. If elevated levels of pesticides or heavy metals are detected during the laboratory analysis of the soils, a soil cleanup and remediation plan shall be prepared and implemented prior to the commencement of grading activities.*

Response c): Less than Significant. The proposed project has limited potential for the routine transport, use, or disposal of hazardous materials as discussed above in Responses a) and b). The closest public school (Pioneer Elementary School) is located approximately 0.5 miles to the west. The proposed assembly uses would not involve the routine transport, use, or disposal of hazardous materials, or present a reasonably foreseeable release of hazardous materials. Therefore, the project would have a **less than significant** impact with respect to emitting hazardous emissions or handling hazardous or acutely hazardous materials, substances, or waste within ¼ mile of an existing or proposed school.

Response d): No impact. Geocon Consultants found that the proposed project site was used to grow row crops prior to its use as a school. Toxaphene is listed as a potential contaminant of concern (COC); however, “no contaminants found” is listed under the confirmed COC section of the ENVIROSTAR and SCH databases. DTSC issued a no further action status for the project site in September of 2004. As a result, the proposed project would have **no impact** under this criterion.

Responses e), f): No impact. The project site is not within an airport land use plan or within two miles of an airport. The nearest airport, Funny Farm Airfield, is a private airfield located approximately 5 miles east of the project site. Therefore, **no impact** would occur.

Response g): Less than significant. Implementation of the proposed project would not result in any substantial modifications to the existing roadway system and would not interfere with potential evacuation or response routes used by emergency response teams. Therefore, the impact would be **less than significant**.

Response h): No impact. The site is not located within an area where wildland fires occur. The site is predominately surrounded by existing residential development to the west and south, and commercial development to the north. Additionally, the vacant land to the east of the project site is of limited size. Therefore, **no impact** would occur.

IX. HYDROLOGY AND WATER QUALITY -- WOULD THE PROJECT:

	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
a) Violate any water quality standards or waste discharge requirements?		X		
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?			X	
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?		X		
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?		X		
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?		X		
f) Otherwise substantially degrade water quality?		X		
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?			X	
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?			X	
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?			X	
j) Inundation by seiche, tsunami, or mudflow?			X	

RESPONSES TO CHECKLIST QUESTIONS

Responses a), f): Less than Significant with Mitigation.

During the early stages of construction activities, topsoil would be exposed due to grading of the site. After grading and leveling and prior to overlaying the ground surface with impervious surfaces and structures, the potential exists for wind and water erosion to discharge sediment and/or urban pollutants into stormwater runoff, which could adversely affect water quality.

The State Water Resources Control Board (SWRCB) regulates stormwater discharges associated with construction activities where clearing, grading, or excavation results in a land disturbance of one or more acres. Performance Standard NDCC-13 of the City's National Pollutant Discharge Elimination System (NPDES) permit requires applicants to show proof of coverage under the State's General Construction Permit prior to receipt of any construction permits. The State's General Construction Permit requires a Storm Water Pollution Prevention Plan (SWPPP) to be prepared for the site. A SWPPP describes BMPs to control or minimize pollutants from entering stormwater and must address both grading/erosion impacts and non-point source pollution impacts of the development project, including post-construction impacts. The City of Brentwood requires all development projects to use BMPs to treat runoff.

In summary, disturbance of the on-site soils during construction activities could result in a potentially significant impact to water quality should adequate BMPs not be incorporated during construction in accordance with SWRCB regulations.

Implementation of the following mitigation measure would reduce the above impact to a **less than significant** level.

Mitigation Measure(s)

Mitigation Measure 21: *Prior to issuance of grading permits, the contractor shall prepare a Storm Water Pollution Prevention Plan (SWPPP). The Developer shall file the Notice of Intent (NOI) and associated fee to the SWRCB. The SWPPP shall serve as the framework for identification, assignment, and implementation of BMPs. The contractor shall implement BMPs to reduce pollutants in stormwater discharges to the maximum extent practicable. The SWPPP shall be submitted to the Director of Public Works/City Engineer for review and approval and shall remain on the project site during all phases of construction. Following implementation of the SWPPP, the contractor shall subsequently demonstrate the SWPPP's effectiveness and provide for necessary and appropriate revisions, modifications, and improvements to reduce pollutants in stormwater discharges to the maximum extent practicable.*

Response b): Less than Significant. The City provides domestic, potable water to its residents using both surface water and groundwater resources. The City has seven active groundwater wells, which provided approximately 30 percent of the potable water supplied during 2010. Brentwood is located within the Tracy Subbasin of the San Joaquin Valley Groundwater Basin. While the project would create new impervious surface area on the site (approximately 225,000 square feet or 5.3 acres), the Tracy Subbasin comprises 345,000 acres (539 square miles); therefore, recharge of the groundwater basin within which the project site is located comes from

many sources over a broad geographic area. The new impervious surfaces associated with the project would not cause a substantial depletion of recharge within the Tracy Subbasin. In addition, except for seasonal variations resulting from recharge and pumping, water levels in most of the wells of the Tracy Sub-basin have remained stable over at least the last 10 years (as of 2010)⁵.

It should be noted that the City of Brentwood has adequate water supply to meet the demands of the proposed project as well as future anticipated development within the Brentwood General Plan area (as is explained in detail in Section XVI, Question ‘d’, of this IS/MND). The project itself does not include installation of any wells, but would rather include connections to existing water lines in Lone Tree Way. Therefore, the project would result in a **less than significant** impact with respect to substantially depleting groundwater supplies or interfering substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level.

