

CITY OF BRENTWOOD  
COMMUNITY DEVELOPMENT DEPARTMENT



**PARKSIDE VILLAS**  
**REZONE NO. 05-20**  
**VESTING TENTATIVE SUBDIVISION MAP NO. 8982**  
**DESIGN REVIEW NO. 05-25**

INITIAL STUDY AND  
NEGATIVE DECLARATION

MAY 2005

**INITIAL STUDY**

**I. BACKGROUND**

1. Project Title: RZ 05-20; VTSM 8982; DR 05-25
2. Lead Agency Name and Address: City of Brentwood  
Community Development Department  
104 Oak Street  
Brentwood, CA 94513
3. Contact Person and Phone Number: Jeff Zilm, Senior Planner  
925.516.5405
4. Project Location: North of Sand Creek, south of Apricot Way  
City of Brentwood  
Contra Costa County
5. Project Sponsor's Name and Address: Alexandra Homes  
5139 Port Chicago Highway  
Concord, CA 94520  
925.687.9852
6. General Plan Designation: L (Low) Density Residential
7. Zoning: Planned Development (PD) 35
8. Project Description Summary:

The proposed project consists of the following requested entitlements:

- A Rezone (RZ 05-20) to establishment of development standards for the project site
- A Vesting Tentative Subdivision Map (VTSM 8982) to subdivide the project site into 37 single-family residential lots
- A Design Review (DR 05-25) for three (3) models of single-family homes to be constructed on the 35 proposed single-family residential lots and one (1) duet model of single-family home to be constructed on two (2) proposed single-family residential lots

