



FINAL ENVIRONMENTAL IMPACT REPORT

FOR THE

PRIORITY AREA 1 SPECIFIC PLAN
(SCH: 2018042064)

AUGUST 2018

Prepared for:

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

Prepared by:

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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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FINAL EIR

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INTRODUCTION

The City of Brentwood (City) determined that a program-level environmental impact report (EIR) was required for the proposed Priority Area 1 (PA-1) Specific Plan Project (Project) pursuant to the requirements of the California Environmental Quality Act (CEQA).

The program-level analysis considers the broad environmental effects of the proposed PA-1 Specific Plan. The program-level approach is appropriate for the PA-1 Specific Plan because it allows comprehensive consideration of the reasonably anticipated scope of future development within the Plan Area; however, not all aspects of the future development are known at this stage in the planning process, as there are no specific development applications currently pending within the Plan Area.

PROJECT DESCRIPTION

The following provides a brief summary and overview of the proposed Project. Chapter 2.0 of the Draft EIR includes a detailed description of the proposed PA-1 Specific Plan, including maps and graphics. The reader is referred to Chapter 2.0 of the Draft EIR for a more complete and thorough description of the components of the proposed PA-1 Specific Plan.

The PA-1 Specific Plan Area is defined as the approximately 431.27-acre area in the northwestern portion of the City of Brentwood, designated as PA-1. The Specific Plan Area is located south of Lone Tree Way, west of Shady Willow Lane, generally north of Sand Creek, and east of Heidorn Ranch Road. State Route 4 (SR 4) traverses the Specific Plan Area from north to south and bisects the area nearly in half. An existing East Bay Municipal Utilities District (EBMUD) aqueduct crosses the Specific Plan Area from east to west on the western side of SR 4, and from northwest to southeast on the eastern side of SR 4. Existing uses within the Specific Plan Area include vacant land, agricultural fields, ranchette homes, churches, and commercial uses (including Lone Tree Plaza and Brentwood Station).

The overall purpose of the PA-1 Specific Plan is to identify the community's vision for the future growth, development, and conservation of open space and resources within the Specific Plan Area in a manner consistent with the quality of life desired by residents and businesses. The PA-1 Specific Plan contains detailed development standards, distribution of land uses, infrastructure requirements, and implementation measures for the development of a specific geographic area.

These land use distributions, development standards, and regulations are critical components of a specific plan, since it is through these standards that the goals and policies of the General Plan are implemented.

The specific plan is similar in nature to the zoning ordinance because it deals with implementation through the use of development regulations. Unlike the citywide zoning ordinance, however, specific plans are targeted to specific planning areas. This allows for greater flexibility and provides an opportunity to focus regulations and standards on the goals of a specific geographic area. This is

the primary purpose of a specific plan, which provides a mechanism to target implementation measures toward a specific planning area. In addition, detailed, project-level environmental review (as is the case of the City's plans for PA-1) can provide streamlining benefits for future development within the respective specific plan area.

Full buildout of the Specific Plan Area could accommodate up to 2,041 dwelling units (DU) (for a maximum residential population of 4,569 persons) and up to 3,834,086 square feet (SF) of non-residential uses (for a maximum non-residential population of 8,383 employees).

The PA-1 Specific Plan will include a comprehensive set of goals, policies, and implementation measures, as well as a Land Use Map. The PA-1 Specific Plan will include the following chapters:

- Introduction;
- Existing Conditions;
- Vision;
- Land Use Plan;
- Circulation Plan;
- Private Realm Development;
- Public Realm Development;
- Infrastructure and Public Services;
- Economic Development; and
- Implementation and Administration.

The proposed PA-1 Specific Plan would require a City of Brentwood General Plan Amendment to the Land Use Element to change land uses on the project site. Changes to the Land Use Element would include changing the entire project site from Residential-Very High Density (R-VHD), Regional Commercial (RC), Mixed Use Pedestrian Transit (MUPT), Planned Development (PD), Public Facility (PF), Semi-Public Facility (SPF), and Park (P) (existing) to PA-1 Specific Plan.

ALTERNATIVES TO THE PROPOSED PROJECT

Section 15126.6 of the CEQA Guidelines requires an EIR to describe a reasonable range of alternatives to the PA-1 Specific Plan or to the location of the PA-1 Specific Plan which would reduce or avoid significant impacts, and which could feasibly accomplish the basic objectives of the proposed PA-1 Specific Plan. The alternatives analyzed in this EIR include the following four alternatives in addition to the proposed PA-1 Specific Plan:

- No Project (Existing General Plan) Alternative
- Intensive Economic Development Alternative
- Balanced ECLI Alternative
- Balanced Housing Alternative

These alternatives are described in detail in Chapter 5.0, Alternatives to the Proposed Project, in the Draft EIR.

The No Project (Existing General Plan) Alternative is the environmentally superior alternative. However, as required by CEQA, when the No Project Alternative is the environmentally superior alternative, the environmentally superior alternative among the others must be identified. The Balanced Housing Alternative would not reduce impacts related to any environmental issue. The Intensive Economic Development Alternative would reduce impacts in seven areas and would slightly reduce impacts in one area. The Balanced ECLI Alternative would slightly reduce impacts in eight areas. Therefore, the Intensive Economic Development Alternative would be the next environmentally superior alternative. However, it is noted that none of the alternatives would avoid the three significant and unavoidable impacts identified for the Proposed Project.

COMMENTS RECEIVED

The Draft EIR addressed environmental impacts associated with the proposed project that are known to the City, were raised during the Notice of Preparation (NOP) process, or raised during preparation of the Draft EIR. The Draft EIR discussed potentially significant impacts associated with aesthetics, agricultural resources, air quality, biological resources, cultural and tribal resources, geology and soils, greenhouse gases and climate change, hazards, hydrology and water quality, land use, noise, population and housing, public services and recreation, transportation and circulation, and utilities.

During the NOP process, several comments were received related to the analysis that should be included in the Draft EIR. These comments are included as Appendix A of the Draft EIR, and were considered during preparation of the Draft EIR.

The City of Brentwood received six comment letters regarding the Draft EIR from the public and public agencies. These comment letters on the Draft EIR are identified in Table 2.0-1 of this Final EIR. The comments received during the Draft EIR review processes are addressed within this Final EIR.

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This Final Environmental Impact Report (Final EIR) was prepared in accordance with the California Environmental Quality Act (CEQA) and the State CEQA Guidelines (Section 15132). The City of Brentwood (City) is the lead agency for the environmental review of the Priority Area 1 (PA-1) Specific Plan Project (Project) and has the principal responsibility for approving the PA-1 Specific Plan. This Final EIR assesses the expected environmental impacts resulting from approval of the PA-1 Specific Plan and associated impacts from subsequent development and operation of the PA-1 Specific Plan, as well as responds to comments received on the Draft Environmental Impact Report (Draft EIR).

1.1 PURPOSE AND INTENDED USES OF THE EIR

CEQA REQUIREMENTS FOR A FINAL EIR

This Final EIR for the proposed PA-1 Specific Plan has been prepared in accordance with the California Environmental Quality Act (CEQA) and State CEQA Guidelines. State CEQA Guidelines Section 15132 requires that a Final EIR consist of the following:

- the Draft EIR or a revision of the draft;
- comments and recommendations received on the Draft EIR, either verbatim or in summary;
- a list of persons, organizations, and public agencies commenting on the Draft EIR;
- the responses of the lead agency to significant environmental concerns raised in the review and consultation process; and
- any other information added by the lead agency.

In accordance with State CEQA Guidelines Section 15132(a), the Draft EIR is incorporated by reference into this Final EIR.

An EIR must disclose the expected environmental impacts, including impacts that cannot be avoided, growth-inducing effects, impacts found not to be significant, and significant cumulative impacts, as well as identify mitigation measures and alternatives to the proposed PA-1 Specific Plan that could reduce or avoid its adverse environmental impacts. CEQA requires government agencies to consider and, where feasible, minimize environmental impacts of proposed development, and imposes an obligation on such agencies to balance a variety of public objectives, including economic, environmental, and social factors.

PURPOSE AND USE

The City of Brentwood, as the lead agency, has prepared this Final EIR to provide the public and responsible and trustee agencies with an objective analysis of the potential environmental impacts resulting from approval, construction, and operation of the proposed PA-1 Specific Plan. Responsible and trustee agencies that may use the EIR are identified in Chapters 1.0 and 2.0 of the Draft EIR.

The environmental review process enables interested parties to evaluate the proposed Project in terms of its environmental consequences, to examine and recommend methods to eliminate or reduce potential adverse impacts, and to consider a reasonable range of alternatives to the PA-1 Specific Plan. While CEQA requires that consideration be given to avoiding adverse environmental effects, the lead agency must balance adverse environmental effects against other public objectives, including the economic and social benefits of a project, in determining whether a project should be approved.

This EIR will be used as the primary environmental document to evaluate all aspects of construction and operation of the proposed Project. The details and operational characteristics of the proposed PA-1 Specific Plan are identified in Chapter 2.0, Project Description, of the Draft EIR (April 2018).

1.2 ENVIRONMENTAL REVIEW PROCESS

The review and certification process for the EIR has involved, or will involve, the following general procedural steps:

NOTICE OF PREPARATION

The City of Brentwood circulated a Notice of Preparation (NOP) of an EIR for the proposed PA-1 Specific Plan on April 20, 2018 to trustee agencies, the State Clearinghouse, and the public. A public scoping meeting was held on May 1, 2018 to present the project description to the public and interested agencies, and to receive comments from the public and interested agencies regarding the scope of the environmental analysis to be included in the Draft EIR. Concerns raised in response to the NOP were considered during preparation of the Draft EIR. The NOP and comments received on the NOP by interested parties are presented in Appendix A of the Draft EIR.

NOTICE OF AVAILABILITY AND DRAFT EIR

The City of Brentwood published a public Notice of Availability (NOA) for the Draft EIR June 11, 2018 inviting comment from the general public, agencies, organizations, and other interested parties. The NOA was filed with the State Clearinghouse (SCH # 2018042064) and the County Clerk, and was published in a local newspaper pursuant to the public noticing requirements of CEQA. The Draft EIR was available for public review and comment from June 11, 2018 through July 26, 2018.

The Draft EIR contains a description of the PA-1 Specific Plan, description of the environmental setting, identification of PA-1 Specific Plan impacts, and mitigation measures for impacts found to be significant, as well as an analysis of Project alternatives, identification of significant irreversible environmental changes, growth-inducing impacts, and cumulative impacts. The Draft EIR identifies those environmental checklist categories for which the Proposed Project was determined to have no impact or a less-than-significant impact, and provides detailed analysis of potentially significant and significant impacts. Comments received in response to the NOP were considered in preparing the analysis in the Draft EIR.

RESPONSE TO COMMENTS/FINAL EIR

The City of Brentwood received six comment letters regarding the Draft EIR from public agencies and private citizens. These comment letters on the Draft EIR are identified in Table 2.0-1, and are found in Chapter 2.0 of this Final EIR.

In accordance with CEQA Guidelines Section 15088, this Final EIR responds to the written comments on environmental issues received on the Draft EIR, as required by CEQA. This Final EIR also contains minor edits to the Draft EIR, which are included in Chapter 3.0, Errata. This document, as well as the Draft EIR as amended herein, constitutes the Final EIR.

CERTIFICATION OF THE EIR/PROJECT CONSIDERATION

The City of Brentwood will review and consider the Final EIR. If the City finds that the Final EIR is "adequate and complete," the Brentwood City Council may certify the Final EIR in accordance with CEQA and City of Brentwood environmental review procedures and codes. The rule of adequacy generally holds that an EIR can be certified if:

- 1) The EIR shows a good faith effort at full disclosure of environmental information; and
- 2) The EIR provides sufficient analysis to allow decisions to be made regarding the proposed project which intelligently take account of environmental consequences.

Upon review and consideration of the Final EIR, the Brentwood City Council may take action to approve, revise, or reject the PA-1 Specific Plan. A decision to approve the PA-1 Specific Plan, for which this EIR identifies significant environmental effects, must be accompanied by written findings in accordance with State CEQA Guidelines Sections 15091 and 15093. A Mitigation Monitoring and Reporting Program, as described below, would also be adopted in accordance with Public Resources Code Section 21081.6(a) and CEQA Guidelines Section 15097 for mitigation measures that have been incorporated into or imposed upon the PA-1 Specific Plan to reduce or avoid significant effects on the environment. This Mitigation Monitoring and Reporting Program has been designed to ensure that these measures are carried out during Project implementation, in a manner that is consistent with the EIR.

1.3 ORGANIZATION OF THE FINAL EIR

This Final EIR has been prepared consistent with Section 15132 of the State CEQA Guidelines, which identifies the content requirements for Final EIRs. This Final EIR is organized in the following manner:

CHAPTER 1.0 – INTRODUCTION

Chapter 1.0 briefly describes the purpose of the environmental evaluation, identifies the lead, agency, summarizes the process associated with preparation and certification of an EIR, and identifies the content requirements and organization of the Final EIR.

CHAPTER 2.0 – COMMENTS ON THE DRAFT EIR AND RESPONSES

Chapter 2.0 provides a list of commenters, copies of written and electronic comments made on the Draft EIR (coded for reference), and responses to those written comments.

CHAPTER 3.0 – ERRATA

Chapter 3.0 consists of minor revisions to the Draft EIR in response to comments received on the Draft EIR, as well as minor staff edits.

CHAPTER 4.0 – FINAL MMRP

Chapter 4.0 consists of a Mitigation Monitoring and Reporting Program (MMRP). The MMRP is presented in a tabular format that presents the impacts, mitigation measure, and responsibility, timing, and verification of monitoring.

2.1 INTRODUCTION

No new significant environmental impacts or issues, beyond those already covered in the Draft Environmental Impact Report (EIR) for the Priority Area 1 (PA-1) Specific Plan, were raised during the comment period. Responses to comments received during the comment period do not involve any new significant impacts or add “significant new information” that would require recirculation of the Draft EIR pursuant to the California Environmental Quality Act (CEQA) Guidelines Section 15088.5.

CEQA Guidelines Section 15088.5 states that: *New information added to an EIR is not “significant” unless the EIR is changed in a way that deprives the public of a meaningful opportunity to comment upon a substantial adverse environmental effect of the project or a feasible way to mitigate or avoid such an effect (including a feasible project alternative) that the project’s proponents have declined to implement.*

2.2 LIST OF COMMENTERS

Table 2.0-1 lists the comments on the Draft EIR that were submitted to the City of Brentwood during the 45-day public review period for the Draft EIR. The assigned comment letter or number, letter date, letter author, and affiliation, if presented in the comment letter or if representing a public agency, are also listed.

TABLE 2.0-1: LIST OF COMMENTERS ON DRAFT EIR

<i>RESPONSE LETTER</i>	<i>INDIVIDUAL OR SIGNATORY</i>	<i>AFFILIATION</i>	<i>DATE</i>
A	Charlene Wardlow	California Department of Conservation, Division of Oil, Gas, and Geothermal Resources	7-25-18
B	Patricia Maurice	California Department of Transportation	7-25-18
C	Christine Schneider	Contra Cosa Water District	7-2-18
D	David Rehnstrom	East Bay Municipal Utility District	7-24-18
E	Kristina Lawson	Hanson Bridgett, LLP	7-27-18
F	Ellen Smith	San Francisco Bay Area Rapid Transit District	7-27-18

2.3 COMMENTS AND RESPONSES

REQUIREMENTS FOR RESPONDING TO COMMENTS ON A DRAFT EIR

CEQA Guidelines Section 15088 requires that lead agencies evaluate and respond to all comments on the Draft EIR that concern an environmental issue. The written response must address the significant environmental issue raised and provide a detailed response, especially when specific comments or suggestions (e.g., additional mitigation measures) are not accepted. In addition, the written response must be a good faith and reasoned analysis. However, lead agencies need only to respond to significant environmental issues associated with the project and do not need to provide all the information requested by the commenter, as long as a good faith effort at full disclosure is made in the EIR (CEQA Guidelines Section 15204).

CEQA Guidelines Section 15204 recommends that commenters provide detailed comments that focus on the sufficiency of the Draft EIR in identifying and analyzing the possible environmental impacts of the Project and ways to avoid or mitigate the significant effects of the PA-1 Specific Plan, and that commenters provide evidence supporting their comments. Pursuant to CEQA Guidelines Section 15064, an effect shall not be considered significant in the absence of substantial evidence.

CEQA Guidelines Section 15088 also recommends that revisions to the Draft EIR be noted as a revision in the Draft EIR or as a separate section of the Final EIR. Chapter 3.0 of this Final EIR identifies all revisions to the PA-1 Specific Plan Draft EIR.

RESPONSES TO COMMENT LETTERS

Written comments on the Draft EIR are reproduced on the following pages, along with responses to those comments. To assist in referencing comments and responses, the following coding system is used:

- Each letter is lettered (i.e., Letter A, Letter B) and each comment within each letter is numbered (i.e., comment A-1, comment A-2).

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State of California • Natural Resources Agency
 Department of Conservation
Division of Oil, Gas, and Geothermal Resources
Northern District – Sacramento
 801 K Street • MS 18-05
 Sacramento, CA 95814
 (916) 322-1110 • FAX (916) 445-3319 • Dogdist6@conservation.ca.gov

Edmund G. Brown Jr., Governor

July 25, 2018

State Clearinghouse
State.Clearinghouse@opr.ca.gov
 PO Box 3044
 Sacramento, CA 95812-3044

CEQA Project: **SCH# 2018042064**
 Lead Agency: The City of Brentwood
 Project Title: Priority Area 1 (PA-1) Specific Plan Project

The Division of Oil, Gas, and Geothermal Resources (Division) possesses records regarding oil, gas, and geothermal wells drilled and operated in the State of California. (Cal. Public Res. Code, §§ 3215, 3126.) Based on the Division’s records and expertise, the Division has undertaken review of the proposed Ward Lake Pit Amendment (Project) to determine if oil, gas, or geothermal well(s) are in the vicinity of the proposed Project. The Division is a responsible agency. The Division provides the information below to facilitate the Lead agency’s exercise of local land use authority regarding use of land where oil and gas wells are situated. In contrast, the Division does not possess local land use decision authority, but alternatively has authority for permitting any necessary work on any well in the State. (Cal. Public Res. Code, §§ 3106 and 3203.)

A-1

The Division has conducted a records review but not on-site evaluations of any known oil, gas, and/or geothermal wells located within the above referenced project boundary. The records review process consists of determining the possible location, last known operator, and abandonment status of any known well on the property by examining records previously submitted to the Division, and then comparing the abandonment status with current abandonment standards.

In general, a well may be considered adequately abandoned when both the record review process and the on-site evaluation process reflect that steps have been taken to isolate all oil-bearing, gas-bearing, or geothermal resource-bearing strata encountered in the well, and to protect underground or surface water suitable for irrigation or farm or domestic purposes from the infiltration or addition of any detrimental substance, and to prevent damage to life, health, property, and other resources. (Cal. Public Res. Code, § 3208.)

Division staff have reviewed the proposed project boundary and identified 12 abandoned oil and gas production wells within the project boundary (shown in Map 1 and Table below). Additionally, numerous abandoned wells are located just outside of the project boundary and in the surrounding area (map 2). As the lead agency, the City of Brentwood needs to ensure that this environmental document adequately evaluates potential impacts and identifies mitigation

A-2

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measures to reduce or avoid significant impacts related to abandoned oil and gas wells and facilities.

Additionally, this review provides only an approximate estimate of the number and location of oil and gas wells within the broad vicinity addressed by this project. In the future, please include the Division to review and comment on any project-specific environmental documents so as to provide more detailed information on oil and gas wells and facilities located in the immediate area of the specific project.