Responses c), d), e): Less than Significant with Mitigation. The project site is located within the Marsh Creek Watershed. The Marsh Creek Watershed drains the east side of Mt. Diablo, and covers about 128 square miles of rangeland, farmland, protected parkland, and urban land. The watershed flows approximately 30 river miles from the creeks headwaters in Morgan Territory Preserve through Brentwood and Oakley to empty into the Delta at Big Break.⁶

All municipalities within Contra Costa County (and the County itself) are required to develop more restrictive surface water control standards for new development projects as part of the renewal of the Countywide NPDES permit. Known as the “C.3 Standards,” new development and redevelopment projects that create or replace 10,000 or more square feet of impervious surface area must contain and treat stormwater runoff from the site. The proposed project is a C.3 regulated project and is required to include appropriate site design measures, source controls, and hydraulically-sized stormwater treatment measures.

For the proposed project, bio-retention areas are interspersed throughout the site, including throughout the site parking lots. Additionally, the project park area serves as a self-retaining area. On-site drainage would direct project site runoff to the bio-retention areas.

Upon being treated within the proposed on-site bio-retention swales, project runoff would be routed to Lone Tree Way, north of the project site. A long-term maintenance plan is needed to ensure that all proposed stormwater treatment BMPs function properly. Should the proposed water quality treatment facilities not be maintained properly, a potentially significant impact could occur with respect to creating or contributing runoff water which would exceed the capacity of existing or planned stormwater drainage systems or providing substantial additional sources of polluted runoff.

⁵ Erler & Kalinowski, Inc. City of Tracy 2010 Urban Water Management Plan. May 2011.

⁶ Contra Costa Resource Conservation District. Marsh Creek Watershed. Available at: <http://www.ccrd.org/marsh.html>. Accessed April 15, 2015.

Implementation of the following mitigation measures would reduce the impact to a **less than significant** level. Proper operation and maintenance of stormwater management facilities would be the responsibility of the Project Applicant in perpetuity.

Mitigation Measure(s)

Mitigation Measure 22: *Prior to the completion of construction, the applicant shall prepare and submit, for the City's review, an acceptable Stormwater Control Operation and Maintenance Plan. In addition, prior to the sale, transfer, or permanent occupancy of the site the applicant shall be responsible for paying for the long-term maintenance of treatment facilities, and executing a Stormwater Management Facilities Operation and Maintenance Agreement and Right of Entry in the form provided by the City of Brentwood. The applicant shall accept the responsibility for maintenance of stormwater management facilities until such responsibility is transferred to another entity.*

The applicant shall submit, with the application of building permits, a draft Stormwater Facilities and Maintenance Plan, including detailed maintenance requirements and a maintenance schedule for the review and approval by the Director of Public Works/City Engineer. Typical routine maintenance consists of the following:

- *Limit the use of fertilizers and/or pesticides. Mosquito larvicides shall be applied only when absolutely necessary.*
- *Replace and amend plants and soils as necessary to insure the planters are effective and attractive. Plants must remain healthy and trimmed if overgrown. Soils must be maintained to efficiently filter the storm water.*
- *Visually inspect for ponding water to ensure that filtration is occurring.*
- *After all major storm events remove bubble-up risers for obstructions and replace if necessary.*
- *Continue general landscape maintenance, including pruning and cleanup throughout the year.*
- *Excavate, clean and or replace filter media (sand, gravel, topsoil) to insure adequate infiltration rate (annually or as needed).*

Mitigation Measure 23: *Design of both the on-site and downstream drainage facilities shall meet with the approval of both the Director of Public Works/City Engineer and the Contra Costa County Flood Control and Water Conservation District prior to the issuance of grading permits.*

Mitigation Measure 24: *Contra Costa County Flood Control and Water Conservation District drainage fees for the Drainage Area shall be paid prior to issuance of grading permits to the satisfaction of the Director of Public Works/City Engineer..*

Mitigation Measure 25: *The improvement plans shall indicate concentrated drainage flows not crossing sidewalks or roadways for the review and approval of the Director of Public Works/City Engineer prior to the issuance of grading permits.*

Mitigation Measure 26: *The Applicant/Developer shall ensure that the project site shall drain into a street, public drain, or approved private drain, in such a manner that un-drained depressions shall*

not occur. Satisfaction of this measure shall be subject to the approval of the Director of Public Works/City Engineer.

Responses g), h), i): Less than Significant. According to the June 16, 2009 FEMA Flood Insurance Rate Maps (FIRM), Panel ID 06013C0353F, the project site is not located within a designated flood zone. Therefore, a **less than significant** impact would result from implementation of the proposed project with respect to placing structures within a 100- year floodplain, which would impede or redirect flood flows.

Response j): Less than Significant. Tsunamis are defined as sea waves created by undersea fault movement. A tsunami poses little danger away from shorelines; however, when a tsunami reaches the shoreline, a high swell of water breaks and washes inland with great force. Waves may reach 50 feet in height on unprotected coasts. Historic records of the Bay Area used by one study indicate that nineteen tsunamis were recorded in San Francisco Bay during the period of 1868-1968. Maximum wave height recorded at the Golden Gate tide gauge (where wave heights peak) was 7.4 feet. The available data indicate a standard decrease of original wave height from the Golden Gate to about half original wave height on the shoreline near Richmond, and to nil at the head of the Carquinez Strait. As Brentwood is several miles inland from the Carquinez Strait, the project site is not exposed to flooding risks from tsunamis and adverse impacts would not result. This is a **less than significant** impact.