FIGURE ONE

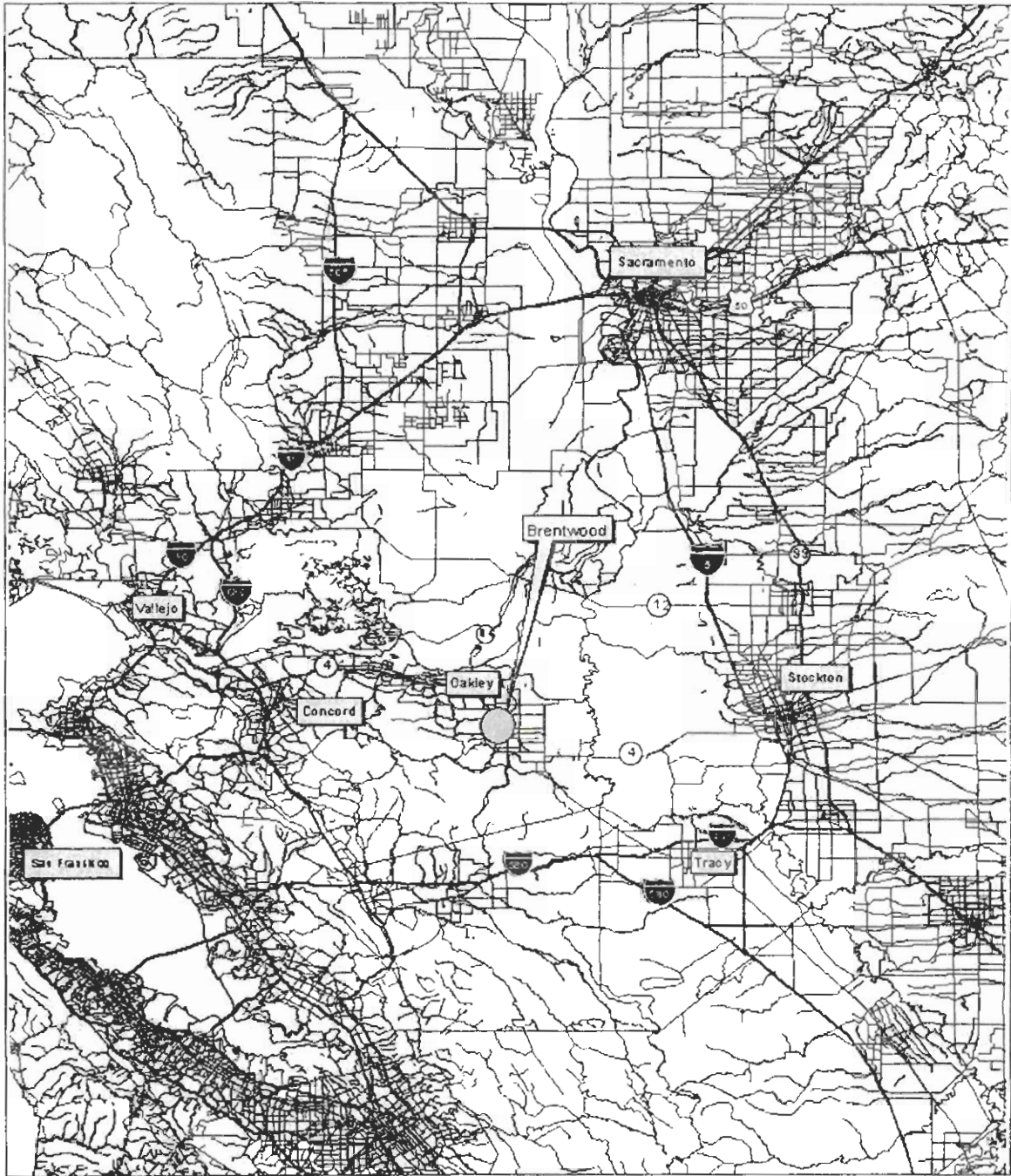
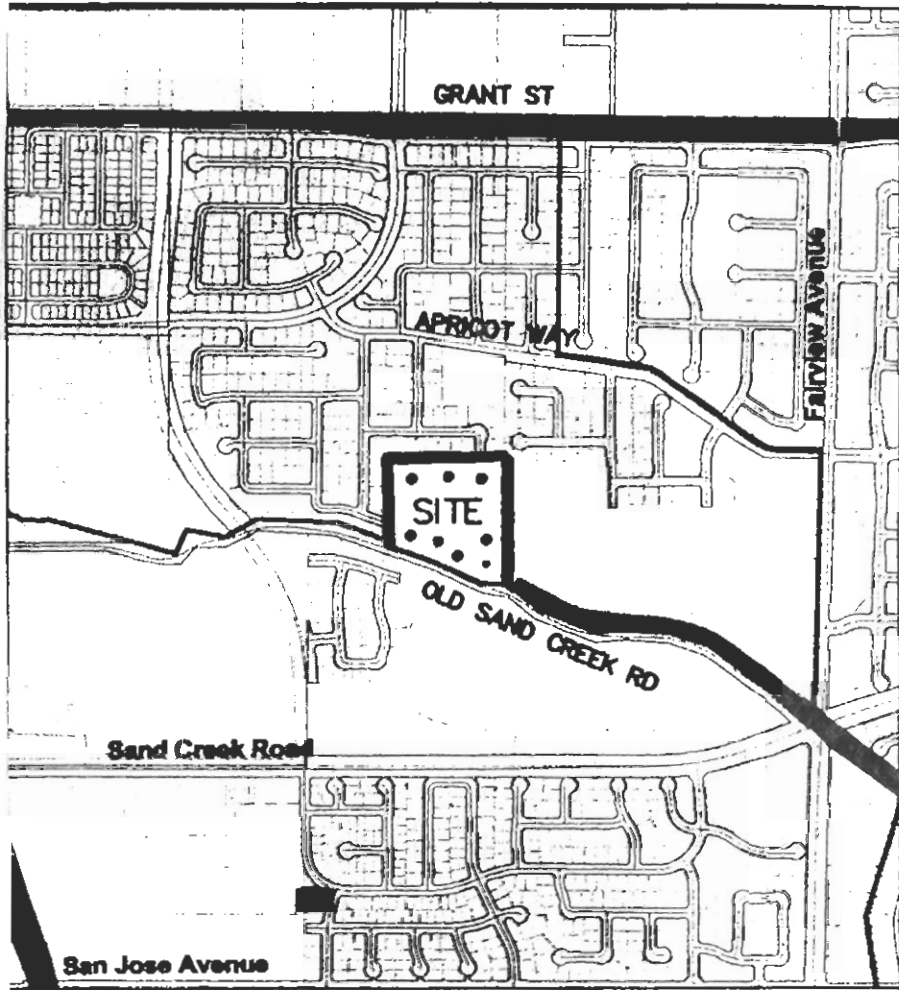
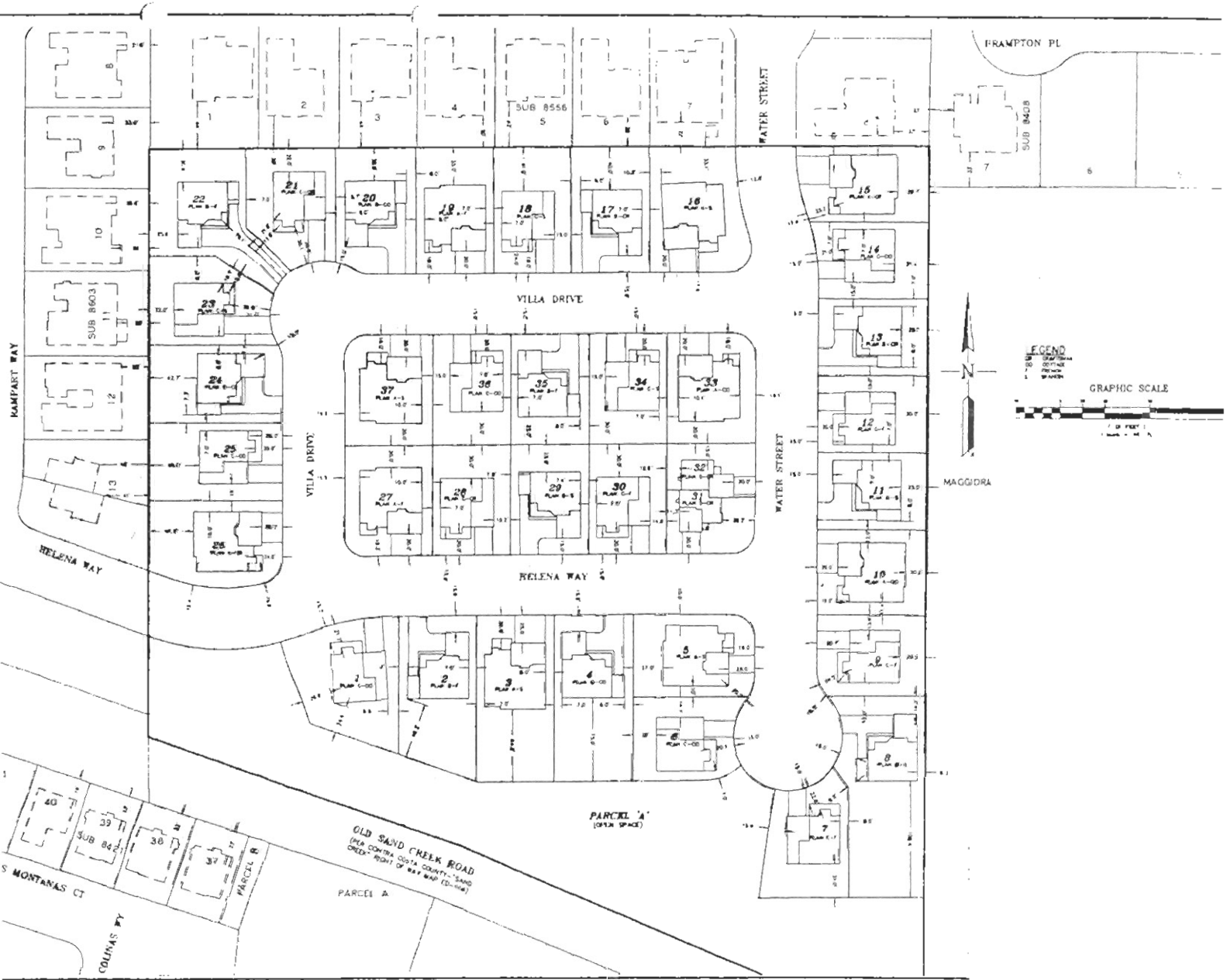