API #	Operator Name	Abandonment Status
01320008	Allied Energy Corp.	The record review process shows that the subject well was abandoned to current Division standards as of 3/13/2003.
01320020	Allied Energy Corp.	The record review process shows that the subject well was abandoned to current Division standards as of 10/10/2013.
01320038	J. L. Davis	The record review process shows that the subject well may not have been abandoned to current Division standards as of 3/31/1984. A cement plug was not placed inside of casing for base of freshwater protection.
01300051	Occidental Petroleum Corporation	The record review process shows that the subject well may not have been abandoned to current standards. A cement plug was not placed inside the casing for base of freshwater protection.
01300035	Occidental Petroleum Corporation	The record review process shows that the subject well was abandoned to Division standards as of 4/10/1992.
01300052	Occidental Petroleum Corporation	The record review process shows that the subject well was abandoned to current division standards as of 4/25/1992.
01300036	Occidental Petroleum Corporation	The record review process shows that the subject well was abandoned to Division standards as of 4/16/1992.
01300053	Occidental Petroleum Corporation	The record review process shows that the subject well was not abandoned to current Division standards as of 04/21/1992. History for abandonment suggests that there may not be 100' of cement above collapsed casing interval at 3340'. Based on reported cement volumes, there is at least 400' of space in well without mud or cement.
01300054	SWEPI, LP	The record review process shows that the subject well was not abandoned to current Division standards as of 12/31/1965. The cement plug at the surface is only 10' thick. Current division standards require a minimum of 25'.
01320340	EOG Resources, Inc.	The record review process shows that the subject well was abandoned to current Division standards as of 11/20/1998.

A-2
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01300030	Production Specialties Company	The record review process shows that the subject well was abandoned to current Division standards as of 6/4/2003.
01300032	SWEPI, LP	The record review process shows that the subject well was not abandoned to current Division standards as of 6/25/1963. The cement plug at the surface is only 10' thick. Current Division standards require a minimum of 25'. Additionally, hydrocarbon shows in the lower zone of the well are not plugged back with cement.

A-2
cont'd

Current division regulations require that the steel plate welded to the surface of an abandoned well contain the well API number, but our records for these 12 wells do not confirm that this standard was followed during their abandonment.

If during the course of development of this proposed project any unknown well(s) is discovered, the Division should be notified immediately so that the newly discovered well(s) can be incorporated into the records and investigated. The Division recommends that any wells found in the course of this project and any pertinent information obtained after the issuance of this letter, be communicated to the appropriate county recorder for inclusion in the title information of the subject real property. This is to ensure that present and future property owners are aware of (1) the wells located on the property, and (2) potentially significant issues associated with any improvements near oil, gas, or geothermal wells.

A-3

No well work may be performed on any oil, gas, or geothermal well without written approval from the Division in the form of an appropriate permit. This includes, but is not limited to, mitigating leaking fluids or gas from abandoned wells, modifications to well casings, and/or any other re-abandonment work. (NOTE: the Division regulates the depth of any well below final grade (depth below the surface of the ground). Title 14, Section 1723.5 of the California Code of Regulations states that all well casings shall be cut off at least 5 feet but no more than 10 feet below grade. If any well needs to be lowered or raised (i.e. casing cut down or casing riser added) to meet this grade regulation, a permit from the Division is required before work can start.)

A-4

The local permitting agency and property owner should be aware of, and fully understand, that significant and potentially dangerous issues may be associated with development near oil and gas wells. These issues are non-exhaustively identified in the following comments, and are provided by the Division for consideration by the local permitting agency, in conjunction with the property owner and/or developer, on a parcel-by-parcel or well-by-well basis. **As stated above, the Division provides the above well review information solely to facilitate decisions made by the local permitting agency regarding potential development near a gas well.**

A-5

1. It is recommended that access to a well located on the property be maintained in the event re-abandonment of the well becomes necessary in the future. Impeding access to a well could result in the need to remove any structure or obstacle that prevents or impedes access. This includes, but is not limited to, buildings, housing, fencing, landscaping, trees, pools, patios, sidewalks, and decking.

2. Nothing guarantees that a well abandoned to current standards will not start leaking oil, gas, and/or water in the future. It always remains a possibility that any well may start to

A-6

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|--|---------------|
| <p>leak oil, gas, and/or water after abandonment, no matter how thoroughly the well was plugged and abandoned. The Division acknowledges that wells abandoned to current standards have a lower probability of leaking oil, gas, and/or water in the future, but makes no guarantees as to the adequacy of this well's abandonment or the potential need for future re-abandonment.</p> | A-6
cont'd |
| <p>3. Based on comments 1 and 2 above, the Division makes the following general recommendations:</p> <p style="margin-left: 40px;">a. Maintain physical access to these oil and gas wells.</p> <p style="margin-left: 40px;">b. Ensure that the abandonment of oil and gas wells is to current standards.</p> <p>If the local permitting agency, property owner, and/or developer chooses not to follow recommendation "b" for a well located on the development site property, the Division believes that the importance of following recommendation "a" for the well located on the subject property increases. If recommendation "a" cannot be followed for the well located on the subject property, then the Division advises the local permitting agency, property owner, and/or developer to consider any and all alternatives to proposed construction or development on the site (see comment 4 below).</p> | A-7 |
| <p>4. Sections 3208 and 3255(a)(3) of the Public Resources Code give the Division the authority to order the re-abandonment of any well that is hazardous, or that poses a danger to life, health, or natural resources. Responsibility for re-abandonment costs for any well may be affected by the choices made by the local permitting agency, property owner, and/or developer in considering the general recommendations set forth in this letter. (Cal. Public Res. Code, § 3208.1.)</p> | A-8 |
| <p>5. Maintaining sufficient access to a gas well may be generally described as maintaining "rig access" to the well. Rig access allows a well servicing rig and associated necessary equipment to reach the well from a public street or access way, solely over the parcel on which the well is located. A well servicing rig, and any necessary equipment, should be able to pass unimpeded along and over the route, and should be able to access the well without disturbing the integrity of surrounding infrastructure.</p> | A-9 |
| <p>6. The Division recommends that a local permitting agency consider the use of surface mitigation measures as a condition for project approval, if and when appropriate. Examples of surface mitigation measures include venting systems for wells, venting systems for parking lots, patios, and other hardscape, methane barriers for building foundations, methane detection systems, and collection cellars for well fluids. The Division does not regulate the design, installation, operation, or adequacy of such measures. The Division recommends that such surface mitigation measures are designed, installed, and operated by qualified engineers. The permitting of surface mitigation measures falls under the jurisdiction of the local permitting agency.</p> | A-10 |
| <p>7. If during the course of development of a parcel any unknown well(s) is discovered, the Division should be notified immediately so that the newly discovered well(s) can be incorporated into the Well Review processes.</p> | A-11 |

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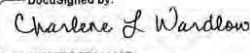
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8. The Division recommends that any soil containing significant amounts of hydrocarbons to be disposed of in accordance with local, state, and federal laws. Please notify the appropriate authorities if soil containing significant amounts of hydrocarbons is discovered during development. | A-12

9. The Division recommends that the information contained in this Well Review Report, and any pertinent information obtained after the issuance of this report, be communicated to the appropriate county recorder for inclusion in the title information of the subject real property. This is to ensure that present and future property owners are aware of (1) any well located on the property, and (2) potentially significant issues associated with any improvements near a gas well. | A-13

To reiterate, the local permitting agency, property owner, and/or developer should be aware of, and fully understand, that the above comments are made by the Division with the intent to encourage full consideration of significant and potentially dangerous issues associated with development near abandoned oil or gas wells and facilities. | A-14

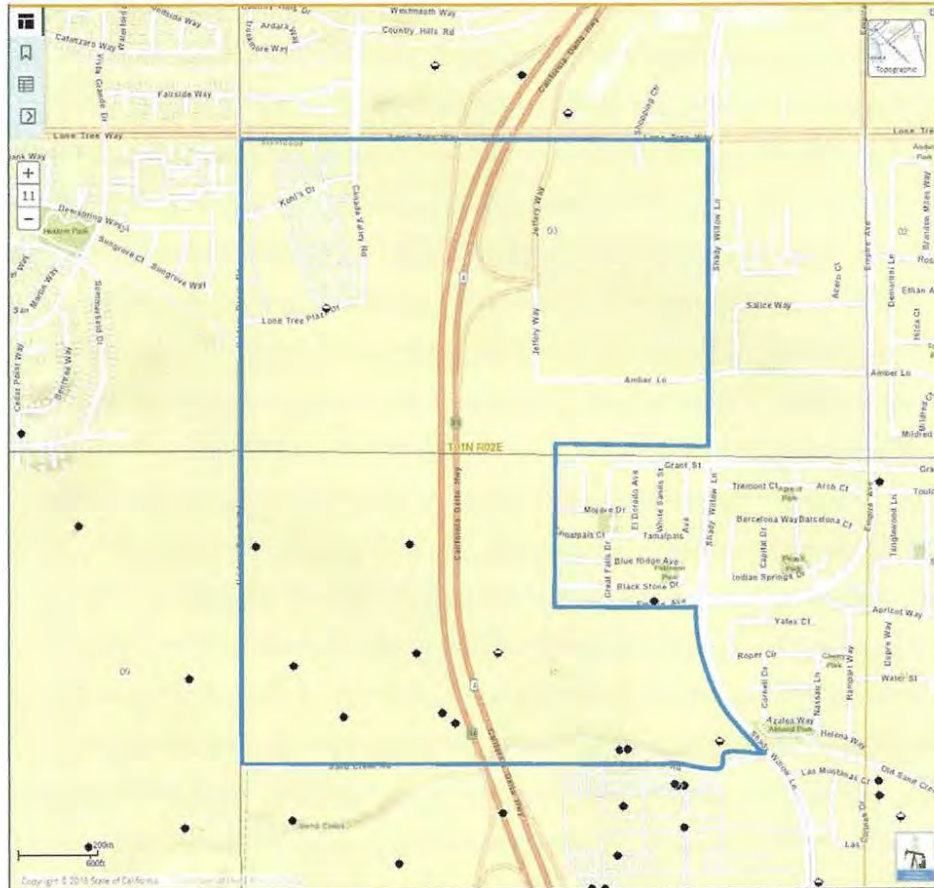
Sincerely,

DocuSigned by:

 087E7BD5EA11447
 Charlene L Wardlow
 Northern District Deputy

CC: Erik Nolthenius
enolthenius@brentwoodca.gov

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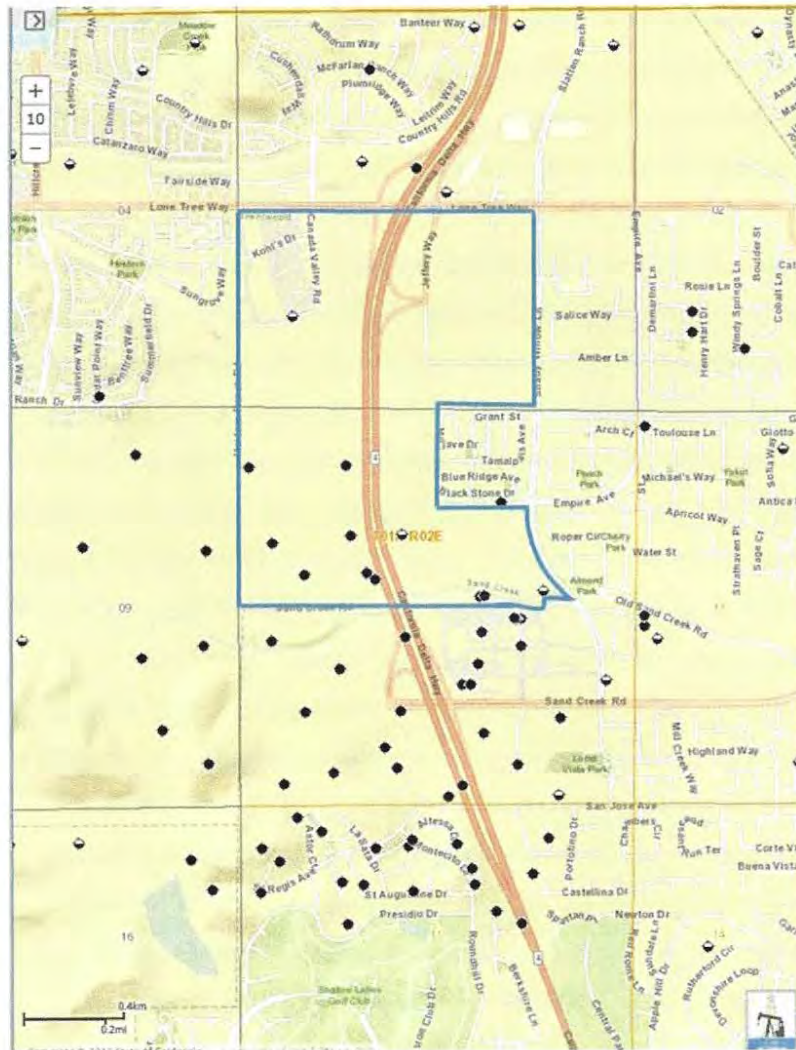
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Map 1: 12 known abandoned oil and gas production wells have been identified within the boundary for the City of Brentwood Priority Area 1 Specific Plan from the draft Environmental Impact Report. This map gives a general overview of the likely locations of known oil and gas wells within the Division database. The locations of the wells in this map are approximate and will require further verification prior to site development.

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Map 2: Numerous abandoned wells surround the boundary for the City of Brentwood Priority Area 1 Specific Plan from the draft Environmental Impact Report. This map gives a general overview of the likely locations of known oil and gas wells within the Division database. The locations of the wells in this map are approximate and will require further verification prior to site development.

Response to Letter A: Charlene Wardlow, California Department of Conservation, Division of Oil, Gas, and Geothermal Resources

Response A-1: This comment is noted. The commenter notes that the California Department of Conservation, Division of Oil, Gas, and Geothermal Resources (DOGGR) conducted a records review of any known oil, gas, and/or geothermal wells located within the Specific Plan Area. This comment serves as an introduction to the comment letter and does not warrant a response. No further response is necessary.

Response A-2: This comment is noted. The commenter notes that DOGGR has identified 12 abandoned oil and gas production wells within the Specific Plan Area. The City of Brentwood is aware of the on-site abandoned and plugged wells. Figure 3.6-6 of the City of Brentwood General Plan Update Draft EIR shows all of the existing active and abandoned oil and gas wells in the City of Brentwood Planning Area, which includes the Priority Area 1 (PA-1) Specific Plan Area. Additionally, a map showing the locations of the wells is included in the PA-1 Specific Plan Existing Conditions Report. See Figure 5.5-1. As shown in Figure 5.5-1, there are 12 total wells within the Specific Plan Area: three plugged dry holes, three plugged dry gas wells, and six plugged oil and gas wells. The locations of these 12 wells are consistent with those shown in the map provided in this comment.

Future development within the Specific Plan Area would be subject to the current rules and regulations pertaining to well abandonment, which would include current DOGGR regulations, as well as any applicable General Plan policies and actions. For example, General Plan Action SA 1c requires strict adherence to the requirements of the California Code of Regulations (CCR), Title 24 in all areas of the city and, during the development review process, to ensure that public and critical use buildings shall not be located in areas susceptible to potential natural hazards.

Additionally, Brentwood General Plan Action SA 1l requires the City to regulate abandoned wells. As part of the City's implementation of this General Plan Action item, the City requires new development projects that would place structures and/or infrastructure above or immediately adjacent to an abandoned well to verify that the abandoned well has been plugged and sealed in accordance with the current California Department of Conservation Division of Oil, Gas, and Geothermal Resources standards and requirements. Compliance with these State-level regulations related to abandoned wells would ensure that no environmental hazards or impacts related to abandoned wells would occur as future development within the Plan Area occurs. As such, this is a less than significant impact, and no change to the Draft EIR analysis is required.

Response A-3: This comment is noted. DOGGR would be notified immediately if an unknown well is discovered during the course of construction as a result of the proposed PA-1 Specific Plan. The County recorder would also be notified for inclusion in the title information of the subject property if a well is discovered.

- Response A-4:** This comment is noted. See Response A-2. No well work would be performed on any oil, gas, or geothermal well without written approval from DOGGR in the form of an appropriate permit. As noted above, future development within the Specific Plan Area would be subject to the current rules and regulations pertaining to well casings, which would include current DOGGR regulations, as well as Title 14, Section 1723.5, of the California Code of Regulations.
- Response A-5:** This comment is noted. The commenter notes that there are significant and potentially dangerous issues may be associated with development near oil and gas wells. In response to the first bullet point, access to a well would be maintained in the event re-abandonment of the well becomes necessary in the future.
- Response A-6:** This comment is noted. See Response A-5. Any wells that would be abandoned within the Specific Plan Area as a result of future development would be abandoned to current standards in order to ensure the leaking of oil, gas, and/or water is minimized to the extent feasible.
- Response A-7:** This comment is noted. See Responses A-2, A-5, and A-6. Future development within the Specific Plan Area would be subject to the current rules and regulations pertaining to well abandonment and well access, which would include current DOGGR regulations.
- Response A-8:** This comment is noted. The comment does not address the adequacy of the Draft EIR. Should DOGGR order the re-abandonment of any well that is hazardous within the Specific Plan Area, the well would be abandoned in accordance with current DOGGR regulations.
- Response A-9:** This comment is noted. Should a gas well be found on-site, sufficient access to the well would be provided.
- Response A-10:** This comment is noted. See Response A-2. Future development within the Specific Plan Area would be subject to the current rules and regulations pertaining to ventilation, barriers and detection systems, and other surface measures. A permit from Contra Costa Environmental Health is required to destroy a well in Contra Costa County. The law requires that such work be performed by a licensed, insured and bonded well contractor (C-57 license) who has proof of worker's compensation insurance and performance bond on file with the Contra Costa Environmental Health Division.

Contra Costa Environmental Health maintains Well Destruction Guidelines which must be followed in order to obtain a Well Abandonment Permit. The Guidelines require the following general process: application, plot plan, and permit fee; permit processing; destruction procedure; and final approval. In order to obtain a Well Abandonment Permit from the County, the following general procedures must be followed: application, plot plan, and permit fee; site review; permit processing;

construction and destruction; final construction approval; and final destruction approval.

Response A-11: This comment is noted. See Responses A-3 and A-4.

Response A-12: This comment is noted. Should any soil containing significant amounts of hydrocarbons be found in the Specific Plan Area, the soils would be disposed of in accordance with local, state, and federal laws.

Response A-13: This comment is noted. Information contained in the Well Review Report, and other pertinent information obtained after issuance of the Report, would be communicated to the appropriate County recorder for inclusion in the title information of the subject property.

Response A-14: This comment is noted. This comment serves as a conclusion to the comment letter and does not warrant a response. No further response is necessary.

STATE OF CALIFORNIA—CALIFORNIA STATE TRANSPORTATION AGENCY

EDMUND G. BROWN Jr., Governor

DEPARTMENT OF TRANSPORTATION
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July 25, 2018

SCH # 2018042064
 GTS # 04-CC-2018-00225
 GTS ID: 10331
 PM: CC – 4 – 32.971

Erik Nolthenius, Planning Manager
 City of Brentwood
 Community Development Department
 150 City Park Way
 Brentwood, CA 94513

Brentwood Priority Area 1 Specific Plan – Draft Environmental Impact Report (DEIR)

Dear Mr. Nolthenius:

Thank you for including the California Department of Transportation (Caltrans) in the environmental review process for the Brentwood Priority Area 1 Specific Plan. In tandem with the Metropolitan Transportation Commission’s (MTC) Sustainable Communities Strategy (SCS), Caltrans’ mission signals a modernization of our approach to evaluate and mitigate impacts to the State Transportation Network (STN). Caltrans’ *Strategic Management Plan 2015-2020* aims to reduce Vehicle Miles Traveled (VMT) by tripling bicycle and doubling both pedestrian and transit travel by 2020. Our comments are based on the June 11, 2018 DEIR.

B-1

Project Understanding

The overall purpose of the Priority Area 1 Specific Plan is to identify the community's vision for the future growth, development, and conservation of open space and resources within the Specific Plan Area in a manner consistent with the quality of life desired by residents and businesses. Full buildout of the Specific Plan Area could accommodate up to 2,041 dwelling units (DU) (for a maximum residential population of 4,569 persons) and up to 3,834,086 square-foot (SF) of non-residential uses (for a maximum non-residential population of 8,383 employees). The Specific Plan Area is bisected by State Route (SR) 4, and regional access is provided by the SR 4 interchange at Lone Tree Way.

B-2

This Specific Plan Area will include a station area designation for a future eBART station and/or park and ride facility; City policy dictates that the land use plan should be valid and beneficial if an eBART station does not materialize. While not a Priority Development Area (PDA), the addition of a transit station should allow the site to meet PDA requirements per Association of Bay Area Governments (ABAG) guidelines, though currently not designated as such. A PDA is

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located just north of the project site in Oakley.