A seiche is a long-wavelength, large-scale wave action set up in a closed body of water such as a lake or reservoir, whose destructive capacity is not as great as that of tsunamis. Seiches are known to have occurred during earthquakes, but none have been recorded in the Bay Area. In addition, the project is not located near a closed body of water. Therefore, risks from seiches and adverse impacts would not result. This is a **less than significant** impact.

The project site and the surrounding areas are essentially flat. As such, there is little to no potential for landslides that generate mudflows to impact the project site. This is a **less than significant** impact.

X. LAND USE AND PLANNING - Would the project:

	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
a) Physically divide an established community?				X
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?			X	
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?			X	

RESPONSES TO CHECKLIST QUESTIONS

Responses a): No Impact. As noted in the General Plan, the City of Brentwood has planned for orderly, logical development that supports compatibility among adjacent uses. The General Plan goals seek to retain the character of existing communities and ensure that future land uses are compatible with existing uses. The 6.9-acre project site is mostly vacant with ruderal annual grassland vegetation. There are a few existing office buildings at the northwest corner of the site, and the site is surrounded by residential, commercial, and vacant land. The proposed project, which includes a two-story church, would not physically divide an established community because such a community does not exist on or near the site. Therefore, the project would have **no impact** related to physically dividing an established community.

Responses b): Less than Significant. The recently adopted Brentwood General Plan identifies the project site as Residential Low Density land use and is zoned Planned Development (PD-35). A Conditional Use Permit would be approved as part of the proposed project. Therefore, the proposed project would be consistent with the site's existing General Plan land use designations. As a result, the project would have a **less than significant** impact related to conflicting with applicable land use plans, policies, regulations, or surrounding uses.

Response c): Less than Significant. The ECCCHCP provides guidance for the mitigation of impacts to covered species. Mitigation of impacts is accomplished through payment of a Development Fee. The Development Fee requires payment based on a cost per acre for all acres converted to non-habitat with the cost per acre based on the quality of the habitat converted. The fees are used to acquire higher value habitats in preserved areas and to fund their restoration and management. Because the City of Brentwood is a signatory to the ECCCHCP, anticipated project impacts could be mitigated through the payment of Development Impact fees to the ECCCHCP Conservancy. The proposed project would comply with the ECCCHCP requirements regarding special-status species, and the applicant would be required to pay the associated Development Fee to the Conservancy, per *Mitigation Measure 7* above. Therefore, the proposed project would not conflict with the provisions of an adopted Habitat Conservation Plan, Natural

Conservation Community Plan, or other approved local, regional, or state habitat conservation plan, resulting in a **less than significant** impact.

XI. MINERAL RESOURCES -- WOULD THE PROJECT:

	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?			X	
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?			X	

RESPONSES TO CHECKLIST QUESTIONS

Responses a), b): Less than Significant. The 2014 Brentwood General Plan Update EIR identifies coal, oil and gas, and sand as the significant mineral resources within the area. However, the proposed project site has not been formerly used for oil or gas extraction, and does not contain active oil or gas wells. In addition, Figure 3.6-6 in the 2014 Brentwood General Plan Update EIR does not show an existing active oil and gas well on the project site. Therefore, the impact regarding the loss of availability of a known mineral resource that would be of value to the region would be **less than significant**.

XII. NOISE -- WOULD THE PROJECT RESULT IN:

	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?			X	
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?			X	
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?			X	
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?			X	
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?				X
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?				X

RESPONSES TO CHECKLIST QUESTIONS

Response a): Less than Significant. This section is based upon the project-specific noise report prepared by J.C. Brennan & Associates, Inc. dated August 10, 2015 (available for review at Brentwood City Hall).

Significance Criteria

The following criteria were used to evaluate the significance of environmental noise resulting from the project:

- The City of Brentwood has established a 60 dB L_{dn} exterior noise level standard for outdoor use areas or church uses.
- A significant transportation noise impact would be identified if the project would expose persons to or generate noise levels that would exceed applicable noise standards presented in the City of Brentwood General Plan. Specifically, an increase of greater than 5.0 dB when ambient noise level (L_{dn}) without the project is <60 dB, an increase of greater

than 3.0 dB when L_{dn} without the project is 60-65 dB, and an increase of greater than 1.5 dB when L_{dn} without the project is greater than 65 dB.

- A stationary (non-transportation) noise impact would be identified if the increase in noise is greater than 3.0 dB.

Existing Noise Environment

The existing noise environment on the proposed project site is characterized primarily by traffic on the local roadway network and occasional aircraft overflights. The main source of noise in the area is from local traffic along Lone Tree Way to the north.

To quantify the existing ambient noise environment in the project vicinity, two continuous 24-hour noise level measurements were conducted on the project site, adjacent to the nearest sensitive receptors, on Thursday July 9, 2015 and Sunday July 12, 2015. One noise meter was located along the western border of the project site, near to Lone Tree Way and adjacent residences. The second noise meter was located at the southeast corner of the project site. A summary of existing background noise measurement data is shown in Table 2 below.

Table 2: Summary of Existing Background Noise Measurement Data

Site	Data	Ldn	Average Measured Hourly Noise Levels					
			Daytime (7am-7pm)			Nighttime (10pm-7am)		
			Leq	L50	Lmax	Leq	L50	Lmax
Continuous 24-hour noise level measurements								
LT-A	Thursday (7/9/15)	55	55	49	65	45	43	57
	Sunday (7/12/15)	58	58	50	66	48	40	59
LT-B	Thursday (7/9/15)	56	56	44	64	46	45	56
	Sunday (7/12/15)	57	57	48	68	52	51	59

Source: J.C. Brennan & Associates, 2015.