FIGURE TWO



VICINITY MAP  
NOT TO SCALE

FIGURE THREE



## II. SOURCES

The following documents are referenced information sources utilized by this analysis:

1. City of Brentwood General Plan 2001-2020, November 27, 2001;
2. City of Brentwood General Plan EIR, November 27, 2001;
3. City of Brentwood General Plan EIR, June 1993;
4. Preliminary Geotechnical Engineering Study, Parkside Villas, Brentwood, California, Consolidated Engineering Laboratories, August 26, 2005;
5. Tree Survey, Parkside Villas, Brentwood, California, Stephen Batchelder, Consulting Arborist, August 2, 2005;
6. Phase One Environmental Assessment Report, Parkside Villas, Subdivision 8982, Brentwood, California, SCS Engineers, August 4, 2005;
7. Limited Phase 2 Environmental Investigation, Parkside Villas, Subdivision 8982, Brentwood, California, SCS Engineers, September 12, 2005;
8. Special Status Species Evaluation, Parkside Villas, Brentwood, California, H. T. Harvey & Associates Ecological Consultants, October 13, 2005;
9. Identification of Waters on the US, Parkside Villas, Brentwood, California, H. T. Harvey & Associates Ecological Consultants, October 18, 2005;
10. City of Brentwood Zoning Ordinance, March 2005;
11. City of Brentwood Zoning Map, January 28, 2005;
12. Floodplain Map, City of Brentwood (Panel #0355B), July 16, 1987;
13. Project description;
14. Soil Survey of Contra Costa County, California (U.S. Department of Agriculture), September 1977.

## III. ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

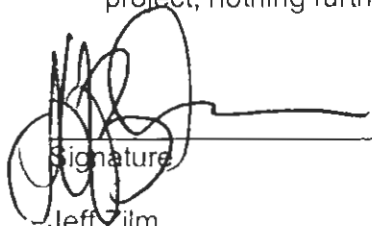
The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

- |                                                               |                                                             |                                                                  |
|---------------------------------------------------------------|-------------------------------------------------------------|------------------------------------------------------------------|
| <input checked="" type="checkbox"/> Aesthetics                | <input checked="" type="checkbox"/> Agriculture             | <input checked="" type="checkbox"/> Air Quality                  |
| <input checked="" type="checkbox"/> Biological Resources      | <input checked="" type="checkbox"/> Cultural Resources      | <input checked="" type="checkbox"/> Geology/Soils                |
| <input type="checkbox"/> Hazards & Hazardous Materials        | <input checked="" type="checkbox"/> Hydrology/Water Quality | <input type="checkbox"/> Land Use & Planning                     |
| <input type="checkbox"/> Energy & Mineral Resources           | <input type="checkbox"/> Noise                              | <input type="checkbox"/> Population & Housing                    |
| <input checked="" type="checkbox"/> Public works              | <input checked="" type="checkbox"/> Recreation              | <input checked="" type="checkbox"/> Transportation & Circulation |
| <input checked="" type="checkbox"/> Utilities/Service Systems | <input type="checkbox"/> Mandatory Findings of Significance |                                                                  |

**IV. DETERMINATION**

On the basis of this initial study:

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

  
 \_\_\_\_\_  
 Signature  
 Jeff Zilm  
 \_\_\_\_\_  
 Printed Name

May 6, 2006  
Date

City of Brentwood  
For

**V. BACKGROUND AND INTRODUCTION**

This Initial Study provides an environmental analysis pursuant to the California Environmental Quality Act (CEQA) for the proposed Rezone, Vesting Tentative Subdivision Map, and Design Review (proposed project). The environmental analysis for the proposed project is tiered from the City of Brentwood General Plan Environmental Impact Report (EIR).