B-2
 cont'd

Clarification

Please ensure that all text descriptions and graphical depictions of transportation facilities are current and accurate. Based on our review, there are some inconsistencies which need to be clarified or corrected regarding Figure 3.14-4; it is titled “Existing and Planned Bicycle Facilities,” but is referred to on page 3.14-12 as “proposed and existing bicycle and pedestrian facilities.” The figure also shows a Class II bicycle facility along SR 4 between Lone Tree Way and Sand Creek Road, note that this portion of SR 4 is a freeway and bicycle/pedestrian access is restricted. Figure 3.14-4 also shows a portion of Mokelumne Trail just east of SR 4 as an existing Class I bicycle facility, which is not yet complete. Discussion of eBART should be updated to eliminate any conflicting statements and note that construction is complete and it is currently in operation to Antioch. Please ensure all tables and figures are properly titled and referenced. Table 3.14-12, Summary of Existing Plus Project Delay Index on SR 4-SR 160 to Balfour Road, for example, is incorrectly referred to as a summary of freeway facility peak hour LOS as described in the Freeway Operations Section on Page 3.14-26. This comment is also applicable to Table 3.14-14 on Page 3.14-34.

B-3

A new Regional Transportation Plan, *Plan Bay Area 2040*, was adopted in July 2017; the MTC language in Chapter 3.14 should be updated accordingly, while the State language in the same section should be updated to include the California Transportation Plan (CTP), *CTP 2050*.

Multimodal Planning

This project is centered around the potential site of a future transit station/park-and-ride facility. The Specific Plan Area is currently served by the Eastern Contra Costa Transit Authority’s (ECCTA) Tri Delta Transit Bus Route 380, which operates on 30-minute peak headways between Pittsburg/Bay Point and Antioch BART stations, stopping on the north side of the Specific Plan Area at the Lone Tree Way/Canada Valley Road intersection. Tri Delta Transit Bus Routes 383, 385, and 389 also operate through or near the Specific Plan Area with headways of one hour or greater. Please clarify how the phasing of multi-modal improvements such as transit, bicycle, and pedestrian facilities will be coordinated with build-out of the Specific Plan Area. Caltrans strongly recommends that individual projects are conditioned to accommodate future intensification and up-zoning of the Specific Plan Area.

B-4

The project’s primary and secondary effects on pedestrians, bicyclists, disabled travelers and transit users should be evaluated, including countermeasures and trade-offs resulting from mitigating VMT increases. Access for pedestrians and bicyclists to transit facilities must be maintained.

Caltrans Facilities

Please update the Truck Routes section to indicate that SR 4 is a California Legal Route. Any mitigation measures concerning SR 4, including ramp/signal changes require coordination with Caltrans; more information about the encroachment permits process is provided below.

B-5

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Operational issues such as inadequate vehicle storage causing speed differentials, turning movement conflicts, or queues backing up onto the mainline are still valid under the California Environmental Quality Act (CEQA). Please provide analysis of the intersections at the Lone Tree Way/SR 4 South Ramps (#9) and Lone Tree Way/SR 4 North Ramp-Jeffery Way (#10), demonstrating that these impacts will be fully mitigated. If Mitigation Measure 3.14-4 does not fully mitigate these impacts, the extensions of Heidorn Ranch Road and Sand Creek Road to the Sand Creek Road freeway interchange or other adequate mitigation measures would be necessary to fully mitigate the adverse conditions and should be completed as a condition to the approval of this project.

B-6

The roadside areas along SR 4 in the Specific Plan Area will most likely be landscaped and that section of SR 4 would become a classified landscaped freeway. A classified landscaped freeway is a section of freeway with ornamental vegetation planting that meets the criteria established by the California Code of Regulations, Outdoor Advertising Regulations, Title 4, Division 6. This designation is used in the control and regulation of outdoor advertising displays. Caltrans encourages the use of reclaimed water, and the availability of reclaimed water will play a role in the type of landscaping Caltrans installs.

B-7

Aesthetics

There is an opportunity for community art within the project limits. If there is a requirement for a certain amount of funding for art, it will help achieve Policy COS 6-6: “Encourage and support community art projects, including murals, sculptures, educational programs, and events that highlight Brentwood’s cultural and historic heritage.” Caltrans recognizes the effects of transportation facilities on local communities, and encourages the integration of these facilities into their surroundings to enhance and reflect the aesthetic, environmental, scenic, and cultural values of the affected community. Caltrans collaborates with local stakeholders to enhance existing transportation facilities to meet the goals and expectations of both the local community and the public-at-large.

Please clarify whether the city is looking for any Gateway monuments as identifiers for community within this area. A gateway monument is defined as any freestanding structure or sign, non-integral or non-required highway feature, constructed within the State right-of-way (ROW), which communicates the name of the city, county, or township (Local Agency). Gateway monuments are planned, designed, funded, constructed and maintained by the Local Agency.

B-8

The Caltrans program called Community Identifiers supports the concept of enriching the cultural and visual environment for transportation system users and local communities by using a collaborative approach to coordinate integration of community identification within the State highway ROW. Community identification is defined as images or text that conveys information about a region, community, or area. There may be a local desire for new and existing transportation facilities to represent the communities in which they are located. Community identification will typically be provided and maintained by the local agency.

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Sound walls may be developed and must be coordinated with Caltrans for setbacks from the roadway, aesthetics, responsibility for funding, etc.

The Office of landscape Architecture has prepared a document called *Main Street, California* that discusses many of the above issues. It is an informational guide that reflects many of the recent updates to Caltrans manuals and policies that improve multimodal access, livability and sustainability within the transportation system and helps the reader locate information about standards and procedures. Caltrans is committed to continual refinement of standards and policies that promote greater flexibility in developing State highway main streets that invigorate the vitality of local communities and the transportation system. This document can be found at:

http://www.dot.ca.gov/hq/LandArch/mainstreet/main_street_3rd_edition.pdf

Smart Growth

From Caltrans' *Smart Mobility 2010: A Call to Action for the New Decade*, the project site is identified as **Place Type 4c: Suburban Communities (Dedicated Use Areas)** where location efficiency factors, such as community design, are weak and regional accessibility varies. The proposed development and future transit service in the Specific Plan Area could provide the improved community design and regional accessibility of **Place Type 4a: Suburban Communities (Centers)**. Given the place type and size of the project, and the intensification of use, it should aggressively pursue smart growth strategies.

The extension of the BART system to the project site would provide significant opportunities to implement smart growth strategies. We suggest that the zoning changes to the project site include mixed-use, increased density, and reduced parking near the proposed transit station. Additionally, Multiple Family Very High Density Residential, and High Density residential areas should be located closer to the transit station. Project alternatives with higher density development, including more mixed-use and residential should be thoroughly evaluated along with zoning and design guidelines to encourage more high-density and walkable development patterns. This could include reducing parking minimums, establishing design guidelines to promote active transportation, and allowing more housing near the future transit station. Consider Land Use policies that condition development to accommodate future in-fill, and increase the allowable density, and decrease parking minimums when the Specific Plan Area is designated for a future transit station or park-and-ride.

These policies should include a robust Transportation Demand Management (TDM) Program to reduce VMT and greenhouse gas emissions. Such measures are critical to facilitating efficient site access. The measures listed below will promote smart mobility and reduce regional VMT.

- Project design to encourage walking, bicycling and transit access;
- Transit and trip planning resources such as a commute information kiosk;
- Real-time transit information system;
- Transit subsidies on an ongoing basis;
- Safe Routes to School program;

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B-8
cont'd

B-9

B-10

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- Ten percent vehicle parking reductions;
- Charging stations and designated parking spaces for electric vehicles;
- Carpool and clean-fuel parking spaces;
- Designated parking spaces for a car share program;
- Unbundled parking;
- Showers, changing rooms and clothing lockers for employees that commute via active transportation;
- Emergency Ride Home program;
- Employee transportation coordinator;
- Secured bicycle storage facilities;
- Fix-it bicycle repair station(s);
- Bicycle route mapping resources;
- Participation/Formation in/of a Transportation Management Association (TMA) including developments in the Specific Plan Area; and
- Aggressive trip reduction targets with Lead Agency monitoring and enforcement.

B-10
 cont'd

Transportation Demand Management programs should be documented with annual monitoring reports by an onsite TDM coordinator to demonstrate effectiveness. If the project does not achieve the VMT reduction goals, the reports should also include next steps to take in order to achieve those targets. Also, reducing parking supply can encourage active forms of transportation, reduce regional VMT, and lessen future transportation impacts on State facilities. These smart growth approaches are consistent with the MTC's Regional Transportation Plan/SCS goals and would meet Caltrans Strategic Management Plan sustainability goals.

For additional TDM options, please refer to the Federal Highway Administration's *Integrating Demand Management into the Transportation Planning Process: A Desk Reference* (Chapter 8). The reference is available online at:
<http://www.ops.fhwa.dot.gov/publications/fhwahop12035/fhwahop12035.pdf>.

Transportation Impact Fees

The Lead Agency should identify project-generated travel demand and estimate the costs of transit and active transportation improvements necessitated by the proposed project; viable funding sources such as development and/or transportation impact fees should also be identified. We encourage a sufficient allocation of fair share contributions toward multimodal and regional transit improvements to fully mitigate cumulative impacts to regional transportation. We also strongly support measures to increase sustainable mode shares, thereby reducing VMT.

B-11

The Lead Agency should also ensure that a capital improvement plan identifying the cost of needed improvements, funding sources, and a scheduled plan for implementation is prepared along with the environmental document. Caltrans suggests removing Capital Improvement Plan projects for street widening from this environmental document, or amending these projects to include complete street features to accommodate pedestrians and bicyclists. Caltrans welcomes the opportunity to work with the City and local partners to secure the funding for needed

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mitigation. Traffic mitigation- or cooperative agreements are examples of such measures. Please provide Caltrans with a copy of the Staff Report and Conditions of Approval for this project when these documents become available.

B-11
 cont'd

VMT Analysis

Please provide discussion of the assumptions made to produce the VMT analysis using the Contra Costa Transportation Authority (CCTA) model. The DEIR indicates that the growth rate would be lower than the expected increase in VMT. Because the increased intensity and types of development proposed for the Specific Plan Area, the future employees may be more geographically dispersed than current workers in the area, contributing to increased VMT.

B-12

Lead Agency

As the Lead Agency, the City of Brentwood is responsible for all project mitigation, including any needed improvements to the STN. The project's fair share contribution, financing, scheduling, implementation responsibilities and lead agency monitoring should be fully discussed for all proposed mitigation measures. Since this project meets the criteria to be deemed of statewide, regional or areawide significance per CEQA Section 15206, the Final EIR should be submitted to ECCTA, ABAG, and MTC for review and comment.

B-13

Encroachment Permit

Please be advised that any work or traffic control that encroaches onto the state ROW requires an encroachment permit that is issued by Caltrans. To apply, a completed encroachment permit application, environmental documentation, and five (5) sets of plans clearly indicating state ROW must be submitted to: Office of Permits, California DOT, District 4, P.O. Box 23660, Oakland, CA 94623-0660. Traffic-related mitigation measures should be incorporated into the construction plans during the encroachment permit process. See the website link below for more information: <http://www.dot.ca.gov/hq/traffops/developserv/permits/>.

B-14

Thank you again for including Caltrans in the environmental review process. Should you have any questions regarding this letter, please contact Jake Freedman at 510-286-5518 or jake.freedman@dot.ca.gov.

B-15

Sincerely,



PATRICIA MAURICE
 District Branch Chief
 Local Development - Intergovernmental Review

c: State Clearinghouse

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Response to Letter B: Patricia Maurice, California Department of Transportation

Response B-1: This comment is noted. This comment serves as an introduction to the comment letter and does not warrant a response. No further response is necessary.

Response B-2: This comment is noted. The commenter summarizes the features of the proposed Priority Area 1 (PA-1) Specific Plan and notes that the Specific Plan Area is not a Priority Development Area (PDA). This comment does not address the adequacy of the Draft EIR. No further response is necessary.

Response B-3: The commenter requests several clarifications including referring to Figure 3.14-4 as “existing and planned bicycle facilities,” noting that eBART is now operational, and referring to the delay index instead of Level of Service (LOS) in Tables 3.14-12 and 3.14-14. Updates of Chapter 3.14 to refer to Plan Bay Area 2040 and the California Transportation Plan 2050 are also requested.

This comment is noted and the Draft EIR has been revised in order to clarify the text. Revisions to the Draft EIR are identified with Chapter 3.0, Errata, with revision marks (underline for new text, ~~strike-out~~ for deleted text). None of the revisions identify new significant environmental impacts, nor do any of the revisions result in substantive changes to the Draft EIR. The new information to the Draft EIR is intended to merely clarify the information.

The commenter also notes that Figure 3.14-4 shows a Class II bike facility along State Route (SR) 4 where bicycle access is restricted, and that the figure shows a portion of the Mokelumne Trail east of SR 4 as existing though it has yet to be constructed. The source mapping for Figure 3.14-4 is the 2009 *Contra Costa Countywide Bicycle and Pedestrian Plan*; it is acknowledged that a portion of the mapping line work appears to show a bike route within the freeway right of way, but that this route is actually intended to be drawn along the east side of the right-of-way, within the City of Brentwood’s jurisdiction. The Mokelumne Trail segment in question also appears to be a mapping artifact, though represents only a 0.14-mile section of trail immediately east of SR 4. The remaining segments of the trail that are shown as complete are indeed complete. Regardless, the Draft EIR has been revised in order to clarify the text. Revisions to the Draft EIR are identified with Chapter 3.0, Errata, with revision marks (underline for new text, ~~strike-out~~ for deleted text).

Response B-4: The commenter asks for clarification on how the phasing of multi-modal improvements will be coordinated with buildout of the Specific Plan. This information is described in detail in Chapter 10, Implementation and Administration, of the PA-1 Specific Plan. The Specific Plan outlines funding strategies for circulation improvements including those needed to support multimodal users, such as transit improvements through coordination with Tri Delta Transit, and construction of the bicycle and pedestrian facilities that will connect the various areas of the Specific Plan Area to both the transit center and the surrounding multimodal network.

In addition, Chapter 5, Circulation Plan, of the PA-1 Specific Plan includes several policies regarding the phasing of multimodal improvements:

Policy C-3.3. – Require private development to construct on-site pedestrian and bicycle facilities that are consistent with the conceptual alignments shown in Figure 5-3. In certain cases, the City may require collaboration among property owners to fund and construct continuous pathway extensions across multiple parcels, as needed to provide connectivity to key destinations such as the transit station.

Policy C-5.6. – Work with Tri Delta Transit to implement the first phase of transit station facilities on the east side of SR 4, with expansion to the west side of the freeway in the future as surrounding development occurs.

Policy C-3.9. – Prioritize construction of the planned Mokelumne Trail pedestrian/bicycle crossing of SR 4 to establish a strong linkage between the eastern and western Plan areas, ensuring that the overcrossing would accommodate a connection to a potential eBART rail platform at the center of the freeway in the future.

The commenter recommends that individual projects are conditioned to accommodate future intensification and up-zoning of the Specific Plan Area. This comment is noted. The PA-1 Specific Plan includes a mixture of uses, including but not limited to transit village, high density residential, very high density residential, regional commercial, general commercial, professional office, business park, and light industrial. The proposed Specific Plan includes development standards which include minimum densities and maximum floor-area-ratios in order to intensify development within the Specific Plan Area. The proposed land use designations and development standards would ensure that future development within the Specific Plan Area would encourage transit ridership and support future investment in transit infrastructure.

The commenter notes that the Specific Plan’s effects on non-automobile users should be evaluated, including countermeasures and trade-offs resulting from mitigating vehicle-miles-travelled (VMT) increases. The Specific Plan’s potential impacts to these users are described under Impact 3.14-6 on pages 3.14-40 through 3.14-43 of the Draft EIR, and are found to be less than significant. A major emphasis of the Specific Plan is to shift travel to non-automobile modes including walking, biking, and using transit. Physical improvements and policies regarding the prioritization of facilities for non-auto modes are also outlined in the Plan, including maintaining access to transit facilities, with a goal of creating a “self-mitigating” Plan that reduces the effects on these users to less-than-significant levels. The Draft EIR does not directly address VMT mitigation because the City of Brentwood has not yet switched from a LOS metric to a VMT metric for CEQA analyses, and VMT thresholds of significance have yet to be adopted. Nevertheless, a major intent of the Specific Plan is to shift travel to non-auto modes and improve the jobs-housing balance in the surrounding region,

both of which would have a strong positive influence on reducing per capita VMT. Please see Response B-12 for a summary of VMT projections.

Response B-5: The commenter requests that the Truck Routes section of Chapter 3.14 be revised to identify that SR 4 is a California Legal Route. This comment is noted and the Draft EIR has been revised in order to clarify the text. Revisions to the Draft EIR are identified with Chapter 3.0, Errata, with revision marks (underline for new text, ~~strike out~~ for deleted text). None of the revisions identify new significant environmental impacts, nor do any of the revisions result in substantive changes to the Draft EIR. The new information to the Draft EIR is intended to merely clarify the information. It is further noted that any mitigation measures related to Caltrans facilities included in the Draft EIR already include language requiring coordination with Caltrans for permitting and encroachment.

Response B-6: The commenter notes concerns related to the potential for off-ramp queues at the Lone Tree Way/SR 4 interchange to back up onto the mainline freeway, creating safety and operational concerns. An analysis of queuing impacts is requested at the intersections of Lone Tree Way/SR 4 South Ramps (#9) and Lone Tree Way/SR 4 North Ramp-Jeffery Way (#10). The interchange has an unusual configuration with the northbound off-ramp located on Jeffery Way and the northbound on-ramp at Lone Tree Way. Queuing impacts onto the mainline freeway would only occur at the off-ramp intersection, which is the Jeffery Way/SR 4 North Ramps intersection (#19). As a result, this is likely the commenter’s intended request, versus intersection #10. A summary of the 95th percentile queues on the two off-ramps is shown in the following table:

SUMMARY OF 95TH PERCENTILE QUEUE LENGTHS ON SR 4 OFF-RAMPS

INTERSECTION	RAMP LENGTH	AM PEAK HOUR		PM PEAK HOUR	
		E + P	F + P	E + P	F + P
Lone Tree Way/SR 4 South Off-Ramp	1,490	2,840	773	1,811	2,323
<i>With Mitigation Measure 3.14-3</i>	1,490	414	338	925	973
Jeffery Way/SR 4 North Off-Ramp	1,280	1,499	342	605	333

NOTES: ALL DISTANCES MEASURED IN FEET; 95TH PERCENTILE QUEUE LENGTH RESULTS OBTAINED USING TEN RANDOMLY-SEEDED RUNS USING THE SIMTRAFFIC SOFTWARE APPLICATION

Queues on the southbound SR 4 off-ramp at Lone Tree Way are expected to exceed the available storage under Existing Plus Project conditions during both the AM and PM peak hours without mitigation. With implementation of Mitigation Measure 3.14-3, which includes the addition of another right-turn lane on the off-ramp, queues would no longer back up onto the mainline freeway. The results would be similar under Future Plus Project conditions, though queues would only exceed storage during the AM peak hour. It is noted that under Future Plus Project conditions, new roadways would be in place that would allow drivers to use the Sand Creek Road interchange in addition to the Lone Tree Way interchange. Future Plus Project queues at the intersection would remain within the length of the off-ramp with implementation of Mitigation Measure 3.14-3.

Queues on the northbound SR 4 off-ramp at Jeffery Way are projected to exceed the available storage during the AM peak hour under Existing Plus Project conditions, but would remain well within the available storage under Future Plus Project conditions. As noted above, the Future Plus Project roadway network includes new roadway connections via the Sand Creek Road interchange, reducing reliance on the Lone Tree Way interchange. Queues are projected to remain acceptable during the PM peak hour under both Existing Plus Project and Future Plus Project conditions.

The potential queuing impacts under Existing Plus Project conditions would occur in tandem with many of the operational impacts identified for this scenario in the Draft EIR, and would not change the Draft EIR finding that the traffic impacts projected to occur under Existing Plus Project conditions would be considered significant and unavoidable. As noted on page 3.14-25 of the Draft EIR, however, buildout of the Specific Plan would occur over a long-range horizon, during which time the surrounding areas of Brentwood and Antioch would also continue to develop, including expanded roadway infrastructure. In other words, the PA-1 Specific Plan does not represent a single project that would be developed concurrently and result in immediate impacts to the existing circulation system. The Specific Plan outlines the future roadway network that will be present, including funding obligations by developers that will ensure that the network needed to support the Specific Plan Area and surrounding region will be in place.