Future Noise Environment

The FHWA traffic noise prediction model was used to predict Cumulative + Project traffic noise levels at the proposed outdoor use area of the project. Table 3 shows the predicted traffic noise levels at the outdoor areas of the proposed project (Environmental Noise Assessment, 2015).

Table 3: Cumulative + Project On-site Transportation Noise Levels

Roadway	Receptor Description	Approximate Setback, feet ¹	ADT	Predicted Traffic Noise Levels, dB L _{dn} ²			
				No Wall	6' Wall	7' Wall	8' Wall
Lone Tree	Turf and Picnic Area	300	30,440	58 dB	--	--	--
Lone Tree	Main Plaza	450	30,440	55 dB	--	--	--

¹ Setback distances are measured in feet from the centerlines of the roadway.
² The modeled noise barriers assume flat site conditions where roadway elevations, base of wall elevations, and building pad elevations are approximately equivalent.
 -- Meets the City of Brentwood exterior noise standard without mitigation.
 Source: FHWA-RD-77-108 with inputs from Abrams & Associates, and j.c. brennan & associates, Inc. 2015.
 The Table 11 data indicate that the proposed outdoor activity areas would be exposed

The Table 3 data indicate that the proposed outdoor activity areas would be exposed to exterior noise levels in compliance with the City’s 60 dB L_{dn} exterior noise level standard for outdoor use areas or church uses.

Conclusion

Development of the proposed project would not result in exposure of future residential receptors to adverse traffic noise levels along Lone Tree Way or any other nearby street. Persons within the proposed project outdoor activity area would be exposed to noise levels in compliance with the City’s noise standard. The Noise Assessment prepared by J.C. Brennan & Associates also found that there would not be other major sources of noise near to the project site. Therefore, the project would not expose persons or generate noise levels in excess of applicable noise standards, and would therefore result in a **less than significant** impact.

Response b): Less than Significant. No major stationary sources of groundborne vibration were identified in the project area that would result in the long-term exposure of proposed onsite land uses to unacceptable levels of ground vibration. In addition, the proposed project would not involve the use of any major equipment or processes that would result in potentially significant levels of ground vibration that would exceed these standards at nearby existing land uses. However, construction activities associated with the proposed project would require the use of various tractors, trucks, and potentially jackhammers that could result in intermittent increases in groundborne vibration levels. The use of major groundborne vibration-generating construction equipment/processes (i.e., blasting, pile driving) is not anticipated to be required for construction of the proposed project.

Groundborne vibration levels commonly associated with construction equipment are summarized in Table 4. Measurements of vibration used in this evaluation are expressed in terms of the peak particle velocity (ppv). Based on the levels presented in Table 4, groundborne vibration generated by construction equipment would not be anticipated to be greater than 0.200 inches per second ppv at 25/26 feet. Sensitive receptors that could be impacted by construction related vibrations, especially vibratory compactors/rollers, are located approximately 30 feet to the west and south of the project site. The predicted vibration levels would not be anticipated to exceed recommended criteria for structural damage and human annoyance (0.2 and 0.1 in/sec

ppv, respectively) at these nearby land uses. As a result, short-term groundborne vibration impacts would be considered **less than significant** and no mitigation is required.

Table 4: Representative Vibration Source Levels for Construction Equipment

<i>EQUIPMENT</i>	<i>PEAK PARTICLE VELOCITY AT 25 FEET (IN/SEC)</i>
Large Bulldozers	0.089
Loaded Trucks	0.076
Small Bulldozer	0.003
Auger/Drill Rigs	0.089
Jackhammer	0.035
Vibratory Hammer	0.070
Vibratory Compactor/Roller	0.210 (<0.200 @26')
Source: FTA 2006, Caltrans 2004	

Response c): Less than Significant. Generally, a project may have a significant effect on the environment if it will substantially increase the ambient noise levels for adjoining areas or expose people to severe noise levels. In practice, more specific professional standards have been developed. These standards state that a noise impact may be considered significant if it would generate noise that would conflict with local planning criteria or ordinances, or substantially increase noise levels at noise-sensitive land uses.

Noise Generated On-Site

The proposed project would not directly generate increased noise beyond those activities commonly found in place of worship developments (i.e., parking lot circulation, outdoor congregation, child-play area, indoor amplified sound, and outdoor events, etc.). Sound power level data for each of the project on-site noise sources was used as direct inputs to the CadnaA Noise Prediction Model. The project's contribution to increased ambient noise from non-transportation noise increases is predicted to be 2 dB, or less, and less than the noise levels exceeding: 1) A 3 dB increase threshold over existing ambient noise levels or, 2) the City's 55 dB L_{eq} daytime noise level standard at residential uses.

Traffic Noise at Sensitive Receptors

The proposed project would indirectly increase ambient noise levels in the project vicinity through the introduction of additional vehicle trips to area roadways, particularly along Lone Tree Way. However, these increases would not exceed the City's allowable standards for transportation noise sources. Additionally, the proposed project would not cause exceedances of the City of Brentwood 60 dB L_{dn} exterior noise level standard for residential uses. The increase in dB would be no greater than approximately 0.1 dB in areas to the east and west of the project

site, which is well below the threshold of an increase of 3 dB, as established by the City of Brentwood.