The CEQA concept of "tiering" refers to the coverage of general environmental matters in broad program-level EIRs, with subsequent focused environmental documents for individual projects that implement the program. The project environmental document incorporates by reference the discussions in the Program EIR and concentrates on project-specific issues. CEQA and the CEQA Guidelines encourage the use of tiered environmental documents to reduce delays and excessive paperwork in the environmental review process. This is accomplished in tiered documents by eliminating repetitive analyses of issues that were adequately addressed in the Program EIR and by incorporating those analyses by reference.

Therefore, in accordance with CEQA Sections 15152 and 15168(c), this environmental analysis of the Proposed Project is tiered from the Brentwood General Plan EIR, which is hereby incorporated by reference.

The tiering of the environmental analysis for the proposed project allows this Tiered Initial Study to rely on the Brentwood General Plan EIR for the following:

- (a) a discussion of general background and setting information for environmental topic areas;
- (b) overall growth-related issues;
- (c) issues that were evaluated in sufficient detail in the Brentwood General Plan EIR for which there is no significant new information or change in circumstances that would require further analysis; and
- (d) long-term cumulative impacts.

Thus, this Tiered Initial Study should be viewed in conjunction with the Brentwood General Plan EIR. The purpose of this Tiered Initial Study is to evaluate the potential environmental impacts of the project with respect to the Brentwood General Plan EIR to determine what level of additional environmental review, if any, is appropriate.

Mitigation measures identified in the Brentwood General Plan EIR that apply to the proposed project will be required to be implemented as part of the project. Project-specific mitigation measures for new potentially significant impacts that were not previously identified in the Brentwood General Plan EIR will also be required to be implemented as part of the proposed project.

## **VI. PROJECT DESCRIPTION**

The proposed project site consists of one parcel totaling approximately 11 acres bounded by existing single-family residences on the north, one undeveloped property on the east, Sand Creek on the south, and a single-family residential subdivision on the west. Approximately ¼ mile to the east is Fairview Avenue. This approximately 11 acres would be subdivided into 35 single-family residential lots and 1 duet single-family residential lot for a total of 37 residential lots.

The site is essentially rectangular in shape and is identified by the Contra Costa County Assessor as APN 019-092-032. The project area has historically been used for agricultural purposes.

### **Discretionary Actions**

Implementation of the proposed project would require the following discretionary actions by the City of Brentwood Planning Commission and City Council:

- Adoption of a Mitigated Negative Declaration
- Approval of the Rezone
- Approval of the Vesting Tentative Subdivision Map
- Approval of the Design Review

## **VII. ENVIRONMENTAL CHECKLIST**

The following Checklist contains the environmental checklist form presented in Appendix G of the CEQA Guidelines. The checklist form is used to describe the impacts of the proposed project. A



discussion follows each environmental issue identified in the checklist. Included in each discussion are project-specific mitigation measures recommended as appropriate as part of the Proposed Project.

For this checklist, the following designations are used:

**Potentially Significant Impact:** An impact that could be significant, and for which no mitigation has been identified. If any potentially significant impacts are identified, an EIR must be prepared.

**Potentially Significant With Mitigation Incorporated:** An impact that requires mitigation to reduce the impact to a less-than-significant level.

**Less-Than-Significant Impact:** Any impact that would not be considered significant under CEQA relative to existing standards.

**No Impact:** The project would not have any impact.

Issues	Potentially Significant Impact	Potentially Significant With Mitigation Incorp.	Less-Than-Significant Impact	No Impact
<b>I. AESTHETICS.</b>				
<i>Would the project:</i>				
a. Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a State scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. Create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Discussion**

a,b. The proposed project is not within an area designated as a scenic vista nor does it include any significant scenic resources such as heritage trees, rock outcroppings, or historic buildings within a State scenic highway. The Brentwood General Plan EIR, Section 3.3 “Visual Resources,” does not identify the project area as an important view shed. Although the project site is relatively flat, Brentwood is surrounded by the coastal range, including views of Mt. Diablo. The City of Brentwood has recognized views of Mt. Diablo as an important visual resource. Because the proposed development would be located in a flat area of Brentwood and includes single and two-story homes, the view of Mt. Diablo would not be significantly blocked. Therefore, the impact is considered to be **less-than-significant**.

c. The development of the project site would change the existing visual setting from historically agricultural land to residential uses. The proposed development is considered compatible with other residential uses found throughout the City of Brentwood. The proposed change in use for

the project site from agricultural to single-family residential is consistent with the City of Brentwood General Plan and is compatible with the pattern of development occurring in the general area of the project site. In addition, the development of the single-family homes requires Planning Commission Design Review approval, which will ensure compatibility of the development with the surrounding area. Therefore, the impact is considered to be **less-than-significant**.