Response B-7: This comment is noted. The commenter notes that the roadside areas along SR 4 in the Specific Plan Area will most likely be landscaped and that section of SR 4 would become a classified landscape freeway. Should landscaping along SR 4 occur, the plantings would meet the criteria established by the California Code of Regulations, Outdoor Advertising Regulations, Title 4, Division 6. No further response is necessary.

Response B-8: This comment is noted. The PA-1 Specific Plan encourages public art, such as wall murals and landscaping, throughout the Plan Area in medians, bulbouts, pocket plazas, wide sidewalk spaces, and blank walls. More specifically, on Page 7-8 of the Specific Plan, under the heading “Public Signage and Gateway Features,” the Plan states: *“Identify major entryways into the project area with special gateway treatments such as public art, architectural elements such as towers, archways, and signage, or enhanced landscaping to announce arrival onto the project area.”* The Specific Plan does not specifically call for gateway monuments along SR 4. The location and timing of any public art or monument signs would be determined during the design review of future development projects within the Specific Plan Area. Should any future public art or signage be proposed within Caltrans right-of-way, the City will work closely with Caltrans to ensure the proposal is consistent with all Caltrans setback requirements and other guidance.

Response B-9: This comment is noted. The commenter notes that the extension of the BART system to the Specific Plan Area would provide significant opportunities to implement smart growth strategies. The commenter also provides suggested zoning changes to

encourage smart growth strategies. The proposed PA-1 Specific Plan represents some of the most varied and intense development patterns planned within the City of Brentwood, and the Specific Plan includes a comprehensive approach to smart growth and transit oriented development (TOD). The proposed land use plan is consistent with Brentwood General Plan Policy LU 1-2 which provides specific guidance regarding the planning and development goals for PA-1. See Response B-4. The proposed PA-1 Specific Plan includes development standards which include minimum densities, maximum floor-area-ratios, and parking requirements in order to intensify development within the Specific Plan Area. The proposed land use designations and development standards would ensure that future development within the Specific Plan Area would encourage transit ridership and support future investment in transit infrastructure. Additionally, the proposed Transit Village land use designation, which is located west of SR 4 and south of the existing commercial development, allows multiple family residential uses on the upper floors. No further response is necessary.

Response B-10: The commenter suggests that policies regarding Transportation Demand Management (TDM) should be established in order to reduce VMT, and includes several suggested TDM programs. The PA-1 Specific Plan (page 5-17) includes several of these TDM measures, which are relevant to future major employers within the PA-1 Specific Plan area, including:

- Onsite carpool/transportation coordinator;
- Flexible work schedules;
- Telecommuting;
- Vanpools;
- Bicycle end-trip facilities (parking, showers, lockers);
- Transit subsidies;
- Parking cash-out program;
- Shuttles to the transit station.

Additionally, Policy C-1.10 of the Specific Plan states “Require new development projects that would generate more than 50 employees to implement Transportation Demand Management (TDM) programs, lessening the impacts of vehicular traffic on streets within and beyond the project area.” Policy C-6.2 states “Encourage all developments to reduce single occupant auto usage and parking demand through provision of bicycle and pedestrian amenities, support of car-share program(s), and implementation of employee TDM programs such as provision of discounted transit passes or cash-out to employees who do not use their private vehicle for travel to work.” The Specific Plan has been carefully designed to encourage walking, bicycling, and to provide transit access.

Because the Specific Pan Area would be developed over time by multiple landowners, establishment of an onsite TDM coordinator as suggested by the commenter would not directly occur, though the City would likely require major employers within the

Specific Pan Area to designate TDM coordinators in order to satisfy TDM requirements.

Response B-11: The commenter requests that the City identify project-generated travel demand and estimate the costs of transit and active transportation improvements required for the project. This comment is noted. As stated by City General Plan Policy CIR 4-3, “Include capital projects sponsored by the City and necessary to maintain and improve traffic operations in the five-year Capital Improvement Program (CIP) that is annually reviewed by the City Council. Funding sources for such projects as well as intended project phasing will be generally identified in the CIP.” The City will add the necessary traffic improvements to the City’s CIP, and will require future development in the PA-1 area to fund the improvements through payment of development impact fees.

Response B-12: The commenter requests a discussion of the assumptions used to produce the VMT analysis. The VMT projections were developed using the travel demand model maintained by the Contra Costa Transportation Authority (CCTA). Kittelson & Associates obtained the CCTA travel demand model and completed the modeling for the PA-1 Specific Plan Draft EIR analysis, supporting W-Trans, who authored the Transportation and Circulation chapter of the Draft EIR. The current version of the CCTA model was used, which includes a year 2013 base model and a year 2040 buildout model. The base model was used to evaluate existing conditions, and includes current land use inventories as well as the existing circulation network. The 2040 model includes land use projections reflective of General Plan buildout within Brentwood in addition to countywide growth and implementation of circulation network improvements that have identified funding sources. For the purpose of modeling future conditions *without* implementation of the PA-1 Specific Plan, the land use projections within the traffic analysis zones (TAZs) encompassing PA-1 were adjusted to reflect no change from current conditions. When modeling conditions with the addition of PA-1, the projected land use totals that would be allowed by the Specific Plan were added. In this manner, it was possible to establish the project-specific influences to the circulation network that would result from buildout of the Specific Plan Area, including VMT projections.

The VMT analysis referred to by the commenter is included in Chapter 3.3, Air Quality. As described in the chapter and shown in Tables 3.3-5 and 3.3-6, the growth in citywide VMT upon the addition of development within the PA-1 Specific Plan Area is projected to be somewhat less than the corresponding combined growth in citywide jobs and housing. Many factors affect VMT, including the average distance residents commute to work, school, and shopping, as well as the proportion of trips that are made by non-automobile modes. Areas that have a diverse land use mix and facilities for non-automobile modes, including transit, tend to generate lower VMT than auto-oriented suburban areas. Further, cities and regions where the jobs/housing ratio is balanced generate a lower VMT than areas where most residents commute long distances to work. All of these factors contribute to the proportionately lower growth

in citywide VMT that implementation of the PA-1 Specific Plan would create. The commenter correctly notes that future development within the Specific Plan Area would result in increased intensity and types of development. However, rather than future employees being more geographically dispersed than current workers, the addition of substantial employment to this area of Contra Costa County is likely to capture a substantial number of workers from Brentwood and nearby communities. Many of these future employees are currently driving much longer distances to employment in the western portion of the County and beyond, including major Bay Area employment centers such as Oakland and San Francisco. By improving the jobs-housing balance in Brentwood and surrounding areas, buildout of the PA-1 Specific Plan Area is anticipated to shorten average commute distances, thereby having a positive effect on VMT.

Response B-13: This comment is noted. The Final EIR will be submitted to the East County Community Tennis Association (ECCTA), Association of Bay Area Governments (ABAG), and Metropolitan Transportation Commission (MTC).

Response B-14: This comment is noted. An Encroachment Permit would be obtained for any work done within the State Right of Way as a result of the proposed PA-1 Specific Plan.

Response B-15: This comment is noted. This comment serves as a conclusion to the comment letter and does not warrant a response. No further response is necessary.

From: Christine Schneider [mailto:cschneider@ccwater.com]
Sent: Monday, July 02, 2018 3:32 PM
To: Nolthenius, Erik
Cc: Lucinda Shih; Dino Angelosante; Mark Seedall
Subject: CCWD Comments on the PA-1 Specific Plan DEIR

Hello Eric—CCWD is in receipt of the Notice of Availability for the EIR for the PA-1 Specific Plan, and note that comments are due on July 27, 2018. We have now had a chance to review this document, as CCWD's Los Vaqueros Pipeline traverses the Plan area. We're hoping that the City of Brentwood is aware of the presence of this pipeline; however, this pipeline isn't noted in the DEIR, nor is it listed in any of the DEIR figures.

C-1

Therefore, CCWD requests that the following text changes (shown in underline) are made:

1. Page ES-1:

"An existing East Bay Municipal Utilities District (EBMUD) aqueduct crosses the Specific Plan Area from east to west on the western side of SR 4, and from northwest to southeast on the eastern side of SR 4. The Los Vaqueros Pipeline, owned and operated by the Contra Costa Water District (CCWD) crosses the Specific Plan Area from north to south on the eastern side of SR 4. Existing uses within the Specific Plan Area include vacant land, agricultural fields, ranchette homes, churches, and commercial uses (including Lone Tree Plaza and Brentwood Station).

C-2

2. Page 2.0-3, last sentence of the last full paragraph:

"The remaining approximately 62 acres consist of EBMUD aqueduct, CCWD Los Vaqueros Pipeline, roadway right-of-way, and SR4 right-of-way and currently bear no General Plan land use designation."

Please note that the Los Vaqueros Pipeline traverses the following parcels (from north to south) as shown on Figure 2.0-4, APN Map:

C-3

--unnumbered parcel as part of the northbound SR 4/Lone Tree Way offramp, as shown between parcels 25 and 41 to the west of the pipeline and parcels 34 and 42/Jeffrey Way to the east of the pipeline;

--portions of parcel numbers 42, 56, and 49; and

--portions of parcel number 51

It's possible that Table 2.0-2 and/or Figures 2.0-4, Figure 2.0-6, Figure 2.0-7 and may need to be edited to include the Pipeline. It's also possible that the Specific Plan itself needs to be

edited to reflect these changes.

C-3
cont'd

Please don't hesitate to contact me if you have questions.

C-4

Thank you, Christine

Christine Schneider, MS, RLA

Senior Planner

Contra Costa Water District

PO Box H20

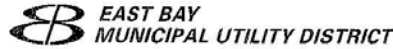
Concord, CA 94524

(925) 688-8118

cschneider@ccwater.com

Response to Letter C: Christine Schneider, Contra Cosa Water District

- Response C-1:** The commenter notes that the Contra Costa Water District (CCWD) has reviewed the EIR for the PA-1 Specific Plan. The commenter notes that the CCWD's Los Vaqueros Pipelines traverses the Plan Area. See Responses C-2 and C-3. This comment serves as an introduction to the comment letter and does not warrant a response. No further response is necessary.
- Response C-2:** This comment is noted and the Draft EIR has been revised in order to reflect this recommendation. Revisions to the Draft EIR are identified with Chapter 3.0, Errata, with revision marks (underline for new text, ~~strike-out~~ for deleted text). None of the revisions identify new significant environmental impacts, nor do any of the revisions result in substantive changes to the Draft EIR. The new information to the Draft EIR is intended to merely clarify the information.
- Response C-3:** This comment is noted and the Draft EIR has been revised in order to reflect this recommendation. Revisions to the Draft EIR are identified with Chapter 3.0, Errata, with revision marks (underline for new text, ~~strike-out~~ for deleted text). None of the revisions identify new significant environmental impacts, nor do any of the revisions result in substantive changes to the Draft EIR. The new information to the Draft EIR is intended to merely clarify the information.
- Response C-4:** This comment is noted. This comment serves as a conclusion to the comment letter and does not warrant a response. No further response is necessary.



RECEIVED

JUL 26 2018

CITY OF BRENTWOOD
COMMUNITY DEVELOPMENT DEPT

July 24, 2018

Erik Nolthenius, Project Manager
City of Brentwood
150 City Park Way
Brentwood, CA 94513

Re: Notice of Availability of a Draft Environmental Impact Report – Priority Area 1
Specific Plan, Brentwood

Dear Mr. Nolthenius:

East Bay Municipal Utility District (EBMUD) appreciates the opportunity to comment on the Draft Environmental Impact Report (EIR) for the Priority Area 1 Specific Plan for the City of Brentwood (City). EBMUD has the following comments.

D-1

RIGHT-OF-WAY

The City is located outside of EBMUD’s Ultimate Service Boundary. EBMUD owns and operates the Mokelumne Aqueducts (Aqueduct) in an EBMUD right-of-way (owned in fee) crossing the Specific Plan Area from Shady Willow Lane on the east to Heidorn Ranch Road on the west. Any projects being planned within or immediately adjacent to the Aqueducts will need to follow EBMUD’s Procedure 718 – Raw Water Aqueduct Right-of-Way Non-Aqueduct Uses. A copy of the procedure is enclosed for your reference.

D-2

Design drawings for any project encroachment (roadway, utility, facility, etc.) or restoration projects crossing or within the Aqueduct right-of-way will need to be submitted to EBMUD for review of possible drainage, site grading, fencing, construction access, and other conditions that may impact EBMUD property. EBMUD requires a full set of drawings (full size or 11” x 17”) as well as an electronic copy in PDF format. All submittals shall be sent to the attention of Vincent H. Pon, P.E., Superintendent of Aqueduct Section, 1804 West Main Street, Stockton, CA 95203. Additional information and an encroachment package are included in EBMUD’s Procedure 718. Applications for non-EBMUD uses will not be processed unless accompanied by the appropriate application fees outlined in the current applicable Water and Wastewater System Schedule of Rates and Charges and Fees. Contractors must secure an encroachment permit from EBMUD Aqueduct Section prior to mobilizing and starting construction work. A pre-construction meeting with EBMUD is mandatory.

D-3

375 ELEVENTH STREET . OAKLAND . CA 94607-4240 . TOLL FREE 1-866-40-EBMUD

Recycled Paper

Erik Nolthenius, Planning Manager
July 24, 2018
Page 2

When a project involves the construction of a retaining wall and fence along the property line, these must be constructed completely outside of EBMUD property, including all footings. The project sponsor shall contact EBMUD's Survey Section to coordinate identifying, locating and marking correct property lines.

D-4

If you have any questions concerning this response, please contact Timothy R. McGowan, Senior Civil Engineer, Major Facilities Planning Section at (510) 287-1981.

D-5

Sincerely,



David J. Rehnstrom
Manager of Water Distribution Planning

DJR:SIR:dks
sb18_118

Enclosure: EBMUD Procedure 718 – Raw Water Aqueduct Right-of-Way Non-Aqueduct Uses



Procedure 718

EFFECTIVE 25 MAY 17

SUPERSEDES 21 AUG 15

LEAD DEPARTMENT O&M

**RAW WATER AQUEDUCT RIGHT-OF-WAY
NON-AQUEDUCT USES**

PURPOSE – To establish procedures and criteria for review and authorization of overhead, surface and sub-surface use of District-owned property containing raw water aqueducts and raw water pipelines for purposes other than installation, maintenance, and operation of District raw water aqueducts.

Forms Used	L-14	Limited Land Use Permit
	K-47	Work Request Agreement
	N-15	Certificate of Public Liability Insurance
	N-17	Certificate of Workers' Compensation Insurance
		Application for Use of EBMUD Property or Request for Information
		General Fund Receipts for Miscellaneous Payments

Authority and Responsibility

Use, development, and control of fee-owned rights-of-way for District and non-District uses must be consistent with water supply operation and security and the rights and obligations of the District. District and non-District uses of District-owned aqueduct rights-of-way may be permitted when they conform to Policy 7.01, Aqueduct Integrity and Rights-of-Way Maintenance.

- No use of District aqueduct properties by others will be permitted as a condition to meet city/county zoning requirements or to obtain any land use permit, approval, or entitlement affecting properties not owned by the District.
- No use of District properties by others will be permitted except under terms of a written agreement.
- Use of raw water aqueduct rights-of-way for District purposes shall have the concurrence of the Aqueduct Section Superintendent.
- Use of aqueduct rights-of-way for District treated water lines shall include all applicable aqueduct protections required for similar third-party utility water line crossings.
- The decision whether to authorize any party other than the District to use District-owned property containing raw water aqueducts and raw water pipelines for any non-District purpose is a legislative act undertaken in the sole discretion of District staff. No notice or hearing is required to consider an application for use of such property, and staff's decision is not subject to appeal.

For all raw water aqueducts and pipelines, acceptable long-term uses of the rights-of-way include but are not limited to: utility crossings, road crossings, limited agriculture, equestrian and pedestrian trails, parks, oil and gas leases, and District-owned ground water wells. Acceptable, long-term uses of rights-of-way and easements for future raw water aqueducts will be evaluated upon facility completion. Such uses will be authorized by letter, limited land use permits, revocable licenses, leases or easements, as appropriate. All approved uses will conform to the requirements and limitations described in Requirements for Entry or Use of Mokelumne, Lafayette, and Moraga Aqueducts and Raw Water Pipeline Rights-of-Way (Requirements for Entry or Use) (Supplement No.1 to Procedure 718) and all other conditions as specified in the written approval, permit or easement for each individual use.

The Water Supply Division is responsible for monitoring permitted uses and detecting and preventing unauthorized uses of raw water aqueduct rights-of-way. The Office of General Counsel and the Manager of Real Estate Services will be consulted when an unauthorized user will not voluntarily desist.

Raw Water Aqueduct Right-of-Way Non-Aqueduct Uses

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The Water Supply Division is responsible for coordinating the development of recommendations with respect to the terms and conditions to be stipulated when a District or non-District use of a raw water aqueduct right-of-way is to be permitted.

The Director of Engineering and Construction shall be consulted when needed to supply location analysis or to determine what structural, grading, drainage, corrosion protection or other engineering measures are required and to obtain estimates of engineering, design and inspection costs.

Inquiries and Applications for Use

For all raw water aqueducts and pipelines, applications and inquiries for use of raw water aqueduct rights-of-way shall be processed by the Water Supply Division. Applications for non-District uses will not be processed unless accompanied by the appropriate application fees outlined in the current applicable Water and Wastewater System Schedule of Rates and Charges and Fees.

The Water Supply Division is responsible for:

- Providing requirements for use of the District's raw water aqueduct rights-of-way to applicants and to other District departments requesting use of the right-of-way. See Supplement No. 1, Requirements for Entry or Use.
- Checking for completeness to ensure compliance with the requirements for entry or use of raw water aqueduct rights-of-way contained in Requirements for Entry or Use plus any other conditions applicable to the proposed use.
- Collecting engineering, plan review and construction inspection costs and documentation of insurance coverage, if necessary.
- Monitoring existing encroachments and inspection of the construction of new approved encroachments.
- Providing information to the Engineering and Construction Department for technical input regarding additional permit requirements or special restrictions that may be applicable (in addition to those outlined in Supplement No. 1, attached) and for update of District raw water aqueduct right-of-way drawings.
- Collecting application fees and charges associated with the preparation and execution of revocable licenses.
- Assuring proper environmental documentation.

Real Estate Services is responsible for:

- Advising the Manager of Water Supply Division, or designee, of any real estate matters which relate to a specific proposed use.
- Collecting application fees and charges, preparing and executing limited land use permits, leases, easements, and all other property-related agreements (except for revocable licenses and temporary entry permits) and recommending fees and charges appropriate to the property use allowed, and for securing payment. See the current applicable Water and Wastewater System Schedule of Rates and Charges and Fees.
- Maintaining records relating to rights-of-way crossings and use, and providing information to the Survey Section and Engineering Services Division for the update of District raw water aqueduct right-of-way drawings.

Types of Permit License or Easement

The Manager of Water Supply Division shall keep available the forms listing the general requirements set forth in Requirements for Entry or Use for each of the following:

Raw Water Aqueduct Right-of-Way Non-Aqueduct Uses

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Temporary Entry/Temporary Construction Permit

For temporary access to raw water aqueduct right-of-way such as for surveying, potholing, construction, for temporary access via the District's right-of-way to property adjacent to the right-of-way, and other similar short-term situations.

Revocable License and Revocable Landscape License

For pipelines, sewers, storm drains, overhead and underground cables, public trails, landscaping and other crossings or lateral encroachments.

Limited Land Use Permit

Provides for agricultural or other surface use of the right-of-way for a period not to exceed one year (vehicular parking is prohibited). These permits are renewable annually if inspection reveals satisfactory conformance to conditions of permit.

Easement

For streets, highways, large pipelines, canals and railroads, and other permanent publicly owned encroachments. Easements are officially recorded with the county having jurisdiction. The fee or consideration will be significant and based on the value of the property being encumbered.

The Manager of Water Supply Division shall request review of any proposed revisions to application forms and lists of requirements from the Engineering and Construction Department, Real Estate Services Division, Office of General Counsel, and the District's Pipe Committee.

Processing Applications

Temporary Entry Permits

The Manager of Water Supply Division, or designee, may issue temporary entry permits including standard and temporary conditions relating to the use. The Manager of Real Estate Services and the Office of General Counsel will be consulted regarding unusual circumstances.

Revocable Licenses

The Water Supply Division, if warranted, shall conduct a field investigation to determine requirements for aqueduct protection and, in consultation with the Design Division or the Pipeline Infrastructure Division, will set forth the engineering and operating requirements.