In addition, Table 3.11-15 of the Brentwood General Plan EIR shows noise levels on Lone Tree Way segments upon full buildout of the General Plan to the Planning Area, which includes development anticipated on the project site. The General Plan EIR projects an increase of 2.5 dB from the existing scenario to the buildout of the Planning Area. The General Plan EIR found that nearby traffic noise increases are expected to cause a **significant and unavoidable** impact. However, since the project is consistent with the General Plan and the assumptions used in the General Plan EIR, this potential impact is already accounted for by the General Plan EIR. Additionally, as described above, traffic-related impacts are only expected to increase by approximately 0.1 dB along Lone Tree Way, and would not cause an increase in traffic noise levels exceeding 60 dB L_{dn} where existing noise levels are less than 60 dB L_{dn} .

Conclusion

The proposed project would not cause new exceedances of the City's 60 dB L_{dn} exterior noise level standard for residential uses or the City's 55 dB L_{eq} daytime noise level standard at residential uses (J.C. Brennan & Associates, 2015). Therefore, no nearby residential uses would be substantially impacted by the proposed project. Furthermore, the overall increase in ambient nearby noise levels would be expected to exceed the threshold of 3 dB. Therefore, impacts related to permanent ambient noise level increases from the proposed project would be **less than significant**.

Response d): Less than Significant. Construction activities at the project site would result in temporary increases in noise levels that could expose adjacent residences to increased noise levels and noise nuisances. Construction activities could create temporary noise levels of up to 90 dBA at distances of 50 feet. Because the project site is surrounded by existing residential neighborhoods, this temporary increase in construction noise is considered potentially significant.

Construction activities associated with the proposed project will occur at distances ranging between approximately 100 feet to over 500 feet from the nearest noise-sensitive receptors. Construction noise associated with parking lots would be similar to those associated with a public works projects, such as a roadway widening or paving project.

The City's General Plan Noise Element *Action N 1e* provides the following best practices for construction-related noise issues:

1. *Construction period shall be less than 12 months;*
2. *Noise-generating construction activities, including truck traffic coming to and from the construction site for any purpose, shall be limited to between the hours of 7:00 am and 6:00 pm on weekdays, and between 8:00 am and 5:00 pm on Saturdays. No construction shall occur on Sundays or City holidays;*
3. *All equipment driven by internal combustion engines shall be equipped with mufflers, which are in good condition and appropriate for the equipment;*

4. *The construction contractor shall utilize “quiet” models of air compressors and other stationary noise sources where technology exists;*
5. *At all times during project grading and construction, stationary noise-generating equipment shall be located as far as practicable from sensitive receptors and placed so that emitted noise is directed away from residences;*
6. *Unnecessary idling of internal combustion engines shall be prohibited;*
7. *Construction staging areas shall be established at locations that will create the greatest distance between the construction-related noise sources and noisesensitive receptors nearest the project site during all project construction activities, to the extent feasible;*
8. *The required construction-related noise mitigation plan shall also specify that haul truck deliveries are subject to the same hours specified for construction equipment;*
9. *Neighbors located adjacent to the construction site shall be notified of the construction schedule in writing; and*
10. *The construction contractor shall designate a “noise disturbance coordinator” who will be responsible for responding to any local complaints about construction noise. The disturbance coordinator shall be responsible for determining the cause of the noise complaint (e.g., starting too early, poor muffler, etc.) and instituting reasonable measures as warranted to correct the problem. A telephone number for the disturbance coordinator shall be conspicuously posted at the construction site.*

Since all construction activities will be subject to the requirements of the City of Brentwood, there would be a **less than significant** impact with respect to limits on construction noise.

Responses e), f): Less than Significant. The project site is not located near an existing airport and is not within an existing airport land use plan. The nearest airport, Funny Farm Airfield, is a private airfield located approximately 5 miles east of the project site. Although aircraft-related noise could occasionally be audible at the project site, noise would be extremely minimal. Exterior and interior noise levels resulting from aircraft would be compatible with the proposed project. Therefore, there would be a **less than significant** impact.

XIII. POPULATION AND HOUSING -- WOULD THE PROJECT:

	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?			X	
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?				X
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?				X

RESPONSES TO CHECKLIST QUESTIONS

Response a): Less than Significant. The proposed project is a church on an infill development parcel. The proposed project would not directly induce population growth in the area, since the project would not provide any housing facilities at the project site. The proposed project is a church and therefore could indirectly induce population growth in the area by attracting new members to the congregation and by generating additional employment opportunities in Brentwood. Future employment opportunities at the project site would be very limited. As such, it is not anticipated that the project would indirectly induce population growth as a result of expanded local employment opportunities. Additionally the proposed project would not induce population growth beyond levels already established in the City of Brentwood General Plan EIR, given that any new population growth in the City would occur within areas planned for residential growth, and approval of the proposed project would not increase potential growth levels in Brentwood beyond the levels addressed in the General Plan EIR. This is a **less than significant** impact.

Responses b), c): No Impact. There are no existing homes or residences located on the project site. There is **no impact**.

XIV. PUBLIC SERVICES

	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
a) Fire protection?			X	
b) Police protection?			X	
c) Schools?			X	
d) Parks?			X	

RESPONSES TO CHECKLIST QUESTIONS

Response a): Less than Significant. The proposed project is located within the jurisdiction of the East Contra Costa Fire Protection District (ECCFPD). In accordance with ECCFPD efforts to reorganize due to budgetary constraints and the failure of the recent parcel tax, the district employs 34 personnel: 3 Battalion Commanders, 10 Captains, 10 Engineers, and 11 Firefighters. The District currently staffs three stations, one station in Oakley, one in Discovery Bay, and one in Brentwood.