- d. As the project site is primarily undeveloped, very little light or glare is currently emitted. The change from an undeveloped area to a residential subdivision that generates new sources of light and glare would be considered a **potentially significant** impact.

Mitigation Measure

Implementation of the following mitigation measure will mitigate potential impacts related to light and glare to a *less-than-significant* level.

- I-1. ***In conjunction with development of the proposed project, the developer shall shield all on-site lighting so that it is directed within the project site and does not illuminate adjacent properties or public rights-of-way. A Street Lighting Plan shall be approved by the Engineering Department in conjunction with approval of improvement plans.***

Issues	Potentially Significant Impact	Potentially Significant With Mitigation Incorp.	Less-Than-Significant Impact	No Impact	
<b>II. AGRICULTURE RESOURCES.</b>					
<i>In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1977) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the project:</i>					
a.	Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b.	Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c.	Involve other changes in the existing environment, which, due to their location or nature, could individually or cumulatively result in loss of Farmland to non-agricultural use?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Discussion**

a,c. The City of Brentwood General Plan includes agricultural preservation policies in the Conservation/Open Space Element that describe potential agricultural preservation program components. The General Plan also designates areas along the eastern and southeastern portions of the Planning Area as Agricultural Conservation. The proposed development is not located within this conservation area. The site is not under a Williamson Act contract.

The General Plan Conservation Element Policy 1.1.4 states:

**Secure Agriculture Land:** *Establish a program that secures permanent agriculture on lands designated for agriculture in the City and/or County General Plan. The program should include joint use concepts (e.g. wastewater irrigation), land dedication (e.g. secured through development agreements) and a transfer of development/in-lieu fees ordinance. The program should also create incentives for continuing agriculture (e.g. long-term irrigation water contracts) and assurances that potential ag-urban conflicts will be mitigated.*

In September of 2001, the Brentwood City Council adopted an Agricultural Enterprise Program (AEP) in an attempt to preserve a part of its agricultural heritage. The AEP includes the continued use of an agricultural mitigation fee to be applied to those developments that irreversibly consume agriculturally productive land. Since the Brentwood General Plan EIR indicates that the plan area has been designated as Prime Agricultural Farmland, the development of the proposed project would result in the loss of Prime Agricultural Farmland used for agricultural purposes. The project site is identified as having a soil type of Sycamore silty clay loam, clay substratum (0 to 2 percent slope). Therefore, the impact on existing agricultural uses and the loss of farmland would be considered **potentially significant**.

Mitigation Measure

Implementation of the following mitigation measure would mitigate potential impacts related to the loss of agricultural resources to a *less-than-significant* level:

**II-2. Prior to final map approval, the developer shall comply with the City Council adopted Agricultural Enterprise Program in order to mitigate the potential significant impact of the proposed project on the loss of farmland. The developer shall pay the adopted City fee for mitigation of lost farmland in effect at the time of approval.**

b. The project site is not under a Williamson Act contract. Development of the site with single-family homes would not result in any conflict with a Williamson Act contract or existing zoning for agriculture; therefore **no impact** would occur.

Issues	Potentially Significant Impact	Potentially Significant With Mitigation Incorp.	Less-Than-Significant Impact	No Impact
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**III. AIR QUALITY.**

*Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:*

a. Conflict with or obstruct implementation of the

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

### Discussion

a,c. The City of Brentwood is part of the San Francisco Bay Area air shed, which is dominated by the strength and position of a semi-permanent, high-pressure center over the Pacific Ocean near Hawaii. The area is exposed to winds from both the east and west, and the terrain provides little protection from the wind. Air quality within the region is under the jurisdiction of the Bay Area Air Quality Management District (BAAQMD). The air quality impacts associated with the emissions from the increased number of vehicles were analyzed in the General Plan EIR. The EIR considered development in the area, including the project site. The project is consistent with the level of development identified in the General Plan EIR. The EIR determined that the cumulative development scenarios would result in a significant and unavoidable impact. The findings and overriding considerations adopted as part of the General Plan EIR apply to this project. In addition, the project consists of 84 new single-family residential units on approximately 33 acres of the entire General Plan area. Therefore, the air quality impact is considered to be **less-than-significant**.

b,d. Construction-related air quality impacts would occur with the development of the proposed project and related infrastructure improvements. Clearing and earth-moving activities would comprise the major source of construction dust emissions. This would be considered a **potentially significant** impact.

#### Mitigation Measure

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

**III-3. Prior to grading permit issuance, the developer shall prepare an Erosion Prevention and Dust Control Plan. The plan shall be followed by the grading contractor and submitted to the Public Works and Engineering Departments, which will be responsible for field verification of the plan during construction. The plan shall comply with the City's grading ordinance and shall include the**

following control measures and other measures deemed to be necessary for the proposed project:

- a. A graveled track at project entryways to remove mud and dirt from vehicles leaving the site shall be provided.
- b. Water (or an acceptable soil binder chemical) shall be applied to all disturbed earth surfaces (including earth roads and soil stockpiles). Surface material shall be sufficiently watered to prevent excessive amounts of dust. Watering shall occur twice per day with complete coverage, preferably in the late morning and at the completion of work for the day.
- c. Permanent soil stabilization measures shall be implemented throughout each phase of construction prior to commencement of grading on successive phases.
- d. All clearing, grading, earthmoving, and excavation shall stop during periods of high winds greater than 20 mph over one hour.
- e. All material transported off-site shall either be sufficiently watered or securely covered to prevent escape of dust and debris.
- f. On-site vehicle speed shall be limited to 15 mph.
- g. During rough grading and construction, adjacent public and private roads shall be swept once per day, or as required by the City, to remove silt and construction debris.
- h. Unnecessary idling of construction equipment shall be avoided.
- i. Equipment engines shall be maintained in proper working condition per manufacturers' specifications.
- j. During periods of heavier air pollution (May to October), the construction period shall be lengthened to minimize the amount of equipment operating at one time.

e. The project would not include industrial or intensive agricultural use; therefore, the project would not create odors or toxic air contaminants. **No impact** would occur.

Issues	Potentially Significant Impact	Potentially Significant With Mitigation Incorp.	Less-Than-Significant Impact	No Impact
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**IV. BIOLOGICAL RESOURCES.**

*Would the project:*

- |    |                                                                                                                                                                                                                                                                                                               |                          |                                     |                          |                          |
|----|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|-------------------------------------|--------------------------|--------------------------|
| a. | Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b. | Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Game or                                                                                           | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Issues	Potentially Significant Impact	Potentially Significant With Mitigation Incorp.	Less-Than-Significant Impact	No Impact
US Fish and Wildlife Service?				
c. Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Interfere substantially with the movement of any resident or migratory fish or wildlife species or with established resident or migratory wildlife corridors, or impede the use of wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Conservation Community Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

## Discussion

- a. The General Plan EIR identifies biological resources within the City of Brentwood (see Figure 3.9-1 in the General Plan EIR). The General Plan EIR includes mitigation measures that require biological surveys on all properties to be developed within the Brentwood General Plan area. The General Plan EIR does not identify any resources on the project site nor have critical habitats for any listed species been identified. The General Plan EIR also identifies a cumulative loss of habitat as a significant and unavoidable impact. The findings of fact and statement of overriding considerations adopted for the EIR apply to the proposed project site. According to the Baseline Biological Resources Assessment (Assessment) that was prepared for the project, the likelihood of occurrence of listed, candidate, and other sensitive species within the project site is considered moderate to low. Burrowing owls and Swainson's hawks are two species that could, however, be impacted by the project. The impact on these and any other species is, therefore, **potentially significant**.

### Mitigation Measure

Implementation of the following mitigation measure will ensure that the impact on candidate, sensitive, or special status species remains *less-than-significant*.

- IV-4. Prior to grading permit issuance, and within 30 days of grading activity, the developer shall have pre-construction surveys conducted by a qualified biologist for burrowing owls, Swainson's hawks, and any other candidate, sensitive, or special status species on the site. The surveys shall be prepared in accordance with standards established by the California Department of Fish**

**& Game (CDFG), and shall be submitted to the Community Development Department and CDFG for review and approval. Should any such species be discovered, appropriate mitigation measures shall be incorporated to the satisfaction of the Community Development Director and CDFG. Mitigation measures could include avoidance of species, relocation of species, modification to the construction schedule, etc.**

- b. The General Plan EIR does not identify any riparian habitat or significant natural communities within the project site, and the Assessment indicates that no wetlands or waters of the U.S. were observed within the project site. There is, however, a Contra Costa County flood control channel adjacent to the south boundary of the project site and CDFG has required developers to enter into Streambed Alteration Agreements for the construction of storm drain outfalls within these types of facilities. In the event this is required for the project, it could result in a **potentially significant** impact.

Mitigation Measure

Implementation of the following mitigation measure will ensure that the impact remains *less-than-significant*.

**IV-5. If storm drain outfalls into the adjacent Contra Costa County flood control channel are required, a Streambed Alteration Agreement shall be obtained from CDFG, pursuant to Section 1600 of the California Fish & Game Code. If required, the developer shall coordinate with CDFG in developing appropriate mitigation, and shall abide by the conditions of any executed permits.**

- c. The General Plan EIR does not identify any federally protected wetlands within the project site, and the Assessment concludes that no wetlands or waters of the U.S. were observed. Therefore, the development of the project site, as proposed, would result in **no impact**.
- d. The project site does not support a wildlife corridor and does not contain any watercourses that would support migratory fish. Therefore, the development of the project site would result in **no impact**.
- e. A tree survey was conducted for the project site, which identifies a total of 20 trees concentrated adjacent to Sand Creek along the southerly property boundary. The General Plan EIR requires developers to preserve existing trees to the maximum extent practicable (3.9-29). All of the trees were identified in good condition, several were, and all may be out of range of any construction impact. The greatest benefit provided by the trees is habitat along the creek. There is little that can be done to improve the condition of the trees but other trees can be planted to enhance the area. All trees can be protected from adverse construction impact by fencing placed on the north side of the trees at a minimum distance of 15 feet from the base of the trees. Therefore, the impact on tree preservation is considered to be **potentially significant**.

Mitigation Measure

Implementation of the following mitigation measure will ensure that the impact relative to tree preservation remains *less-than-significant*.