The Manager of Water Supply Division shall then specify any and all requirements, including special conditions to the applicant, discuss the terms and conditions of the license agreement as well as any processing, design and inspection costs and license fee. The Manager of Water Supply Division may then enter into a standard license agreement with relevant special conditions on behalf of the District. The Manager of Real Estate Services and the Office of General Counsel shall be consulted regarding any unusual circumstances.

Copies of all revocable licenses issued by the Water Supply Division shall be provided to the Manager of Real Estate Services,

Raw Water Aqueduct Right-of-Way Non-Aqueduct Uses

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Limited Land Use Permits

The Manager of Water Supply Division, or designee, shall convey the District's requirements to the applicant and investigate to determine any special conditions.

Real Estate Services shall prepare the Limited Land Use Permit (Form L-14) in duplicate, including special conditions or stipulations, accompanied by a District-prepared location sketch that will refer to aqueduct stationing and other appropriate location identifiers, including adjacent aqueduct structures.

Engineering and Construction shall prepare the District-prepared location sketch.

After payment of the stipulated consideration determined by Real Estate Services, the Manager of Water Supply Division shall review and execute the permit. These copies are then returned to the Manager of Real Estate Services, together with any stipulated consideration.

Forty-five days before expiration of a Limited Land Use Permit, the Manager of Real Estate Services shall notify the Manager of Water Supply Division, who shall investigate the permittee's operations. If renewal of the permit is recommended, the permit will be renewed by letter from the Manager of Real Estate Services.

Leases and Easements

The Manager of Water Supply Division shall conduct a field investigation to determine requirements for aqueduct protection and, in consultation with the Design Division or Pipeline Infrastructure Division, if necessary, will set forth the engineering and operating requirements.

If structural or corrosion protective facilities are required, the Manager of Water Supply Division, or designee, shall request the Manager of Design Division or Pipeline Infrastructure Division to proceed with the required design or plan reviews. (During design, the designer will communicate with the applicant's engineer.) Upon completion of design, the plans will be delivered to the applicant via the Manager of Water Supply Division, who will arrange for inspection as required.

The Manager of Real Estate Services shall discuss with the applicant the terms of the agreement and the amount of the consideration, including any processing, design, and inspection costs. Real Estate Services shall obtain an appraisal and engineering estimates, if necessary.

Upon agreement with the applicant, the Manager of Real Estate Services, shall draft, for review and approval by the Water Supply Division and Office of General Counsel, an agreement granting the applicant the property interest under the terms and for the consideration as approved. Real Estate Services shall assure that evidence of insurance is provided, if required. The lease or easement shall be submitted to the District's Board of Directors for approval, if required by Procedure 108. Two copies of the lease or easement shall be sent to the applicant with instructions to sign and return the copies, together with the consideration, to the Manager of Real Estate Services. Easements shall be recorded and the applicant shall provide the Manager of Real Estate Services with the recording data.

Raw Water Aqueduct Right-of-Way Non-Aqueduct Uses

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Approvals

District uses of the raw water aqueduct right-of-way shall be confirmed in writing listing any special conditions which may apply to the proposed use to the requesting District departments by the Manager of Water Supply Division.

Terminations

Any third-party use of the District's aqueduct property may be terminated in the District's sole discretion, so long as the termination is authorized by and done in a manner compliant with the terms and conditions of the permit, license, or lease that governs the use. If the Water Supply Division terminates any permit or license, the Manager of Real Estate Services and the Design Division shall be so notified by memo.

Terms and Conditions

The final determination of generally applicable terms and conditions appropriate for District uses of aqueduct properties rests with the Director of Operations and Maintenance.

A specific third party applicant for use of aqueduct property may be required, as a condition of approval of the application, to comply with the generally applicable terms and conditions, or with different or additional terms and conditions that are determined to be in the District's best interest. The decision to approve or deny an application, and the selection of terms and conditions of any approval, shall rest with the Director of Operations and Maintenance or his or her designee. There is no right to an administrative appeal or hearing, and the decision of the Director or designee is final.

Records

The Manager of Real Estate Services shall maintain a file containing copies of all documents relating to right-of-way crossings or uses and is responsible for the assignment of right-of-way crossing numbers to approved documents.

The Engineering Services Division of the Engineering and Construction Department shall maintain working sets of right-of-way prints for each District raw water aqueduct right-of-way. These prints shall be updated following:

1. Grant of Revocable License or Easement. Notice to be supplied by the Manager of Real Estate Services.
2. Completion of crossing construction covered by license or easement. Notice, including "as built" location data, to be supplied by the applicant to the Water Supply Division for transmittal to the Engineering and Construction Department. This notice will be routed through the Engineering and Construction Department, as necessary, then to the Manager of Real Estate Services. After right-of-way tracings are revised, new prints will be released to those having sets.
3. Termination of any raw water aqueduct right-of-way use. Notice to be supplied by the Manager of Real Estate Services.

Revised prints shall be released following all right-of-way drawing revisions.

Raw Water Aqueduct Right-of-Way Non-Aqueduct Uses

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Requirements and Fees

Requirements for use of raw water aqueduct right-of-way and fees for the processing of applications and documents related to such uses are included in the documents Requirements for Entry or Use and Fees and Documentation Charges, Use of Aqueduct Rights-of-Way by Others, respectively (see the current applicable Water and Wastewater System Schedule of Rates and Charges and Fees). The Manager of Water Supply Division is responsible for periodic review and updating of Requirements for Entry or Use. The Manager of Real Estate Services is responsible for review and updating of Fees and Documentation Charges, Use of Aqueduct Rights-of-Way by Others.

References

Policy 7.01 – Aqueduct Integrity and Rights-of-Way Maintenance
 Procedure 108 – Real Estate Transactions
 Procedure 436 – Miscellaneous Accounts Receivable and Cash Receipts
 Requirements for Entry or Use of Mokelumne, Lafayette, and Moraga Aqueduct and Raw Water Pipeline Rights-of-Way (attached)
 Water and Wastewater System Schedule of Rates and Charges and Fees Schedule of Rates and Charges to Customers of the East Bay Municipal Utility District – Real Property Use Application Fees – Resolution 33046-97



**REQUIREMENTS FOR ENTRY OR USE OF
MOKELUMNE, LAFAYETTE, AND MORAGA
AQUEDUCTS and RAW WATER PIPELINE RIGHTS-OF-WAY**

SUPPLEMENT NO. 1 TO PROCEDURE 718

East Bay Municipal Utility District

Supplement No. 1 to Procedure 718

Page 1

1. Requests for encroachment rights or for other uses of the District's raw water aqueduct and pipeline properties shall be directed to the Manager of Water Supply Division, 1804 West Main Street, Stockton, California 95203. Property uses shall only be permitted subject to appropriate written permit, license, easement, or lease agreement.
2. Requests for property uses shall be in writing and accompanied by a completed application, application fees, plan and profile drawings of the area and work involved. District aqueduct stationing and adjacent above-ground structures must be shown. Applicant's horizontal and vertical control must be correlated to the District's. Drawings and maps shall be ANSI D size (22x34 inch) or ANSI B size (11x17 inch) and must also be provided in electronic .pdf format. Application must include complete insurance documentation.
3. The applicant must agree to indemnify and hold harmless the District from any loss, claim, or liability which may arise by reason of applicant's use of District property and may be required to provide insurance coverage.
4. All requests for uses of District property must be consistent with requirements and limitations set forth by Procedure 718 and will be reviewed and approved on a case-by-case basis.
5. District land and facilities shall be restored to a condition as good as that which existed before applicant's entry on the right-of-way.
6. Applicant's use of property shall not increase District costs or interfere with District access, operations, maintenance, or repair of its facilities.
7. The applicant must pay the District the appraised value of the easement or lease, if appropriate, for the rights granted to the applicant. Appropriate environmental documentation must be completed in accordance with the California Environmental Quality Act before the rights can be granted. The District may require the applicant to prepare the documentation at its expense before the application will be considered for approval. The District may rely on any existing environmental documentation for the applicant's project if the District determines that the existing documentation is legally compliant and adequately describes and analyzes the impacts of the applicant's proposed use of District property.
8. For any District-approved encroachment, the applicant must pay the District for any of the following measures, as needed:
 - a. Design of structural protective measures
 - b. Design of fences or other structures
 - c. Corrosion control protective measures
 - d. District engineering, plan review, and inspection of activities
 - e. Environmental documentation
 - f. Application, permit or license fees.
9. The plan for the execution of the work must be approved by the District.
10. The type and weight of equipment working over the aqueduct must be approved by the District.
11. The use of vibratory compaction equipment is prohibited on the aqueduct right-of-way unless otherwise approved by EBMUD. Allowable compaction effort, allowable equipment, and maximum depth of each lift of fill shall be subject to District review and approval before start of construction.
12. A minimum of 48 hours notice must be given to the District before work commences. To contact the District by telephone, call the Aqueduct Section's Stockton Office at (209) 946-8000.
13. A preconstruction meeting is required prior to start of work.

Supplement No. 1 to Procedure 718

Page 2

14. No building or portions of buildings shall be constructed on the property. No other types of structures shall be constructed unless specific approval is given by the District.
15. No longitudinal encroachments such as drainage ditches; gas, phone, or electrical lines; pipelines, or roads will be permitted. All property line fences (including footings) must be located completely outside the aqueduct property lines.
16. No pile driving will be allowed within 100 feet of the aqueducts.
17. Railroad, freeway and highway crossings of the aqueduct right-of-way shall be on permanent bridges with a minimum vertical clearance of 14 feet 6 inches between the finished ground surface and the underside of the bridge. Crossings on grade will be over structurally-encased aqueducts with a sleeve for a fourth aqueduct.
18. Street and road crossings constructed on grade shall incorporate protection of the aqueducts. Protective measures will be designed by the District or by applicant's licensed engineer to District standards with specific District approval of each design.
19. Existing aqueduct protective measures such as concrete slabs shall not be cut, penetrated, or otherwise disturbed. If a protective measure is cut, penetrated, or disturbed, it shall be replaced with a new protective measure, designed by a District engineer or applicant's licensed engineer to District standards with specific District approval of design.
20. Traffic control fences or approved barriers shall be installed along each side of the street, road or trail before opening to the public.
21. Temporary construction fences and barricades shall be installed by contractor as directed by the District.
22. No geotechnical exploration such as drilling or boring shall be allowed on an Aqueduct right-of-way.
23. Any changes in finished grade must be approved by the Aqueduct Section. Earthfills or cuts on adjacent property shall not encroach onto District property except where authorized for vehicular crossings on grade and where the District determines that there will be no detrimental effect on the aqueducts or their maintenance.
24. Crossings shall be perpendicular to the aqueducts and on a constant grade across District property.
25. Sanitary sewers, water lines, petroleum product lines, or other lines crossing above the aqueducts must be encased in a steel, polyvinyl chloride (PVC), or reinforced concrete pipe conduit or be imbedded in reinforced concrete with a minimum vertical clearance of two (2) feet between the casing/embedment and the top of District aqueducts. The casing shall extend the entire width of the aqueduct right-of-way.
26. All pipelines crossing below the aqueducts must be encased in a steel or reinforced concrete conduit and provide a minimum of three (3) feet of clearance between the casing and the bottom of the District aqueducts.
27. Trenchless construction methods such as horizontal directional drilling or jack-and-bore between the top of the aqueducts and the bottom of the protective structure (slab) are prohibited.
28. On pressurized pipe crossings, shutoff valves shall be provided outside and adjacent to both sides of District property.

29. At the point of crossing, steel pipeline crossings and steel casings shall incorporate electrolysis test leads, bond leads, and leads necessary for interference testing. Corrosion control devices, when required, must be approved by the District.
30. Cathodic protection for steel encasements must be installed as follows:
 - Provide a dielectric coating to the exterior surface of the steel casing within the District's right-of-way, 16 mil epoxy or equivalent.
 - Provide galvanic protection to the portion of the steel casing within the District's right-of-way in accordance with the National Association of Corrosion Engineers RP-01-69.
 - If the carrier pipe is constructed of ductile iron or steel, provide electrical isolation between the carrier and casing using casing insulators; redwood skids are not permitted.
 - Provide test results to the District demonstrating the adequacy of the cathodic protection system, and the adequacy of the electrical isolation of the carrier (if metallic) from the casing. The District reserves the right to witness any such tests.
31. Gravity drainage of District property shall be maintained. Open channels constructed across the right-of-way shall be paved with reinforced concrete. Headwalls, inlets, and other appurtenances shall be located outside District property. Drainage facilities shall be provided outside the District's property at the top and/or toe of fill slopes or cuts constructed adjacent to District property to assure adequate drainage.
32. Overhead electrical power conductors across the property shall be a minimum of 30 feet above ground. Communication and cable TV crossings shall be a minimum of 20 feet above the ground. Supporting poles or towers shall be located outside the aqueduct right-of-way.
33. Buried electrical cables passing over the aqueducts shall be installed in PVC conduit and encased in red concrete across the entire width of the right-of-way. In some cases, PVC-coated steel conduit with a red concrete cap may be substituted. All other buried cables shall be installed in conduits and marked in the appropriate Underground Service Alert (USA) colored marking materials and with surface signs installed at 4-foot intervals that include the utility name, type, and emergency contact information across the entire width of the aqueduct right-of-way. The minimum vertical clearance between the conduit and the top of the District's aqueducts is two (2) feet.
34. Electrical or telecommunications cables passing under the aqueducts shall be encased in conduit and marked at both edges of the aqueduct right-of-way with the appropriate USA color coded markers. The minimum vertical clearance between the conduit and the bottom of the District's aqueducts is three (3) feet. For directional bored conduits the minimum vertical clearance is five (5) feet.
35. Vehicular parking and storage of equipment or material on aqueduct property are specifically prohibited.
36. Extraction of oil and gas from aqueduct properties may be permitted under appropriate lease agreements.
37. All District survey monuments and markers shall be undisturbed. If any District survey markers or monuments must be disturbed, they will be replaced or relocated by the District at applicant's expense prior to the start of any ground disturbing work.
38. All aqueduct crossings involving mechanical excavation on the right-of-way require potholing of all aqueducts at the site of the proposed crossing. Visible reference markings showing the aqueduct alignments and depths to top of pipe shall be maintained for the duration of any

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Page 4

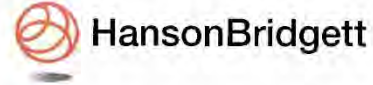
mechanical excavation on District property. Excavations within two (2) feet of aqueducts shall be made by hand. Entry permits are required for pothole work.

39. All grading or excavating of the right-of-way requires USA notification and the maintenance of a current inquiry identification number.
40. Certified six-sack mix is the minimum acceptable concrete batch to be used on the aqueduct right-of-way. Concrete compression strength shall be 3,000 per square inch (PSI) or better at 28 days. If samples do not reach 3,000 PSI at 28 days, the entire section of slab or encasement related to that sample must be removed and replaced at applicant's expense.
41. Each truckload of concrete to be placed on the aqueduct right-of-way may be sampled by the District. No water may be added to the mix after sampling.
42. Maximum allowable slump is three inches. All concrete exceeding three inches will be rejected and cannot be used on the aqueduct right-of-way.
43. No traffic will be allowed over protective slabs until 3,000 PSI is reached.
44. All work areas shall be inspected by the District for final approval. As-built drawing submittals are required for District approval.
45. No work is allowed on weekends or District-recognized holidays unless otherwise authorized in the required permit.

Response to Letter D: David Rehnstrom, East Bay Municipal Utility District

- Response D-1:** This comment serves as an introduction to the comment letter and does not warrant a response. No further response is necessary.
- Response D-2:** This comment is noted. The commenter states that the East Bay Municipal Utility District (EBMUD) owns and operates the Mokelumne Aqueduct which crosses the Specific Plan Area from Shady Willow Lane on the east to Heidorn Ranch Road on the west. Any future development projects within the vicinity of the Aqueduct would be required to follow EBMUD's Procedure 718 – Raw Water Aqueduct Right-of-Way Non-Aqueduct Uses. No further response is necessary.
- Response D-3:** This comment is noted. Any design drawings for any project encroachment or restoration projects crossing or within the on-site Aqueduct right-of-way would be submitted to EBMUD for review.
- Response D-4:** This comment is noted. Any future development project within the Specific Plan Area that would involve the construction of a retaining wall and fence along the property line would be constructed outside of the EBMUD property, including all footings.
- Response D-5:** This comment is noted. This comment serves as a conclusion to the comment letter and does not warrant a response. No further response is necessary.

KRISTINA D. LAWSON
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July 27, 2018

VIA ELECTRONIC MAIL

Erik Nolthenius
 Planning Manager
 City of Brentwood
 150 City Park Way
 Brentwood, CA 94513

Re: Priority Area 1 Specific Plan Draft EIR

Dear Mr. Nolthenius:

This office represents Discovery Builders, Inc., the owner and developer of the Bridle Gate residential development project located immediately south of the proposed Priority Area 1 Specific Plan ("Specific Plan" or "Project") area and directly connected by way of an extension of Bridle Gate Drive. On behalf of our client, we have reviewed the Draft Environmental Impact Report dated June 2018 and prepared for the Specific Plan (the "DEIR"), including the Traffic Data included as Appendix D to the DEIR ("Traffic Study"). We submit the following comments for your consideration, primarily relating to the adequacy of the DEIR's identification and evaluation of the Project's potential impacts in the area of Transportation and Circulation, including the Project's potential impacts on the roadways and intersections within the Bridle Gate project area. The DEIR must be revised to take into account the traffic that will be directed south to the Bridle Gate project area.

E-1

To provide context, the Specific Plan area is generally bounded by Lone Tree Way to the north, Shady Willow Lane to the east, Sand Creek to the south, and Heidorn Ranch Road to the west. The Specific Plan area is bisected by State Route 4, described in the DEIR as the most heavily-travelled highway corridor in Brentwood. The DEIR indicates that the full buildout of the Specific Plan Area could accommodate up to 2,041 dwelling units for a maximum residential population of 4,569 persons and up to 3,834,086 square feet of non-residential uses for a maximum non-residential population of 8,383 employees. (DEIR, p. 2.0-7.)

The Bridle Gate Project is mixed-use project located immediately south of Sand Creek Road, and west of State Route 4. An alignment of Bridle Gate Drive that will extend north from Sand Creek Road to Old Sand Creek Road and parallel to State Route 4, bisects the commercial portion of the Bridle Gate project site and directly connects the project to the southwestern portion of the proposed Specific Plan area north of Sand Creek Road.

Despite the increased traffic volumes that will be generated by the Project and the connectivity in the circulation network, the DEIR does not consider the Project's impacts on roadways and intersections to the south of the Project area, including the intersection at Sand Creek Road and North Gate Drive/Bridle Gate Road, for the purposes of its Transportation and Circulation analysis.

E-2

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14696473.2

Erik Nolthenius
 July 27, 2018
 Page 2

While the Transportation and Circulation Section of the DEIR describes the Future Plus Project scenario identifies the completion of circulation projects, including the construction of Bridle Gate Drive from the southern boundary of the Specific Plan Area to San Jose Avenue, the intersection and freeway operational analysis, as well as the vehicle miles traveled metrics fails to take into account the Project-generated traffic that will impact the intersection within the Bridle Gate Project area. (See DEIR, p. 3.14-32.) The EIR should, at a minimum, include as a study intersection, the intersection at Sand Creek Road and Bridle Gate Road and this should include an analysis of proportional cost sharing for the bridge that will need to be built across Sand Creek. It should also include an analysis of other intersections within the Bridle Gate project that will be impacted. There should also be an analysis of the impacts to Sand Creek Road, a requirement for cost sharing, including the Sand Creek Road bridge to provide access to Antioch.

E-2
 cont'd

The EIR must identify the Project's impacts to this intersection, and other intersections and where potentially significant impacts are identified, propose and describe mitigation measures designed to minimize, reduce or avoid each identified potentially significant impact whenever it is feasible to do so. (CEQA Sec. 21002.1(b); 14 Cal. Code Regs., Sec. 15126.4.) We would note that the traffic study for the Bridle Gate project did not anticipate and therefore did not analyze the traffic that would be generated to the north of the project onto Bridle Gate Road (referred in the Bridle Gate traffic study as North Gate Road). It assigned no outside traffic to this connector to the north.