- Station 52, at 201 John Muir Parkway, Brentwood
- Station 59, at 1685 Bixler Road, Discovery Bay
- Station 93, at 530 O'Hara Avenue, Oakley

Stations 52 and 93 are the closest fire stations to the proposed project site.

The Brentwood General Plan includes nine policies and four actions (Policies CSF 1-1 through 1-3, and 4-1 through 4-6, and Actions CSF 1a, and 4a-c) to ensure that fire protection services are provided in a timely fashion, are adequately funded, are coordinated between the City and appropriate service agency, and that new development pays their fair share of services. Among the action items included in the Brentwood General Plan that are applicable to the project are:

- Action CSF 1a: Requiring new development to pay their fair share fees of the cost of on and off-site community services and facilities;
- Action CSF 4a: Continue to enforce the California Building Code and the California Fire Code to ensure that all construction implements fire-safe techniques, including fire resistant materials, where required;

- Action CSF 4b: As part of the City’s existing development review process for new projects, the City would continue to refer applications to the ECCFPD for determination of the project’s potential impacts on fire protection services. Requirements would be added as conditions of project approval, if appropriate.

The project would comply with these General Plan actions. The 2014 Brentwood General Plan Update EIR concluded implementation of the General Plan would result in a less than significant impact related to the provision of public services throughout the City.⁷ The project is consistent with the General Plan buildout scenario; therefore, the additional demand for fire protection services resulting from the proposed project has already been evaluated in the General Plan EIR. Given the project’s compliance with the relevant General Plan policies and actions related to fire service, the impact from the proposed project, consistent with the General Plan EIR determination, would be **less than significant** regarding the need for the construction of new fire protection facilities which could cause significant environmental impacts.

Response b): Less than Significant. The City of Brentwood Police Department would provide police protection services to the project site. Currently, the Brentwood Police Department provides law enforcement and police protection services throughout the City. Established in 1948, the Brentwood Police Department is a full service law enforcement agency that is charged with the enforcement of local, State, and Federal laws, and with providing 24-hour protection of the lives and property of the public. The Police Department functions both as an instrument of public service and as a tool for the distribution of information, guidance, and direction.

The Brentwood Police Department services an area of approximately 14 square miles. As of November 2015, the Department had 65 sworn police officers and another 17 civilian support staff. In addition to the permanent staff, the Department had approximately 20 volunteers who are citizens of the community and assist with day to day operations.

The Brentwood General Plan includes eight policies and five actions (Policies CSF 1-1 through 1-3, and 3-1 through 3-5; and Actions CSF 1a and 3a-d) to ensure that police protection services are provided in a timely fashion, are adequately funded, are coordinated between the City and appropriate service agency, and that new development pays their fair share of services. Among the policies and actions items included in the Brentwood General Plan that are applicable to the project are:

- Policy CSF 3-4: Emphasize the use of physical site planning as an effective means of preventing crime. Open spaces, landscaping, parking lots, parks, play areas, and other public spaces should be designed with maximum feasible visual and aural exposure to community residents.
- Policy CSF 3-5: Promote coordination between land use planning and urban design through consultation and coordination with the Police Department during the review of new development applications.

⁷ City of Brentwood. *2014 Brentwood General Plan Update EIR* [pg. 3.12-23]. July 22, 2014

- Action CSF 1a: Requiring new development to pay their fair share fees of the cost of on and off-site community services and facilities;
- Action CSF 3c: As part of the development review process, consult with the police department in order to ensure that the project design facilitates adequate police staffing and that the project addresses its impacts on police services.

The project applicant will be required by the City to comply with these policies and actions. Therefore, consistent with the General Plan EIR conclusion related to governmental facility impacts resulting from General Plan build-out, the project would have a **less than significant** impact regarding the need for the construction of new police protection facilities which could cause significant environmental impacts.

Response c): Less than Significant with Mitigation. The project site is located within the Liberty Union High School District and the Brentwood Union School District (BUSD). Liberty Union High School District (LUHSD) includes three comprehensive high schools: Liberty High, Freedom High, and Heritage High. According to the LUHSD, all three comprehensive high school sites were built with a 2,200 student capacity; this capacity is currently being exceeded at all three high schools and facility needs are being met with portables.⁸ The BUSD consists of eight elementary schools and three middle schools. In 2013 the District had a K-6th grade enrollment of 6,345 with K-6th capacity of 6,800. Since the proposed project is a church and would not generate additional public school students, the proposed project would cause a **less than significant** impact with regard to generating substantial adverse impacts associated with the provision of schools or school facilities.

Response d): Less than Significant. The Brentwood General Plan calls for 5 acres of park per 1,000 residents. However, since the proposed project is a church development, the project would not directly generate any additional residents, and therefore would not be subject to requirements to provide for additional park land. In addition, the proposed project includes an open space area, adjacent to the two-story church building, which may offset some usage of public park space. There is a **less than significant** impact with regard to generating substantial adverse impacts associated with the provision parks.

⁸ As cited in the Bella Fiore IS/MND, dated August 2014 (pg. 86): Debra Fogarty, Chief Business Officer, Liberty Union High School District, email communication, November 12, 2013.