**IV-6. The grading plan shall identify all trees within the project site, as referenced in the tree survey prepared by LSA Associates, Inc. All trees identified by the survey to be in "good" condition shall be preserved, to the satisfaction of the Community Development Director, and shall be identified on the grading plan. Appropriate protective measures shall be taken to ensure preservation during**

**grading activity. Any tree in “good” condition that is not able to be saved shall be replaced to the satisfaction of the Community Development Director. Removal of any tree, regardless of its condition, shall be done outside of the raptor nesting season (September 1 through February 1) or a nesting raptor survey shall be prepared immediately prior to removal. If an active nest is found, removal shall be delayed until the young fledge. Said survey shall be submitted to the Community Development Department for review and approval.**

- f. The City of Brentwood General Plan has several areas that are designated as areas of expected significant natural open space and an expected Habitat Conservation Plan. The project site is not located within any of these areas. Therefore, **no impact** would occur.

Issues	Potentially Significant Impact	Potentially Significant With Mitigation Incorp.	Less-Than-Significant Impact	No Impact
<b>V. CULTURAL RESOURCES.</b>				
<i>Would the project:</i>				
a. Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Cause a substantial adverse change in the significance of a unique archaeological resource pursuant to Section 15064.5?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Directly or indirectly destroy a unique paleontological resource on site or unique geologic features?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Disturb any human remains, including those interred outside of formal cemeteries.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion**

- a. The Brentwood General Plan EIR does not identify any potential historical resources within the project site. According to the Cultural Resources Study (Study) that was prepared for the project, a records search indicated that no cultural resources were identified within or adjacent to the project site. A literature review did not result in any mention or depiction of cultural resources within or adjacent to the project site. A field survey of the project site was also conducted. The Study concludes that no resources were identified within or adjacent to the project site. The project, therefore, would have **no impact** on historical resources.
- b. The General Plan EIR does not identify any archaeological resources within the plan area. However, during construction and excavation activities, unidentified archaeological resources may be uncovered. This impact would be considered **potentially significant**.

**Mitigation Measure**

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

- V-7. Prior to grading permit issuance, the developer shall submit plans to the Community Development Department for review and approval which indicate**



*(via notation) that if cultural resources are encountered during site grading or other site work, all such work shall be halted within 50 feet of the discovery and the developer shall immediately notify the Community Development Department of the discovery. In such case, the developer shall be required, at its expense, to retain the services of a qualified archaeologist for the purpose of recording, protecting, or curating the discovery as appropriate. The archaeologist shall be required to submit to the Community Development Department for review and approval a report of the findings and method of curation or protection of the resources. No further grading or site work within the area of discovery will be allowed until the preceding work has occurred.*

- c. The project site is not known to contain any unique paleontological resources or unique geologic features. Therefore, the construction of the proposed project would result in **no impact** to these resources and features (see responses to "a" and "b").
- d. The project site has not been identified as a burial location for human remains; therefore, the construction of the proposed project would likely not disturb any human remains, including those interred outside of formal cemeteries, and **no impact** would occur (see responses to "a" and "b").

Issues	Potentially Significant Impact	Potentially Significant With Mitigation Incorp.	Less-Than-Significant Impact	No Impact
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**VI. GEOLOGY AND SOILS.**

*Would the project:*

a.	Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i.	Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area based on other substantial evidence of a known fault?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
ii.	Strong seismic ground shaking?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
iii.	Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv.	Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b.	Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c.	Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d.	Be located on expansive soil, as defined in Table 18-1B of the Uniform Building Code?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e.	Have soils incapable of adequately	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Issues	Potentially Significant Impact	Potentially Significant With Mitigation Incorp.	Less-Than-Significant Impact	No Impact
supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?				

### Discussion

- a,c. According to the 1997 UBC and the 2001 CBC, the site is located within Seismic Zone 4. Site soils are Soil Type Sd – stiff soil profile. The Type B, Clayton-Marsh Creek fault, located approximately 7.8 miles west of the site, is the nearest predominant fault source to the site. Based upon the distance to the Clayton-Marsh Creek fault, the Near-Source Acceleration Factor,  $N_a$ , is 1.0 and the Near-Source Velocity Factor,  $N_v$ , is 1.0.

Since there are no known active faults crossing the site, and the site is not within an Alquist-Priolo Earthquake Fault Zone, the likelihood of ground rupture is considered remote. An earthquake of moderate to high magnitude generated within the San Francisco Bay region could cause considerable ground shaking at the site. The soils encountered at the site consist primarily of silty clay. Groundwater was not encountered within the upper 25 feet of the site; therefore, potential liquefaction of the near surface material is considered low. Lateral spreading at the site is unlikely since the site soils are not considered susceptible to liquefaction.

Based on the foregoing, there are **potentially significant** impacts that need to be mitigated.

#### Mitigation Measure

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

- VI-8. All buildings shall be constructed in accordance with the applicable requirements of the Uniform Building Code, as well as all other applicable building codes and State laws. All buildings shall be engineered by an independent structural engineer and constructed to meet or exceed the legal requirements for seismic safety. All recommendations in the Preliminary Geotechnical Engineering Study prepared by Consolidated Engineering Laboratories (August 26, 2005) shall be followed by the developer and incorporated into the project design, to the satisfaction of the City Engineer and the Chief Building Official.**

- b. The proposed project does not result in any greater exposure of soil to potential erosion or loss of topsoil. Soil is currently exposed on the project site, and past agricultural and weed abatement practices resulted in an increased soil loss. The development of new residential uses would cover much of the soil, thereby reducing the potential loss of topsoil.