While the inadequacies of the analyses are most pronounced in the Transportation and Circulation section of the DEIR, other sections, including the Project Description and Cumulative Impacts analysis, should be reviewed and revised to take into account the development of the Bridle Gate project. For example, the Surrounding Land Uses included in the Project Description merely state that adjoining lands to the south of the Specific Plan Area are designated for GC, P, R-LD, SCH, and Permanent Open Space (P-OS) uses, and should be revised to incorporate accurate information regarding the Bridle Gate Project. (DEIR, p. 2.0-5.)

E-3

In addition, the DEIR fails to take into consideration the Bridle Gate project in evaluating whether any cumulative impacts may be significant and if so, whether the Project's incremental effect is cumulatively considerable, i.e., that the incremental effects of the 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. (See 14 Cal. Code Regs., Sec. 15130.)

Without this additional information, the DEIR fails to provide sufficient, complete technical detail for the public to evaluate the potential impacts of the Project, fails to adequately mitigate potentially significant impacts, and fails to provide substantial evidence for its conclusions. We appreciate the opportunity to provide our comments and look forward to reviewing a revised document.

E-4

Very truly yours,



Kristina D. Lawson

KDL:rsc

14696473.2

Response to Letter E: Kristina Lawson, Hanson Bridgett, LLP

Response E-1: This comment is noted. The commenter summarizes the Bridle Gate residential development project and project location. This comment serves as an introduction to the comment letter and does not warrant a response. No further response is necessary.

Response E-2: The commenter notes that the traffic analysis does not consider the effect of traffic resulting from the Priority Area 1 (PA-1) Specific Plan on Bridle Gate Drive as it passes through the proposed Bridle Gate development area, including the potential impacts that may occur at the Sand Creek Road/Bridle Gate Drive intersection.

While the traffic analysis conducted for the PA-1 Specific Plan does not include analysis of the Sand Creek Road/Bridle Gate Drive intersection, the modeling used in the traffic analysis does assume the extension of Bridle Gate Drive to be in place. Using this modeling, in addition to traffic projections for the Bridle Gate Project contained in the *Bridle Gate Traffic Impact Study Draft 2* (Kimley Horn, February 2018), the traffic projections were developed and the intersection of Sand Creek Road/Bridle Gate Drive was analyzed, as requested by the commenter. The analysis focuses on the Future and Future Plus Project scenarios, as these are the only scenarios under which the PA-1 Specific Plan would add traffic in this area. Sand Creek Road and Bridle Gate Drive are not yet assumed to exist in the PA-1 analysis of Existing and Existing Plus Project conditions.

The specific lane geometry that will be constructed at the Sand Creek Road/Bridle Gate Drive intersection will be determined at such time that the roadway design process is initiated, potentially coinciding with construction of the proposed Bridle Gate Project subsequent to its approval. As is common and historical practice in the City of Brentwood, the future design of the specific lane geometry at this intersection will be completed in such a manner as to optimize performance of the intersection, and reduce LOS impacts to the greatest extent feasible. It is known that Sand Creek Road will include two through vehicle lanes in each direction, and that Bridle Gate Road will include one vehicle lane in each direction. For the purposes of this analysis, based on consultation with City staff, the intersection is assumed to be signalized with standard turning lane configurations including single left-turn and right-turn lanes on all approaches in addition to the through lanes. This configuration would be accommodated within the standard roadway right-of-way widths identified in the City's Standard Plans and Specifications.

Under the resulting Future conditions, which includes the extensions of Bridle Gate Drive and Sand Creek Road in addition to completion of the proposed Bridle Gate development (but without traffic from the PA-1 Specific Plan), the intersection is projected to operate acceptably at LOS C or better during the weekday AM and PM peak hours.

Upon the addition of traffic associated with the buildout of the PA-1 Specific Plan Area to the Future conditions, operation at the intersection is projected to remain acceptable at LOS C during the AM peak hour but would be unacceptable at LOS E during the PM peak hour. The LOS E operation is based on the standard intersection lane configurations identified above. With modification of the southbound Bridle Gate Drive approach to include two left-turn lanes and a shared through/right-turn lane instead of single left, through, and right-turn lanes, the intersection is projected to operate acceptably at LOS C during both peak hours. This alternative configuration would more efficiently serve the high volume of southbound left-turns while still providing sufficient capacity for the relatively low through and right-turn volumes. The configuration would result in the same number of lanes on the southbound approach as the standard configuration (three lanes) would be accommodated within the right-of-way width, and can be incorporated into the intersection's design plans with no adverse traffic implications to the Bridle Gate Project. As noted above, it is standard and common practice for the City to design intersections to optimize their operational functionality and achieve LOS standards established by the City to the greatest extent feasible. Given that the alternative configuration identified above could be achieved within the standard right-of-way configurations established by the City, there are no impediments to implementation of this design configuration. As such, this intersection would operate at acceptable LOS standards under Future Plus Project conditions.

The Draft EIR has been revised in order to clarify that this alternative configuration at the Sand Creek Road/Bridle Gate Drive (Capital Parkway) intersection would result in acceptable LOS operations under future plus project conditions.

None of the revisions identify new significant environmental impacts, nor do any of the revisions result in substantive changes to the Draft EIR. The new information added to the Draft EIR is intended to merely clarify the Draft EIR.

In conclusion, the Sand Creek Road/Bridle Gate Drive intersection would operate acceptably and would effectively accommodate the projected future traffic volumes resulting from buildout of both the PA-1 Specific Plan and the Bridle Gate Project.

The comment indicates that the analysis does not consider the impacts of the PA-1 Specific Plan traffic using Bridle Gate Drive as it relates to freeway operation and vehicle miles traveled (VMT) metrics. Because the modeling used in the PA-1 Specific Plan analysis does include the extension of Bridle Gate Drive to Sand Creek Road under Future conditions, as well as the extensions of Heidorn Ranch Road and Sand Creek Road which will provide an additional connection from the western Plan area to the State Route (SR) 4 Sand Creek Road interchange, the potential impacts to the SR 4 freeway facility are fully considered. Similarly, the modeling used in the VMT analysis also includes these roadway connections with corresponding routing and trip lengths; as such, the modeling also fully considers the presence of the Bridle Gate Drive extension to the PA-1 Specific Plan Area.

The commenter also requests that an analysis be performed of the proportional cost sharing for the roadway bridge that will need to be constructed across Sand Creek on Bridle Gate Drive. The City of Brentwood's Development Fee Program ("Program"), codified in Brentwood Municipal Code 16.130, augments the General Plan, Infrastructure Master Plans and Capital Improvement Program to ensure certain required master facilities needed to serve future growth are adequately funded and costs are apportioned to the various types of development in the form of development impact fees. To the extent that there are master facilities in the Bridle Gate project, the proportionate share of the master facility costs from developments in PA-1 (as well as the rest of the City) will be covered by payment of impact fees from said developments. To the extent that the Bridle Gate project constructs these master facilities, Bridle Gate will be provided impact fee credits under the terms of the Program. In similar fashion, payment of impact fees from the Bridle Gate project will satisfy its "proportional cost share" of master facilities within PA-1. More specifically, the roadway bridge over Sand Creek on Bridle Gate Drive (part of Capital Parkway) is included in the City's CIP. As noted in the CIP, a portion of the funding for this improvement will be reimbursed from the City's Development Impact Fee Program.

Additionally, major regional roadway projects including the extension of Sand Creek Road to Heidorn Ranch Road are included in the *2017 Contra Costa Congestion Management Program (CMP)*, which includes projects that are funded through multiple sources including state and federal programs and development-related local fee programs. Through such fee programs, the PA-1 Specific Plan Project will satisfy its obligation toward constructing the roadway improvements, as will subsequent development projects within the PA-1 Specific Plan Area. As such, it is unnecessary to calculate proportional share costs of the Sand Creek bridges through the PA-1 Specific Plan EIR process.

Response E-3: Cumulative impacts associated with future development of the PA-1 Specific Plan Area are discussed in Chapter 4.0, Other CEQA-Required Topics, of the Draft EIR. As stated in this Chapter, the Draft EIR uses the projection approach for the cumulative analysis consistent with Section 15130 of the CEQA Guidelines and considers the development anticipated to occur upon buildout of the Brentwood General Plan. The projection approach uses a summary of projections in adopted General Plans or related planning documents to identify potential cumulative impacts. Although the Bridle Gate Project was not specifically mentioned in Chapter 4.0 of the Draft EIR, development of the Bridle Gate Project site with similar uses as are currently proposed was assumed in the cumulative impact analysis.

The cumulative (Future) traffic analysis in the Draft EIR reflects conditions in the year 2040 occurring from development within Brentwood and the surrounding region as projected by the Contra Costa Transportation Authority (CCTA) travel demand model, including completion of circulation network improvements contained in the model. The CCTA 2040 model includes the completion of circulation projects identified in the

CMP including the extensions of major roadways such as Sand Creek Road from SR 4 to Hillcrest Avenue, Hillcrest Avenue south to Balfour Road, Heidorn Ranch Road to Sand Creek Road, and construction of Bridle Gate Drive from the southern boundary of the Specific Plan Area to San Jose Avenue.

Response E-4: This comment is noted. This comment serves as a conclusion to the comment letter and does not warrant a response. No further response is necessary.


SAN FRANCISCO BAY AREA RAPID TRANSIT DISTRICT

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2018

July 27, 2018

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7TH DISTRICT

Nicholas Josefowitz
8TH DISTRICT

Bevan Dufty
9TH DISTRICT

RE: City of Brentwood Priority Area 1 Specific Plan and Draft Environmental Impact Report

Dear Mr. Nolthenius,

Thank you for the opportunity to submit comments on the City of Brentwood Priority Area 1 Specific Plan (PA-1) and Draft Environmental Impact Report. The San Francisco Bay Area Rapid Transit District is excited to see this project moving forward and is encouraged that the publishing of this Specific Plan and Draft EIR will bring the City of Brentwood closer to achieving the goals set forward in the 2014 Brentwood General Plan.

BART is supportive of the advancement of the PA-1 Specific Plan and specifically supportive of the projects goal to “support the construction of a transit station surrounded by transit-oriented development.” The project’s goal is in line with BART’s Station Access Policy, adopted June 2016, which seeks to promote safe access to BART, invest in active transportation modes to improve public health, prioritize sustainable access modes with the lowest greenhouse gas and pollutant emissions per trip, and to reduce the access mode share of the automobile by enhancing multi-modal access to and from BART stations in partnership with communities and access providers, and a transit center in Brentwood would support BART’s Station Access Policy objectives by connecting Brentwood residents to the BART system by all modes.

As part of BART’s eBART Next Segment Study, options were explored for a possible extension of the eBART project beyond the Phase I terminus Antioch Station at Hillcrest Avenue with the goal of identifying the most suitable alignment for the extension and the location of a future terminus station.

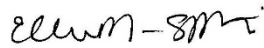
Following completion of the eBART Next Segment Study, in the Spring of 2017 the BART Board of Directors adopted a resolution in support of the City’s advancement of Brentwood Transit Center and the Mokelumne Trail Bridge, further demonstrating BART’s commitment to improving access for residents in Brentwood.

www.bart.gov

BART will continue to partner with the City of Brentwood, CCTA, Tri Delta Transit and all other relevant agencies to advance planning of the interim Tri Delta Transit park-and-ride facility, and a possible future transit station and Mokelumne Trail Bridge.

Thank you for your consideration of our comments. We also look forward to continuing our collaboration on future phases of the project. Please do not hesitate to contact me or Rachel Russell (rrussel@bart.gov), BART Senior Planner, at (510) 287-4709 if you have any questions or comments about this letter.

Sincerely,



Ellen Smith
Group Manager
Strategic Planning, BART

F-1
cont'd

Response to Letter F: Ellen Smith, San Francisco Bay Area Rapid Transit District

Response F-1: This comment is noted. The commenter summarizes their support for the PA-1 Specific Plan, specifically related to the proposed eBART station. No further response is necessary.

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This section includes minor edits and changes to the Draft EIR. These modifications resulted from responses to comments received during the public review period for the Draft EIR, as well as City staff-initiated edits to clarify language.

Revisions herein do not result in new significant environmental impacts, do not constitute significant new information, nor do they alter the conclusions of the environmental analysis that would warrant recirculation of the Draft EIR pursuant to State CEQA Guidelines Section 15088.5.

Other minor changes to various sections of the Draft EIR are also shown below. All changes are provided in revision marks with underline for new text and ~~strike-out for deleted text~~.

3.1 REVISIONS TO THE DRAFT EIR

TOC TABLE OF CONTENTS

No changes were made to Chapter TOC of the Draft EIR.

ES EXECUTIVE SUMMARY

The following change was made to page ES-1 of Chapter ES of the Draft EIR:

The PA-1 Specific Plan Area is defined as the approximately 431.27-acre area in the northwestern portion of the City of Brentwood, designated as PA-1. The Specific Plan Area is located south of Lone Tree Way, west of Shady Willow Lane, generally north of Sand Creek, and east of Heidorn Ranch Road. State Route 4 (SR 4) traverses the Specific Plan Area from north to south and bisects the area nearly in half. An existing East Bay Municipal Utilities District (EBMUD) aqueduct crosses the Specific Plan Area from east to west on the western side of SR 4, and from northwest to southeast on the eastern side of SR 4. The Los Vaqueros Pipeline, owned and operated by the Contra Costa Water District (CCWD), crosses the Specific Plan Area from north to south on the eastern side of SR 4. Existing uses within the Specific Plan Area include vacant land, agricultural fields, ranchette homes, churches, and commercial uses (including Lone Tree Plaza and Brentwood Station).

1.0 INTRODUCTION

No changes were made to Chapter 1.0 of the Draft EIR.

2.0 PROJECT DESCRIPTION

The following change was made to page 2.0-3 of Chapter 2.0 of the Draft EIR:

The 431.27-acre area includes all of the land area within the Specific Plan Area boundary, including all taxable and non-taxable parcels, the on-site aqueduct, the on-site local roadway right-of-way, and the on-site SR 4 right-of-way. Approximately 368.32 acres of the total Specific Plan Area are designated by the City's General Plan land use map for urban use. The remaining approximately 62.95 acres consist of EBMUD aqueduct, Contra Costa Water District (CCWD) Los Vaqueros Pipelines, roadway right-of-way, and SR 4 right-of-way and currently bear no General Plan land use designation.

3.1 AESTHETICS AND VISUAL RESOURCES

No changes were made to Chapter 3.1 of the Draft EIR.

3.2 AGRICULTURAL RESOURCES

No changes were made to Chapter 3.2 of the Draft EIR.

3.3 AIR QUALITY

No changes were made to Chapter 3.3 of the Draft EIR.

3.4 BIOLOGICAL RESOURCES

No changes were made to Chapter 3.4 of the Draft EIR.

3.5 CULTURAL AND TRIBAL RESOURCES

No changes were made to Chapter 3.5 of the Draft EIR.

3.6 GEOLOGY AND SOILS

No changes were made to Chapter 3.6 of the Draft EIR.

3.7 GREENHOUSE GASES AND CLIMATE CHANGE

No changes were made to Chapter 3.7 of the Draft EIR.

3.8 HAZARDS AND HAZARDOUS MATERIALS

No changes were made to Chapter 3.8 of the Draft EIR.

3.9 HYDROLOGY AND WATER QUALITY

No changes were made to Chapter 3.9 of the Draft EIR.

3.10 LAND USE AND POPULATION

No changes were made to Chapter 3.10 of the Draft EIR.

3.11 NOISE

No changes were made to Chapter 3.11 of the Draft EIR.

3.12 PUBLIC SERVICES AND RECREATION

No changes were made to Chapter 3.12 of the Draft EIR.

3.13 TRANSPORTATION AND CIRCULATION

The following changes were made to page 3.14-2 of Chapter 3.14 of the Draft EIR:

DIRECTOR'S POLICY 22: "DIRECTOR'S POLICY ON CONTEXT SENSITIVE SOLUTIONS"

Director's Policy 22, a policy regarding the use of "Context Sensitive Solutions" on all State highways, was adopted by Caltrans in November of 2001. The policy reads:

The Department uses "Context Sensitive Solutions" as an approach to plan, design, construct, maintain, and operate its transportation system. These solutions use innovative and inclusive approaches that integrate and balance community, aesthetic, historic, and environmental values with transportation safety, maintenance, and performance goals. Context sensitive solutions are reached through a collaborative, interdisciplinary approach involving all stakeholders.

The context of all projects and activities is a key factor in reaching decisions. It is considered for all State transportation and support facilities when defining, developing, and evaluating options. When considering the context, issues such as funding feasibility, maintenance feasibility, traffic demand, impact on alternate routes, impact on safety, and relevant laws, rules, and regulations must be addressed.

CALIFORNIA TRANSPORTATION PLAN 2050

The California Transportation Plan (CTP) 2050 is the state's long-range transportation plan that establishes an aspirational vision that articulates strategic goals, policies, and recommendations to improve multimodal mobility and accessibility while reducing greenhouse gas emissions.

The purpose of the CTP is to present innovative, sustainable, and integrated multimodal mobility solutions. These will help guide the planning and implementation of a low-carbon

transportation system that fosters economic vitality, protects the environment and natural resources, and promotes health and well-being equitably for all Californians. The CTP 2050 update will focus on meeting current and emerging trends and challenges affecting transportation, including economic and job growth, air quality and climate impacts, new technologies, freight movement, transportation funding, and public health.

REGIONAL

Metropolitan Transportation Commission (MTC)

The current Regional Transportation Plan (RTP) produced by MTC, *Plan Bay Area 2040*, was adopted in July 2017~~2013~~. Plan Bay Area sets forth regional transportation policy and provides capital program planning for all regional, State, and Federally funded projects. In addition, Plan Bay Area provides strategic investment recommendations to improve regional transportation system performance over the next 25 years. Investments in regional highway, transit, local roadway, bicycle, and pedestrian projects are set forth. These projects have been identified through regional and local transportation planning processes, and in Contra Costa County include those projects listed in the CCTA's Congestion Management Program. Project recommendations are premised upon factors related to existing infrastructure maintenance, increased transportation system efficiencies, improved traffic and transit operations, and strategic expansions of the regional transportation system.

The following changes were made to page 3.14-12 of Chapter 3.14 of the Draft EIR:

A map of ~~proposed and~~ existing and planned bicycle ~~and pedestrian~~ facilities in Brentwood, as included in the *Countywide Bicycle and Pedestrian Master Plan*, is shown in Figure 3.14-4. It is noted that a 0.14-mile long section of the Mokelumne Trail east of SR 4 and west of Mojave Drive is not yet complete.

The following changes were made to page 3.14-13 of Chapter 3.14 of the Draft EIR:

BAY AREA RAPID TRANSIT

The Bay Area Rapid Transit (BART) District provides regional heavy-rail transit services within Contra Costa, Alameda, San Francisco and San Mateo Counties, with construction underway to extend service to Santa Clara County. Currently, the nearest BART station is in Pittsburg/Bay Point; however, a supplementary service, eBART, is under construction to connect communities east of Pittsburg with BART. eBART ~~will~~ is not be an extension of the BART trains, but ~~would be~~ is a supplementary rail service to coordinate with the arrival/departure of BART trains at the Pittsburg/Bay Point Station. The extension to Antioch was completed and opened in Spring 2018.

There are long-term plans to extend the eBART service beyond Antioch. In 2014, a report was published titled *eBART Next Segment Study* which explored the options for an extension of the eBART project beyond the Antioch Station at Hillcrest Avenue. The study

suggested multiple potential station locations in Brentwood, one of which is within the center of the PA-1 Specific Plan Area in the SR 4 median near the Mokelumne aqueduct. The platform would be accessible via a separately-planned bicycle and pedestrian crossing of SR 4.

The following change was made to page 3.14-14 of Chapter 3.14 of the Draft EIR:

Truck Routes

Currently, Lone Tree Way and SR 4 are designated as truck routes. The City Municipal Code allows truck drivers to use other city streets as well, provided those streets comprise the most direct route between the nearest truck route and the freight origin or destination, unless such movements are expressly prohibited by posted signs.

The following change was made to page 3.14-26 of Chapter 3.14 of the Draft EIR:

Freeway Operation

For Existing Plus Project conditions, freeway delay was projected using the CCTA travel demand forecasting model. This average delay was used to calculate the congested travel time which was then compared to the free-flow travel time to calculate the delay index. The SR 4 study freeway segment is projected to operate acceptably with a delay index of no more than 1.06, which is less than the maximum allowable threshold of 2.5. A summary of the Existing Plus Project delay index on SR 4 – SR 160 to Balfour Road freeway facility peak hour LOS is shown in Table 3.14-12.