XV. RECREATION

	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?			X	
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?			X	

RESPONSES TO CHECKLIST QUESTIONS

Responses a), b): Less than Significant. As explained above in Question ‘d’ of the Public Services section, the proposed project would not be expected to generate increased usage at existing neighborhood and/or regional parks or other recreational facilities or require the construction or expansion of recreational facilities which might have an adverse impact on the environment. The proposed project would not be subject to any requirements to provide additional park services or facilities. As a result, there would be a **less than significant** impact related to the provision of adequate recreational facilities.

XVI. TRANSPORTATION/TRAFFIC -- WOULD THE PROJECT:

	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
a) Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?			X	
b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?			X	
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?				X
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?			X	
e) Result in inadequate emergency access?			X	
f) Result in inadequate parking capacity?			X	
g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?				X

RESPONSES TO CHECKLIST QUESTIONS

Response a), b): Less than Significant. The proposed project is consistent with future development levels planned in Brentwood, which have been included in the regional Traffic Models developed by the Contra Costa Transportation Authority and Contra Costa County. The Applicant/Developer of this project would be required to contribute to the construction of planned regional and local facilities. Development levels generated by the proposed project would be consistent with the levels identified in the General Plan and analyzed in the General Plan EIR.

The Applicant/Developer will also pay applicable thoroughfare facility fees (plus any annual increase) in effect at the time of building permit issuance and shall participate in the City's Capital Improvement Financing Plan (CIFP) to finance necessary roadway infrastructure to the satisfaction of the Community Development Director. Additionally, the Applicant/Developer shall pay their fair share of the future signal and intersection improvements in the project vicinity. The Applicant/Developer shall also construct roadway improvements to the proposed site access point along Lone Tree Way, to the satisfaction of the Director of Public Works/City Engineer prior to building permit issuance.

The Circulation Element of the City of Brentwood General Plan Update provides a detailed description of Goals, Policies, and Actions that the City will undertake in order to ensure adequate level of service (LOS) standards. Lone Tree Way is designated as a Major Arterial in the City of Brentwood General Plan Update. Lone Tree Way and other City roads would be adequately maintained to the extent to prevent such an exceedance of LOS standards or otherwise prevent an increase in traffic which is substantial in relation to the existing traffic capacity. Therefore, the project would cause a **less than significant** impact to the City's existing street system.

Response c): No impact. The proposed project would not require any changes to existing regional air traffic activity and the nearest airport, Funny Farm Airfield, is a private airfield.

Responses d) and e): Less than Significant. Access to the project site would be provided via Lone Tree Way, through an approximately 1.0 acre parcel owned by the City of Brentwood. The proposed onsite roadway would provide access to the proposed project parking areas and the office buildings at the northwest corner of the site. The proposed site plan is shown in Figure 3. The proposed site access point would facilitate access by emergency vehicles, since it is wide enough to allow for multiple lanes. The site access, on-site circulation, and parking is adequate. Therefore, the impact is **less than significant**.

Response f): Less than Significant. The proposed project includes 414 on-site parking spaces, which exceeds the City's minimum requirements. This is a **less than significant** impact and no mitigation is required.

Response g): No Impact. The project would have no impact on any existing plans or policies related to alternative transportation. The proposed project provides connections to the existing bicycle lanes in the project area on Lone Tree Way. In addition, Tri-Delta Transit serves the project vicinity along Lone Tree Way. Project implementation would assist the City in providing connections and access to alternative transportation in the project area. There is **no impact**.

XVII. UTILITIES AND SERVICE SYSTEMS -- WOULD THE PROJECT:

	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?			X	
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?			X	
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?		X		
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?			X	
e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the projects projected demand in addition to the providers existing commitments?			X	
f) Be served by a landfill with sufficient permitted capacity to accommodate the projects solid waste disposal needs?			X	
g) Comply with federal, state, and local statutes and regulations related to solid waste?			X	

RESPONSES TO CHECKLIST QUESTIONS

Responses a), b), and e): Less than Significant. The following discussion addresses available wastewater treatment plant (WWTP) capacity and wastewater infrastructure to serve the project site.

Wastewater Treatment Plant Capacity

The existing WWTP is located on approximately 70 acres of land owned by the City on the north side of Sunset Road and east of Brentwood Boulevard. The WWTP is designed to have sufficient capacity to handle all wastewater flows at build-out per the General Plan. The WWTP has a current treatment capacity of 5 million gallons per day (mgd) with an average dry weather flow (ADWF) of 3.4 mgd in 2012.

The current WWTP system is designed to expand to 10 mgd in 2.5 mgd increments and the City collects development impact fees from new development to fund future expansion efforts. Phase I of the WWTP expansion was completed in 1998-2002, to bring the treatment plant to current

levels. Preliminary planning of the Phase II expansion of the WWTP has been completed. Final design and construction would not start until wastewater influent ADWF is 3.75 mgd. Phase II would expand capacity to 7.5 or 10.0 mgd by adding oxidation ditches, secondary clarifiers, filters, and related appurtenances.

Buildout of the proposed project would result in the construction of a two-story church building, which would be consistent with the General Plan land use designation and zoning. The proposed project would be consistent with the buildout scenario described in the City of Brentwood General Plan Update. Therefore, the current capacity of the WWTP would be sufficient to handle the wastewater flow from the proposed project. In addition, the proposed project is required to pay sewer impact fees which would contribute towards the cost of future upgrades, when needed. As a result, the proposed project would not have adverse impacts to wastewater treatment capacity.