The following change was made to page 3.14-34 of Chapter 3.14 of the Draft EIR:

Freeway Operation

For Future Plus Project conditions, freeway delay was projected using the CCTA travel demand forecasting model. The SR 4 study freeway segment is projected to operate acceptably with a delay index of no more than 1.38, which is less than the maximum allowable threshold of 2.5. A summary of the Future Plus Project delay index on SR 4 – SR 160 to Balfour Road freeway facility peak hour LOS is shown in Table 3.14-14.

The following changes were made to page 3.14-36 of Chapter 3.14 of the Draft EIR:

- Sufficient space appears to be available to accommodate the additional northbound left-turn lane by reducing the widths of the existing raised median as well as the travel lanes on the approach. With implementation of Mitigation Measure 3.14-15, in addition to Mitigation Measure 3.14-10, this intersection is projected to operate acceptably during both peak hours, reducing the impact to less than significant.

- Sand Creek Road/Bridle Gate Drive: The improvement of this intersection is currently included in the City's Development Fee Program, as updated in November 2017 by the City Council's adoption of Resolution No. 2017-146. (Note that Bridle Gate Drive is referred to as "Capital Parkway" in the Fee Program.)

Upon the addition of traffic associated with the buildout of the PA-1 Specific Plan area to these Future conditions, operation at the intersection is projected to remain acceptable at LOS C during the a.m. peak hour but would be unacceptable at LOS E during the p.m. peak hour, if the intersection was built to standard lane configurations (i.e., signalized with standard turning lane configurations including single left-turn and right-turn lanes on all approaches in addition to the through lanes). However, the City of Brentwood has established a practice of designing circulation improvements to maximize functionality and preserve the applicable LOS threshold. Here, that would entail designing this intersection to include two left-turn lanes and a shared through/right-turn lane instead of single left, through, and right-turn lanes. This configuration would result in the intersection operating acceptably at LOS C during both peak hours, and would more efficiently serve the high volume of southbound left-turns while still providing sufficient capacity for the relatively low through and right-turn volumes. This configuration would result in the same number of lanes on the southbound approach as the standard configuration (three lanes), would be accommodated within the right-of-way width identified in the City's Standard Plans and Specifications, and can be incorporated into the intersection's design plans with no adverse traffic implications to the proposed Bridle Gate project. Accordingly, it can be concluded that the intersection will operate acceptably, effectively accommodating the projected future traffic volumes including buildout of both the PA-1 Specific Plan and the proposed Bridle Gate project.

3.14 UTILITIES

No changes were made to Chapter 3.14 of the Draft EIR.

4.0 OTHER CEQA-REQUIRED TOPICS

No changes were made to Chapter 4.0 of the Draft EIR.

5.0 ALTERNATIVES TO THE PROPOSED PROJECT

No changes were made to Chapter 5.0 of the Draft EIR.

6.0 REPORT PREPARERS

No changes were made to Chapter 6.0 of the Draft EIR.

7.0 REFERENCES

No changes were made to Chapter 7.0 of the Draft EIR.

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This document is the Final Mitigation Monitoring and Reporting Program (FMMRP) for the Priority Area 1 (PA-1) Specific Plan Project (Project). This FMMRP has been prepared pursuant to Section 21081.6 of the California Public Resources Code, which requires public agencies to “adopt a reporting and monitoring program for the changes made to the project or conditions of project approval, adopted in order to mitigate or avoid significant effects on the environment.” A FMMRP is required for the proposed PA-1 Specific Plan because the EIR has identified significant adverse impacts, and measures have been identified to mitigate those impacts.

The numbering of the individual mitigation measures follows the numbering sequence as found in the Draft EIR, some of which were revised after the Draft EIR were prepared. These revisions are shown in Chapter 3.0 of the Final EIR. All revisions to mitigation measures that were necessary as a result of responding to public comments and incorporating staff-initiated revisions have been incorporated into this FMMRP.

4.1 MITIGATION MONITORING AND REPORTING PROGRAM

The FMMRP, as outlined in the following table, describes mitigation timing, monitoring responsibilities, and compliance verification responsibility for all mitigation measures identified in this Final EIR.

The City of Brentwood will be the primary agency responsible for implementing the mitigation measures and will continue to monitor mitigation measures that are required to be implemented during the operation of the PA-1 Specific Plan.

The FMMRP is presented in tabular form on the following pages. The components of the FMMRP are described briefly below:

- **Mitigation Measures:** The mitigation measures are taken from the Draft EIR in the same order that they appear in that document.
- **Mitigation Timing:** Identifies at which stage of the Project mitigation must be completed.
- **Monitoring Responsibility:** Identifies the agency that is responsible for mitigation monitoring.
- **Compliance Verification:** This is a space that is available for the monitor to date and initial when the monitoring or mitigation implementation took place.

TABLE 4.0-1: MITIGATION MONITORING AND REPORTING PROGRAM

ENVIRONMENTAL IMPACT	MITIGATION MEASURE	MONITORING RESPONSIBILITY	TIMING	VERIFICATION (DATE/INITIALS)
AGRICULTURAL RESOURCES				
Impact 3.2-1: Specific Plan implementation would result in the conversion of farmlands, including Prime Farmland, Unique Farmland, and Farmland of Statewide Importance	<p>Mitigation Measure 3.2-1: <i>As future development projects within the PA-1 Specific Plan Area are approved by the City, the Project applicant(s) must preserve agricultural lands by one of the following mechanisms, consistent with Chapter 17.730 of the Brentwood Municipal Code (Ord. 877 § 2, 2010):</i></p> <ol style="list-style-type: none"> 1. <i>Granting an agricultural conservation easement to or for the benefit of the city and/or a qualified land trust approved by the city on agricultural land deemed acceptable by the city. The easement shall encumber the exact acreage of the proposed entitlement, including any land used for park and recreation purposes and may encumber land acquired by the city and/or qualified land trust in fee; or</i> 2. <i>Payment of 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.</i> 	City of Brentwood Community Development Department	Prior to the conversion of agricultural land on the Specific Plan Area	
BIOLOGICAL RESOURCES				
Impact 3.4-1: Implementation of the proposed PA-1 Specific Plan could have a substantial adverse effect, either directly or through habitat modifications, on a 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 Wildlife or U.S. Fish and Wildlife Service	<p>Mitigation Measure 3.4-1: <i>Future project proponent(s) of development projects within the Specific Plan Area shall implement the following measure to avoid or minimize impacts on special-status species:</i></p> <ul style="list-style-type: none"> • <i>Preconstruction surveys for Alameda whipsnake, giant garter snake, San Joaquin coachwhip, and western pond turtle shall be conducted by a qualified biologist in all areas of suitable habitat within 500 feet of project disturbance. Surveys shall be conducted within 24 hours before project disturbance.</i> • <i>If Alameda whipsnake or San Joaquin coachwhip are found during preconstruction surveys, activities within 200 feet of the find shall cease until appropriate corrective measures have been completed or it is determined by the qualified biologist and City staff, in coordination with USFWS and CDFW, that the species will not be harmed by the continuation of activities. Any sightings or incidental take shall be reported to USFWS and CDFW immediately.</i> • <i>If giant garter snake is found during preconstruction surveys, activities within 200 feet of the find shall cease until appropriate</i> 	City of Brentwood Community Development Department	Prior to site disturbance	

ENVIRONMENTAL IMPACT	MITIGATION MEASURE	MONITORING RESPONSIBILITY	TIMING	VERIFICATION (DATE/INITIALS)
	<p><i>corrective measures have been completed or it is determined by the qualified biologist and City staff, in coordination with USFWS and CDFW, that the giant garter snake will not be harmed by the continuation of activities. Any sightings or incidental take shall be reported to USFWS and CDFW immediately.</i></p> <ul style="list-style-type: none"> • <i>If western pond turtles are found during preconstruction surveys, a qualified biologist, with approval from CDFW, shall move the turtles to the nearest suitable habitat outside the area subject to project disturbance. The construction area shall be reinspected whenever a lapse in construction activity of 2 weeks or more has occurred.</i> • <i>Construction personnel performing activities within aquatic habitats and adjacent suitable uplands to be disturbed by project activities shall receive worker environmental awareness training from a qualified biologist to instruct workers to recognize western pond turtle, their habitats, and measures being implemented for its protection.</i> • <i>Construction personnel shall observe a 15-miles-per-hour speed limit on unpaved roads.</i> <p>Mitigation Measure 3.4-2: <i>Prior to any ground disturbance, a preconstruction survey of the parcel(s) to be developed shall be completed for burrowing owl in accordance with CDFW survey guidelines (California Department of Fish and Game 1995). On the parcel where the activity is proposed, the biologist shall survey the proposed disturbance footprint and a 500-foot radius from the perimeter of the proposed footprint to identify burrows and owls. Adjacent parcels under different land ownership need not be surveyed. Surveys shall take place near sunrise or sunset in accordance with CDFW guidelines. All burrows or burrowing owls shall be identified and mapped. Surveys shall take place no earlier than 30 days prior to construction. During the breeding season (February 1 to August 31), surveys shall document whether burrowing owls are nesting in or directly adjacent to disturbance areas. During the nonbreeding season (September 1 to January 31), surveys shall document whether burrowing owls are using habitat in or directly adjacent to any disturbance area. Survey results shall be valid only for the season (breeding or nonbreeding) during which the survey is conducted. If burrowing owls and/or suitable burrows are not discovered, then further</i></p>	<p>City of Brentwood Community Development Department</p>	<p>Prior to any ground disturbance</p>	

ENVIRONMENTAL IMPACT	MITIGATION MEASURE	MONITORING RESPONSIBILITY	TIMING	VERIFICATION (DATE/INITIALS)
	<p><i>mitigation is not necessary. If burrowing owls and/or burrows are identified in the survey area, Mitigation Measure 3.4-3 shall be implemented.</i></p> <p>Mitigation Measure 3.4-3: <i>If burrowing owls are found during the breeding season (February 1 to August 31), the project proponent(s) 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. Avoidance shall include establishment of a non-disturbance buffer zone (described below). 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 nonbreeding season (September 1 to January 31), the project proponent(s) shall avoid the owls and the burrows they are using, if possible. Avoidance shall include the establishment of a buffer zone (described below). During the breeding season, buffer zones of at least 250 feet in which no construction activities can occur shall be established around each occupied burrow (nest site). Buffer zones of 160 feet shall be established around each burrow being used during the nonbreeding season. The buffers shall be delineated by highly visible, temporary construction fencing.</i></p> <p><i>If occupied burrows for burrowing owls cannot be 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 reoccupation (California Department of Fish and Game 1995). 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.</i></p> <p>Mitigation Measure 3.4-4: <i>Prior to any ground disturbance conducted during the Swainson's hawk nesting season (March 15 to September 15), a USFWS/CDFW-approved biologist shall conduct a preconstruction survey for Swainson's hawk no earlier than 30 days prior to construction in order to establish whether occupied Swainson's hawk nests are located within 1,000 feet of the parcel(s) to be developed. If any potentially-occupied nests within</i></p>	<p>City of Brentwood Community Development Department</p> <p>City of Brentwood Community</p>	<p>If burrowing owls are found during the breeding season (February 1 to August 31)</p> <p>Prior to any ground disturbance conducted</p>	

ENVIRONMENTAL IMPACT	MITIGATION MEASURE	MONITORING RESPONSIBILITY	TIMING	VERIFICATION (DATE/INITIALS)
	<p>1,000 feet are off the project site, then their occupancy shall 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 3.4-5 shall be implemented. If occupied nests are not found, further mitigation is not necessary.</p> <p>Mitigation Measure 3.4-5: During the Swainson's hawk nesting season (March 15 to September 15), construction 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 City of Brentwood may coordinate with CDFW/USFWS to determine the appropriate buffer size. If young fledge prior to September 15, construction 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 City of Brentwood 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.</p> <p>All active nest trees shall be preserved on site, if feasible. Feasibility shall be determined in conjunction with the City of Brentwood. Nest trees, including non-native trees, lost to construction activities shall be mitigated by the project proponent according to the requirements of Mitigation Measure 3.4-6.</p> <p>Mitigation Measure 3.4-6: The loss of non-riparian Swainson's hawk nest trees shall be mitigated by the project proponent(s) by:</p> <ul style="list-style-type: none"> Planting 15 saplings onsite for every tree lost with the objective of having at least 5 mature trees established for every tree lost according to the requirements below. The project proponent shall plant, maintain, and monitor 15 saplings for every tree lost at a site to be approved by the City of Brentwood, according to the requirements listed below. If onsite planting is not feasible, the 	<p>Development Department</p> <p>City of Brentwood Community Development Department</p> <p>City of Brentwood Community Development Department</p>	<p>during the Swainson's hawk nesting season (March 15 to September 15)</p> <p>During construction activities which occur during the Swainson's hawk nesting season (March 15 to September 15)</p> <p>Prior to approval of improvements plans</p>	

ENVIRONMENTAL IMPACT	MITIGATION MEASURE	MONITORING RESPONSIBILITY	TIMING	VERIFICATION (DATE/INITIALS)
	<p><i>applicant shall work with the City of Brentwood to provide a combination of on- and off-site plantings.</i></p> <p><i>The following requirements shall be met for all planting options:</i></p> <ul style="list-style-type: none"> • <i>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 shall be replaced. Success shall 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 3 years without irrigation.</i> • <i>As determined by an arborist, irrigation and fencing to protect from deer and other herbivores may be needed for the first several years to ensure maximum tree survival.</i> • <i>Native trees suitable for this site shall be planted. When site conditions permit, a variety of native trees shall 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 to 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.</i> • <i>Riparian woodland restoration conducted as a result of construction 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, with City approval.</i> • <i>As determined by the City, whenever feasible and when site conditions permit, trees shall 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).</i> • <i>As determined by the City, whenever feasible, plantings on the site shall occur closest to suitable foraging habitat outside the Urban Development Area (UDA).</i> • <i>Trees planted in the HCP/NCCP preserves or other approved offsite location shall occur within the known range of Swainson's hawk in</i> 			

ENVIRONMENTAL IMPACT	MITIGATION MEASURE	MONITORING RESPONSIBILITY	TIMING	VERIFICATION (DATE/INITIALS)
	<p><i>the inventory area and as close as possible to high-quality foraging habitat.</i></p> <ul style="list-style-type: none"> • Mitigation Measure 3.4-7: Future project proponent(s) of development projects within the Specific Plan Area shall implement the following measure to avoid or minimize impacts California horned lark, grasshopper sparrow, tricolored blackbird, and white-tailed kite that may occur on the site: <ul style="list-style-type: none"> • <i>Preconstruction surveys for active nests of California horned lark, grasshopper sparrow, tricolored blackbird, and white-tailed kite shall be conducted by a qualified biologist in all areas of suitable habitat within 500 feet of project disturbance. Surveys shall be conducted within 14 days before commencement of any construction activities that occur during the nesting season (February 15 to August 31) in a given area.</i> • <i>If any active nests, or behaviors indicating that active nests are present, are observed, appropriate buffers around the nest sites shall be determined by a qualified biologist to avoid nest failure resulting from project activities. The size of the buffer shall depend on the species, nest location, nest stage, and specific construction activities to be performed while the nest is active. The buffers may be adjusted if a qualified biologist determines it would not be likely to adversely affect the nest. If buffers are adjusted, monitoring will be conducted to confirm that project activity is not resulting in detectable adverse effects on nesting birds or their young. No project activity shall commence within the buffer areas until a qualified biologist has determined that the young have fledged or the nest site is otherwise no longer in use.</i> <p>Mitigation Measure 3.4-8: Prior to any ground disturbance related to construction activities, a biologist shall conduct a preconstruction survey in areas which may support suitable breeding or denning habitat for San Joaquin kit fox. The survey shall establish the presence or absence of San Joaquin kit fox and/or suitable dens and evaluate use by kit foxes in accordance with USFWS survey guidelines (USFWS, 1999). Preconstruction surveys shall be conducted not earlier than 30 days from commencing ground disturbance. On the parcel where activity is proposed, the biologist shall survey the proposed</p>	<p>City of Brentwood Community Development Department</p> <p>City of Brentwood Community Development Department</p>	<p>Prior to any ground disturbance</p> <p>Prior to any ground disturbance related to construction activities</p>	

ENVIRONMENTAL IMPACT	MITIGATION MEASURE	MONITORING RESPONSIBILITY	TIMING	VERIFICATION (DATE/INITIALS)
	<p>disturbance footprint and a 250-foot radius from the perimeter of the proposed footprint to identify San Joaquin kit fox and/or suitable dens. Adjacent parcels under different land ownership need not be surveyed. The status of all dens shall be determined and mapped. Written result of preconstruction surveys shall be submitted to the USFWS within 5 working days after survey completion and before start of ground disturbance. Concurrence by the USFWS is not required prior to initiation of construction activities. If San Joaquin kit fox and/or suitable dens are not discovered, then further mitigation is not necessary. If San Joaquin kit fox and/or suitable dens are identified in the survey area, Mitigation Measure 3.4-9 shall be implemented.</p> <p>Mitigation Measure 3.4-9: If a San Joaquin kit fox den is discovered in the proposed development footprint, the den shall be monitored for 3 days by a CDFW/USFWS-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, the 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 can be discouraged by partially plugging the entrance with soil such that any resident animal can 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 judgement of a biologist, it is temporarily vacant (i.e., during the animal's normal foraging activities).</p> <p>Mitigation Measure 3.4-10: Future project proponent(s) of development projects within the Specific Plan Area shall implement the following measures to avoid or minimize impacts on bats:</p>	<p>City of Brentwood Community Development Department</p> <p>City of Brentwood Community</p>	<p>If a San Joaquin kit fox den is discovered in the proposed development footprint</p> <p>If removal of suitable roosting areas (i.e. buildings,</p>	

ENVIRONMENTAL IMPACT	MITIGATION MEASURE	MONITORING RESPONSIBILITY	TIMING	VERIFICATION (DATE/INITIALS)
	<ul style="list-style-type: none"> <i>If removal of suitable roosting areas (i.e. buildings, trees, shrubs, bridges, etc.) must occur during the bat pupping season (April 1 through July 31), surveys for active maternity roosts shall be conducted by a qualified biologist. The surveys shall be conducted from dusk until dark.</i> <i>If a special-status bat maternity roost is located, appropriate buffers around the roost sites shall be determined by a qualified biologist and implemented to avoid destruction or abandonment of the roost resulting from habitat removal or other project activities. The size of the buffer shall depend on the species, roost location, and specific construction activities to be performed in the vicinity. No project activity shall commence within the buffer areas until the end of the pupping season (August 1) or until a qualified biologist conforms the maternity roost is no longer active.</i> <p>Mitigation Measure 3.4-11: <i>Prior to construction in undisturbed areas along the Sand Creek corridor, future project proponent(s) shall retain a biologist to perform plant surveys. The surveys shall be performed during the floristic season. If any of these plants are found during the surveys, the project proponent(s) shall contact the CNPS to obtain the appropriate avoidance and minimization measures.</i></p>	<p>Development Department</p> <p>City of Brentwood Community Development Department</p>	<p>trees, shrubs, bridges, etc.) must occur during the bat pupping season (April 1 through July 31)</p> <p>Prior to construction in undisturbed areas along the Sand Creek corridor</p>	
CULTURAL AND TRIBAL RESOURCES				
<p>Impact 3.5-1: Implementation of the proposed PA-1 Specific Plan has the potential to cause a substantial adverse change to a significant historical resource, as defined in CEQA Guidelines §15064.5, or a significant tribal cultural resource, as defined in Public Resources Code §21074</p>	<p>Mitigation Measure 3.5-1: <i>All construction workers shall receive a sensitivity training session before they begin site work within the Plan Area. The sensitivity training shall inform the workers of their responsibility to identify and protect any cultural resources, including prehistoric or historic artifacts, or other indications of archaeological resources, within the project site. The sensitivity training shall cover laws pertaining to cultural resources, examples of cultural resources that may be discovered in the project site, and what to do if a cultural resource, or anything that may be a cultural resource, is discovered.</i></p> <p><i>If any subsurface historic remains, prehistoric or historic artifacts, paleontological resources, other indications of archaeological resources, or cultural and/or tribal resources are found during grading and construction activities, all work within 100 feet of the find shall cease, the City of Brentwood</i></p>	<p>City of Brentwood Community Development Department</p> <p>Qualified archaeologist</p>	<p>Prior to site work</p>	