Wastewater Infrastructure

The wastewater generated by the project would be collected by an internal sewer system, which would connect to the existing sewer conveyance line within the Lone Tree Way right of way.

Conclusion

Because the project applicant would pay City sewer impact fees, and adequate long-term wastewater treatment capacity is available to serve full build-out of the project, a **less than significant impact** would occur related to requiring or resulting in the construction of new wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects.

Responses c): Less than Significant with Mitigation. As discussed in Questions ‘c-e’ of Section IX, Hydrology and Water Quality, of this IS/MND, the proposed project site is located within the Marsh Creek Watershed. 18-inch storm drains would be installed along the proposed project internal ROWs, which would route stormwater to the bio-retention areas located within the parking lot portions of the site. The expansion of these water drainage facilities could cause a potentially significant effect. However, the implementation of the mitigation measures listed below would reduce impacts to **less than significant**.

Mitigation Measure(s)

Implementation of Mitigation Measures 22, 23, 24, 25, and 26.

Response d): Less than Significant. The following discussion addresses available water supply infrastructure to serve the project site.

Water Supply System

The City of Brentwood has prepared an Urban Water Management Plan (UWMP) that predicts the water supply available to the City of Brentwood in normal, single-dry, and multiple-dry years out to 2035. The total supply available in 2035 during all scenarios (normal, single-dry, multiple-dry) well exceeds the projected demand. The future demand projections included in the UWMP

are based upon General Plan land uses. The proposed project's use is consistent with the General Plan; therefore, the proposed project's future water demand was considered in the UWMP. As a result, with respect to the availability of sufficient water supplies to serve the project, the impact from the proposed project would be **less than significant**.

Water Supply Infrastructure

The project would involve the construction of the necessary water infrastructure to serve the proposed neighborhoods. The project includes installation of 18-inch water lines within the internal street ROWs which would connect to the existing mains in Lone Tree Way.

Conclusion

Because adequate long-term water supply is available to serve full buildout of the proposed project and the project includes the extension of adjacent water line infrastructure, the project's impact to water supply would be **less than significant**.

Responses f) and g): Less than Significant. The solid waste from Brentwood is disposed of at Keller Canyon County landfill. Keller Canyon Landfill covers 2,600 acres of land; 244 acres are permitted for disposal. The site currently handles 2,500 tons of waste per day, although the permit allows up to 3,500 tons of waste per day to be managed at the facility. As of September 2008, the remaining capacity of the landfill's disposal area is estimated at 60-64 million cubic yards, and the estimated closing date for the landfill is 2050⁹. Because the 2014 Brentwood General Plan Update EIR determined that solid waste capacity is adequate to serve the demand resulting from General Plan build-out and the proposed project's use is consistent with the General Plan designation for the project site; the project's impact to solid waste would be less than significant. This is a **less than significant** impact.

⁹ City of Brentwood. *2014 Brentwood General Plan Update EIR* [pg. 3.14-45]. July 22, 2014.

XVIII. MANDATORY FINDINGS OF SIGNIFICANCE --

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

RESPONSES TO CHECKLIST QUESTIONS

Response a): Less than Significant. Although relatively unlikely, based upon the current land cover types found on-site, special- status wildlife species and/or federally- or state-protected birds not covered under the ECCCHCP could be occupying the site. In addition, although unlikely, the possibility exists for subsurface excavation of the site during grading and other construction activities to unearth deposits of cultural significance. However, this IS/MND includes mitigation measures that would reduce any potential impacts to less than significant levels. Therefore, the proposed project would have **less than significant** impacts related to degradation of the quality of the environment, reduction of habitat, threatened species, and/or California’s history or prehistory.

Response b): Less than Significant. Development that converts rural areas to urban/suburban uses may be regarded as achieving short-term goals to the disadvantage of long-term environmental goals. However, the inevitable impacts resulting from population and economic growth are mitigated by long-range planning to establish policies, programs, and measures for the efficient and economical use of resources. Long-term environmental goals, both broad and specific, have been addressed previously in several environmental documents, the most comprehensive being the 2014 Brentwood General Plan Update, adopted on July 22, 2014. As discussed throughout this IS/MND, the proposed project would comply with all relevant goals set forth in the General Plan. Therefore, the impact is **less than significant**.

Response c): Less than Significant. The proposed project in conjunction with other development within the City of Brentwood could incrementally contribute to cumulative impacts in the area. However, mitigation measures for all potentially significant project-level impacts identified for the proposed project in this IS/MND have been included that would reduce impacts to less-than-significant levels. As such, the project’s incremental contribution towards cumulative impacts would not be considered significant. In addition, all future discretionary development projects in the area would be required to undergo the same environmental analysis and mitigate any potential impacts, as necessary. Therefore, the proposed project would not have any impacts that would be cumulatively considerable, and impacts would be **less than significant**.

Response d): Less than Significant. The proposed project site is surrounded by existing development and is consistent with the land use designation for the site. Due to the consistency of the proposed land use, substantial adverse effects on human beings are not anticipated with implementation of the proposed project. It should be noted that during construction activities, the project could result in potential impacts related to soil or groundwater contamination, erosion and surface water quality impacts, air quality and greenhouse gas emissions, and noise. However, this IS/MND includes mitigation measures that would reduce any potential impacts to a less-than-significant level. In addition, the proposed project would be designed in accordance with all applicable building standards and codes to ensure adequate safety is provided for the future residents of the proposed project. Therefore, impacts related to environmental effects that could cause adverse effects on human beings would be **less than significant**.

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