ENVIRONMENTAL IMPACT	MITIGATION MEASURE	MONITORING RESPONSIBILITY	TIMING	VERIFICATION (DATE/INITIALS)
	<p><i>shall be notified, and the applicant shall retain an archaeologist meeting the Secretary of the Interior's Professional Qualifications Standards in prehistoric or historical archaeology, as appropriate, to evaluate the find(s). If tribal resources are found during grading and construction activities, the applicant shall notify the Native American Heritage Commission. If paleontological resources are found during grading and construction activities, a qualified paleontologist shall be retained to determine the significance of the discovery.</i></p> <p><i>The archaeologist and/or paleontologist shall define the physical extent and the nature of any built features or artifact-bearing deposits. The investigation shall proceed immediately into a formal evaluation to determine the eligibility of the feature(s) for inclusion in the California Register of Historical Resources. The formal evaluation shall include, at a minimum, additional exposure of the feature(s), photo-documentation and recordation, and analysis of the artifact assemblage(s). If the evaluation determines that the feature(s) and artifact(s) do not have sufficient data potential to be eligible for the California Register, additional work shall not be required. However, if data potential exists (e.g., an intact feature is identified with a large and varied artifact assemblage), further mitigation would be necessary, which might include avoidance of further disturbance to the resource(s) through project redesign. If avoidance is determined to be infeasible, additional data recovery excavations shall be conducted for the resource(s), to collect enough information to exhaust the data potential of those resources.</i></p> <p><i>Pursuant to CEQA Guidelines Section 15126.4(b)(3)(C), a data recovery plan, which makes provisions for adequately recovering the scientifically consequential information from and about the resource, shall be prepared and adopted prior to any excavation being undertaken. Such studies shall be deposited with the California Historical Resources Regional Information Center. Data recovery efforts can range from rapid photographic documentation to extensive excavation depending upon the physical nature of the resource. The degree of effort shall be determined at the discretion of a qualified archaeologist and should be sufficient to recover data considered important to the area's history and/or prehistory. Significance determinations for tribal cultural resources shall be measured in terms of criteria for inclusion on the California Register of Historical Resources (Title 14 CCR, §4852[a]), and the definition of tribal cultural resources set forth in</i></p>			

ENVIRONMENTAL IMPACT	MITIGATION MEASURE	MONITORING RESPONSIBILITY	TIMING	VERIFICATION (DATE/INITIALS)
	<p><i>Public Resources Code Section 21074 and 5020.1 (k). The evaluation of the tribal cultural resource(s) shall include culturally appropriate temporary and permanent treatment, which may include avoidance of tribal cultural resources, in-place preservation, and/or re-burial on project property so the resource(s) are not subject to further disturbance in perpetuity. Any re-burial shall occur at a location predetermined between the landowner and the Native American Heritage Commission. The landowner shall relinquish ownership of all sacred items, burial goods, and all archaeological artifacts that are found on the project area to the Native American Heritage Commission for proper treatment and disposition. If an artifact must be removed during project excavation or testing, curation may be an appropriate mitigation.</i></p> <p><i>The language of this mitigation measure shall be included on any future grading plans, utility plans, and subdivision improvement drawings approved by the City for the future development of the Plan Area.</i></p>			
<p>Impact 3.5-2: Implementation of the proposed PA-1 Specific Plan has the potential to cause a substantial adverse change to a significant archaeological resource, as Defined in CEQA Guidelines §15064.5</p>	<p>Implement Mitigation Measure 3.5-1.</p>	<p>See Mitigation Measure 3.5-1</p>	<p>See Mitigation Measure 3.5-1</p>	
<p>Impact 3.5-3: Implementation of the proposed PA-1 Specific Plan has the potential to directly or indirectly destroy a unique paleontological resource</p>	<p>Mitigation Measure 3.5-2: <i>If paleontological resources are discovered during the course of construction, work shall be halted immediately within 50 meters (165 feet) of the discovery, the City of Brentwood shall be notified, and a qualified paleontologist shall be retained to determine the significance of the discovery. If the paleontological resource is considered significant, it should be excavated by a qualified paleontologist and given to a local agency, State University, or other applicable institution, where they could be curated and displayed for public education purposes.</i></p>	<p>City of Brentwood Community Development Department Qualified paleontologist</p>	<p>If paleontological resources are discovered during the course of construction</p>	
<p>Impact 3.5-4: Implementation of the proposed PA-1 Specific Plan has the potential to disturb human remains, including those interred outside of formal cemeteries</p>	<p>Mitigation Measure 3.5-3: <i>Pursuant to CEQA Guidelines Section 15.64.5(e) if human remains are discovered during the course of construction, work shall be halted at the site and any nearby area reasonably suspected to overlie adjacent human remains until the Contra Costa County Coroner has been informed and has determined that no investigation of the cause of death is required.</i></p>	<p>City of Brentwood Community Development Department</p>	<p>If human remains are discovered during the course of construction</p>	

ENVIRONMENTAL IMPACT	MITIGATION MEASURE	MONITORING RESPONSIBILITY	TIMING	VERIFICATION (DATE/INITIALS)
	<p><i>If the Contra Costa County Coroner determines that the remains are of Native American origin, either of the following steps shall be taken:</i></p> <ul style="list-style-type: none"> • <i>The Coroner shall contact the Native American Heritage Commission within 24 hours in order to identify the person or persons the Commission believes to be the most likely descended from the deceased individual. The most likely descendent shall make a recommendation to the landowner or the person responsible for the excavation work, for means of treating or disposing of, with appropriate dignity, the human remains and any associated grave goods as provided in Public Resources Code Section 5097.98, which may include obtaining a qualified archaeologist or team of archaeologists to properly excavate the human remains.</i> • <i>The landowner shall retain a Native American monitor, and an archaeologist, if recommended by the Native American monitor, and rebury the Native American human remains and any associated grave goods, with appropriate dignity, on the property and in a location that is not subject to further subsurface disturbance when any of the following conditions occurs:</i> <ul style="list-style-type: none"> ○ <i>The Native American Heritage Commission is unable to identify a most likely descendent;</i> ○ <i>The descendant identified fails to make a recommendation within 24 hours after being notified by the Commission; or</i> ○ <i>The City of Brentwood or its authorized representative rejects the recommendation of the descendant, and the mediation by the Native American Heritage Commission fails to provide measures acceptable to the landowner.</i> 	Contra Costa County Coroner		
NOISE				
Impact 3.11-1: Implementation of the proposed PA-1 Specific Plan has the potential to increase traffic noise levels at existing receptors	Mitigation Measure 3.11-1: <i>The City shall evaluate the feasibility of resurfacing the following roadway segments with either rubberized asphalt or open gap asphalt: Lone Tree Way, from Heidorn Ranch to Canada Valley; and Heidorn Ranch Road, Lone Tree Plaza to A Street.</i>	City of Brentwood Public Works Department	Prior to approval of improvement plans	
Impact 3.11-2: Implementation of the proposed PA-1 Specific Plan has the potential to expose	Mitigation Measure 3.11-2: <i>Future project proponent(s) of development projects within the Specific Plan Area shall implement the following measure</i>	City of Brentwood Community	Prior to approval of residential	

ENVIRONMENTAL IMPACT	MITIGATION MEASURE	MONITORING RESPONSIBILITY	TIMING	VERIFICATION (DATE/INITIALS)
<p>new sensitive receptors to excessive exterior and interior traffic noise</p>	<p><i>to ensure that new sensitive receptors are not exposed to excessive traffic noise:</i></p> <p><i>Proper residential outdoor activity area setbacks and sound walls shall be maintained for the following roadway segments:</i></p> <ul style="list-style-type: none"> • <i>Shady Willow Lane north of Grant Street: a setback of 112-feet from the roadway centerline, and a soundwall that is 6-feet in height, relative to the building pad elevations, located at the roadway right-of-way.</i> • <i>Shady Willow Lane south of Empire: a setback of 112-feet from the roadway centerline, and a soundwall that is 6-feet in height, relative to the building pad elevations, located at the roadway right-of-way.</i> • <i>East of SR 4: barriers between 6-feet and 8-feet should be sufficient to reduce overall sound levels due to SR 4 traffic.</i> <p><i>Detailed noise analyses shall be conducted for proposed residential development when site plans have been developed. Air conditioning shall be provided to allow residents to close windows and doors to maintain the proper acoustical isolation.</i></p>	<p>Development Department</p>	<p>improvement plans within the vicinity of the following areas / roadway segments: Shady Willow Lane north of Grant Street, Shady Willow Lane south of Empire Avenue, and east of SR 4</p>	
<p>Impact 3.11-6: Implementation of the proposed PA-1 Specific Plan has the potential to expose existing and future sensitive receptors to substantial noise from future eBART train operations</p>	<p>Mitigation Measure 3.11-3: <i>The City shall coordinate with the Bay Area Rapid Transit (BART) District to complete an Environmental Noise Analysis of any future on-site eBART operations when operational data and route locations have been developed. Mitigation measures shall be included in the Environmental Noise Analysis to ensure that existing and future sensitive receptors are not subject to substantial noise from future eBART operations.</i></p>	<p>City of Brentwood Community Development Department Bay Area Rapid Transit</p>	<p>When eBART operational data and route locations have been developed</p>	
<p>TRANSPORTATION AND CIRCULATION</p>				
<p>Impact 3.14-1: Under Existing Plus Project conditions, implementation of the proposed Specific Plan would conflict with the performance measures established by the City of Brentwood and the CCTA</p>	<p>Mitigation Measure 3.14-1: <i>The City shall add the following improvement to the CIP: at the intersection of Lone Tree Way/Heidorn Ranch Road, convert the northbound through lane to a shared through-right turn lane, and add a second westbound left-turn lane. This improvement shall be included in the City of Brentwood CIP and funded through a combination of Developer Impact Fees, developer contribution and/or other possible funding sources in order to support traffic growth generated by Specific Plan development. The City shall</i></p>	<p>City of Brentwood Public Works Department</p>	<p>Upon updating the Brentwood Capital Improvement Plan</p>	

ENVIRONMENTAL IMPACT	MITIGATION MEASURE	MONITORING RESPONSIBILITY	TIMING	VERIFICATION (DATE/INITIALS)
	<p><i>coordinate the design and implementation of the improvement with the City of Antioch, which has jurisdiction over the signal and three of the four intersection corners. The improvement could be made within the existing roadway width and is considered to be feasible.</i></p> <p>Mitigation Measure 3.14-2: <i>The City shall add the following improvement to the CIP: at the intersection of Lone Tree Way/Canada Valley Road, convert the existing eastbound right-turn lane into a through/right-turn lane, and modify the eastern intersection leg to accommodate four eastbound through lanes. This improvement shall be included in the City of Brentwood CIP and funded through a combination of Developer Impact Fees, developer contribution and/or other possible funding sources in order to support traffic growth generated by Specific Plan development. The City shall coordinate the design and implementation of the improvement with the City of Antioch, who has jurisdiction over the signal and two of the four intersection corners. The improvement could be made within the existing roadway width and is considered to be feasible.</i></p> <p>Mitigation Measure 3.14-3: <i>The City shall add the following improvement to the CIP: at the intersection of Lone Tree Way/SR 4 South Ramps, add a second southbound right-turn lane on the off-ramp. This improvement shall be included in the City of Brentwood CIP and funded through a combination of Developer Impact Fees, developer contribution and/or other possible funding sources in order to support traffic growth generated by Specific Plan development. The intersection is under Caltrans jurisdiction; the City shall obtain permits and approvals for the project from Caltrans, and also coordinate with the City of Antioch on the design and implementation since the intersection is abutted by land under Antioch’s jurisdiction. This improvement would require widening of an existing ramp, and it appears that sufficient space within the Caltrans right-of-way is available to construct it, so is therefore considered feasible.</i></p> <p>Mitigation Measure 3.14-4: <i>The City shall add the following improvement to the CIP: at the intersection of Lone Tree Way/SR 4 North Ramps, modify the traffic signal to include an eastbound right-turn overlap phase. This improvement shall be included in the City of Brentwood CIP and funded through a combination of Developer Impact Fees, developer contribution</i></p>	<p>City of Antioch Public Works Department</p> <p>City of Brentwood Public Works Department</p> <p>City of Antioch Public Works Department</p> <p>City of Brentwood Public Works Department</p> <p>City of Antioch Public Works Department</p> <p>California Department of Transportation</p> <p>City of Brentwood</p>	<p>Upon updating the Brentwood Capital Improvement Plan</p> <p>Upon updating the Brentwood Capital Improvement Plan</p> <p>Upon updating the Brentwood Capital Improvement Plan</p>	

ENVIRONMENTAL IMPACT	MITIGATION MEASURE	MONITORING RESPONSIBILITY	TIMING	VERIFICATION (DATE/INITIALS)
	<p><i>and/or other possible funding sources in order to support traffic growth generated by Specific Plan development. The intersection is under Caltrans jurisdiction; the City shall obtain permits and approvals for the project from Caltrans, and also coordinate with the City of Antioch on the design and implementation since the intersection is abutted by land under Antioch's jurisdiction. This improvement is a relatively straightforward and routine traffic signal modification, and is considered to be feasible.</i></p> <p>Mitigation Measure 3.14-5: <i>The City shall add the following improvement to the CIP: at the intersection of Lone Tree Way/Empire Avenue, add a second eastbound left-turn lane. This improvement shall be included in the City of Brentwood CIP and funded through a combination of Developer Impact Fees, developer contribution and/or other possible funding sources in order to support traffic growth generated by Specific Plan development. The City shall coordinate the design and implementation of the improvement with the City of Antioch, who has jurisdiction over the signal and the northern two intersection corners. It appears that the improvement could be made within the existing roadway width by reducing the existing median width and restriping lanes, so is therefore considered to be feasible.</i></p> <p>Mitigation Measure 3.14-6: <i>The City shall work with CCTA to implement the following component of CMP Project #0920: at the intersection of Lone Tree Way/Fairview Avenue, widen Lone Tree Way to provide two eastbound through lanes. This improvement shall be funded through the CMP to support regional and local traffic growth including that generated by Specific Plan development. While the widening is already included in CMP and is considered feasible, it is complex and there is uncertainty as to whether it would be complete within the timeframe of the Existing Plus Project analysis.</i></p> <p>Mitigation Measure 3.14-7: <i>The City shall work with CCTA to implement the following component of CMP Projects #1144 and #0688: at the intersection of Lone Tree Way/O'Hara Avenue, add a right-turn lane on the eastbound approach. This improvement was completed in May of 2018, after completion of the PA-1 EIR traffic analysis. No further mitigation would therefore be required under Existing plus Project conditions.</i></p>	<p>Public Works Department</p> <p>City of Antioch Public Works Department</p> <p>California Department of Transportation</p> <p>City of Brentwood Public Works Department</p> <p>City of Antioch Public Works Department</p> <p>City of Brentwood Public Works Department</p> <p>Contra Costa Transportation Authority</p> <p>City of Brentwood Public Works Department</p>	<p>Upon updating the Brentwood Capital Improvement Plan</p> <p>Upon updating the Congestion Management Program</p> <p>Upon updating the Congestion Management Program</p>	

ENVIRONMENTAL IMPACT	MITIGATION MEASURE	MONITORING RESPONSIBILITY	TIMING	VERIFICATION (DATE/INITIALS)
	<p>Mitigation Measure 3.14-8: The City shall monitor traffic flow at the intersection of Shady Willow Lane/Empire Avenue, optimize the signal timing to accommodate the added traffic associated with development in PA-1 and nearby growth. This improvement entails routine signal maintenance overseen by the City of Brentwood Public Works Department and is considered to be feasible.</p> <p>Mitigation Measure 3.14-9: The City shall add the following improvement to the CIP: at the intersection of Sand Creek Road/Shady Willow Lane, modify the southbound and eastbound approaches to include dual left-turn lanes. This improvement shall be included in the City of Brentwood CIP and funded through a combination of Developer Impact Fees, developer contribution and/or other possible funding sources in order to support traffic generated by growth within the City and Specific Plan area. It appears that the improvement could be made within the existing roadway width by narrowing the existing raised medians and restriping travel lanes, so is therefore considered to be feasible.</p> <p>Mitigation Measure 3.14-10: The City shall add the following improvement to the CIP: at the intersection of Sand Creek Road/Fairview Avenue, convert the existing southbound right-turn lane to a shared through/right-turn lane. This improvement shall be included in the City of Brentwood CIP and funded through a combination of Developer Impact Fees, developer contribution and/or other possible funding sources in order to support traffic generated by growth within the City and Specific Plan area. The improvement could be made within the existing roadway width and is considered to be feasible.</p>	<p>Contra Costa Transportation Authority</p> <p>City of Brentwood Public Works Department</p> <p>City of Brentwood Public Works Department</p> <p>City of Brentwood Public Works Department</p>	<p>As development within the Specific Plan Area proceeds</p> <p>Upon updating the Congestion Management Program</p> <p>Upon updating the Brentwood Capital Improvement Plan</p>	
<p>Impact 3.14-2: Under Future Plus Project conditions, implementation of the proposed Specific Plan may conflict with the performance measures established by the City of Brentwood and the CCTA</p>	<p>Mitigation Measure 3.14-11: The City shall add the following improvement to the CIP: at the intersection of Lone Tree Way/O'Hara Avenue, convert the northbound lane configuration from separate left-turn, through, and right-turn lanes to dual left-turn lanes and a shared through/right-turn lane. This improvement shall be included in the City of Brentwood CIP and funded through a combination of Developer Impact Fees, developer contribution and/or other possible funding sources in order to support traffic generated by growth within the City and the Specific Plan. The improvement could be made within the existing roadway width and is considered to be feasible.</p>	<p>City of Brentwood Public Works Department</p>	<p>Upon updating the Brentwood Capital Improvement Plan</p>	

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	<p>Mitigation Measure 3.14-12: The City shall work with CCTA to incorporate the following improvement into CMP Projects #0688, #0908b, and #1519 at such time that project design is initiated at the Lone Tree Way/Brentwood Boulevard intersection: at the intersection of Lone Tree Way/Brentwood Boulevard, add a second northbound left-turn lane. This improvement shall be funded through the CMP to support regional and local traffic growth including that generated by Specific Plan development. The CMP projects include the widening of Brentwood Boulevard and the intersection at Lone Tree Way; the intent of this mitigation measure is to clarify that dual left-turn lanes need to be incorporated into the design plans. Since the CMP already indicates that Brentwood Boulevard and the intersection shall be widened in the future, this improvement is considered to be feasible.</p> <p>Mitigation Measure 3.14-13: The City shall work with CCTA to incorporate the following improvement into CMP Projects #0767, #0936, #1369, and #1146 at such time that project design is initiated at the Sand Creek Road/Heidorn Ranch Road intersection: at the future intersection of Sand Creek Road/Heidorn Ranch Road, install dual southbound left-turn lanes and a westbound right-turn lane. This improvement shall be funded through the CMP to support regional and local traffic growth including that generated by Specific Plan development. The CMP projects include the extensions of Heidorn Ranch Road and Sand Creek Road as well as signalization of the intersection; the intent of this mitigation measure is to clarify that dual southbound left-turn lanes and a westbound right-turn lane need to be incorporated into the design plans. This improvement is considered to be feasible.</p> <p>Mitigation Measure 3.14-14: The City shall add the following improvement to the CIP: at the intersection of Sand Creek Road/Shady Willow Lane, modify the southbound lane configuration to provide a right-turn lane and shared through/right-turn lane. This improvement shall be included in the City of Brentwood CIP and funded through a combination of Developer Impact Fees, developer contribution and/or other possible funding sources in order to support traffic generated by growth within the City and the Specific Plan. The improvement could be made within the existing roadway width and is considered to be feasible.</p>	<p>City of Brentwood Public Works Department</p> <p>Contra Costa Transportation Authority</p> <p>City of Brentwood Public Works Department</p> <p>Contra Costa Transportation Authority</p> <p>City of Brentwood Public Works Department</p>	<p>Upon updating the Congestion Management Program</p> <p>Upon updating the Congestion Management Program</p> <p>Upon updating the Brentwood Capital Improvement Plan</p>	

<i>ENVIRONMENTAL IMPACT</i>	<i>MITIGATION MEASURE</i>	<i>MONITORING RESPONSIBILITY</i>	<i>TIMING</i>	<i>VERIFICATION (DATE/INITIALS)</i>
	Mitigation Measure 3.14-15: <i>At the intersection of Sand Creek Road/Fairview Avenue, add a second left-turn lane on the northbound approach.</i>	City of Brentwood Public Works Department	Upon updating the Brentwood Capital Improvement Plan	