The project site is relatively level and a minimal amount of grading would be required to achieve the project objectives. However, during the limited period of construction, erosion of graded material from the project site could occur, depositing soils into nearby streets and onto nearby private properties. Potential site erosion could also have a negative secondary effect of degrading surface water quality by deposition of construction debris and other material into one or more of the creeks within the City limits. The grading of the project area during initial construction activity would be considered a **potentially significant** impact to soil erosion.

Mitigation Measures

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

- VI-9. ***Prior to grading permit issuance, the developer shall submit a grading plan to the City Engineer for approval. If the grading plan differs significantly from the proposed grading illustrated on the approved vesting tentative subdivision map, a map that is consistent with the new revised grading plan shall be provided for review and approval by the City Engineer.***
- VI-10. ***Any application for a grading permit shall include an erosion control plan. This plan shall identify protective measures to be taken during construction, supplemental measures to be taken during the rainy season, permanent methods of revegetation following completion of construction, the sequenced timing of grading and construction, and subsequent revegetation and landscaping work to ensure water quality in creeks and tributaries in the General Plan area is not degraded from its present level.***
- VI-11. ***During construction, the developer shall not leave disturbed areas not actively under construction exposed during the rainy season.***
- VI-12. ***Prior to approval of final facilities design, the City Engineer shall review plans for drainage and storm water runoff control systems and their component facilities to ensure that these systems and facilities are non-erosive in design.***
- VI-13. ***No grading, soil disturbance, or compaction shall occur during periods of rain or on ground that contains free water. Soil that has been soaked and wetted by rain or any other cause shall not be compacted until completely drained and until the moisture content is within the limits approved by the Soil Engineer. Approval by the Soil Engineer shall be obtained prior to continuing grading operations.***

- d. The Preliminary Geotechnical Engineering Study that was prepared for the project indicates that the on-site native soils have a moderate to high expansion potential. The Soil Survey of Contra Costa County, California published by the U.S. Department of Agriculture; Soil Conservation Service (1977) refers to the near-surface soils within the project site as a Sycamore silty clay loam (0 to 2 percent slope). The impacts associated with expansive soils would be ***potentially significant***.

Mitigation Measure

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

- VI-14. ***Prior to grading permit issuance, a Comprehensive Grading Plan shall be submitted to the City Engineer that reflects the recommendations of the final Geotechnical Study. All recommendations of the final Geotechnical Study and City Engineer shall be incorporated into the grading plan as a condition of the project grading permit and verified in the field by the City Engineer or his representative.***

- e. The project has been designed to connect to existing sewer systems. Therefore, **no impact** would occur related to soils incapable of adequately supporting the use of septic tanks.

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

Issues	Potentially Significant Impact	Potentially Significant With Mitigation Incorp.	Less-Than-Significant Impact	No Impact
intermixed with wild lands?				

## Discussion

a-b. The transport and routine use of hazardous materials is not typically associated with single-family residential development. The Phase One Environmental Site Assessment concludes that there is no documentation or physical evidence of soil or groundwater impairments associated with the use of the project site. In addition, there is no documentation of hazardous materials violations or discharge on the site. No contaminated facilities were identified within ½ mile of the site which would be expected to impact the site. No Recognized Environmental Concerns were identified for the site.

Demolition of on-site structures may be required in order to facilitate development of the project. The structures could contain asbestos materials and the demolition of these structures may present a threat of asbestos exposure to on-site construction workers. The threat from asbestos in the structures is a **potentially significant** impact.

### Mitigation Measure

The following mitigation measure would reduce the impact from the proposed project to a *less-than-significant* level.

**VII-15. Prior to the demolition of any structure within the project site, the developer shall conduct an asbestos survey. If the survey reveals asbestos within the structure, the developer shall prepare an asbestos abatement plan for the review and approval of the Chief Building Official prior to the issuance of a demolition permit for the structure.**

- c. A new elementary school is located approximately 2,700 feet northwest of the project site (southeast corner of Shady Willow and Amber Lane). The transport and routine use of hazardous materials is not typically associated with single-family residential development; therefore, **no impact** would occur.
- d. According to the Phase One Environmental Site Assessment, the site is not listed as a hazardous materials site. Therefore, **no impact** would occur.
- e-f. The project site is not within an airport land use plan or within two miles of an airport. Therefore, **no impact** would occur.
- g. Development of the project site would not interfere with an adopted emergency response plan or emergency evacuation plan. Therefore, **no impact** would occur.
- h. The site is not located within an area where wild land fires occur. Therefore, **no impact** would occur.

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

### Discussion

- a,f. Short-term grading and construction activities may cause an increase in erosion leading to sedimentation of streams in the affected watershed. Storm water pollution control is the responsibility of the State Water Resources Control Board and the California Regional Water Quality Control Board. Storm water pollution control is implemented through the use of National Pollution Discharge Elimination System (NPDES) permits. The increase in erosion and the effect on water quality is considered a **potentially significant** impact.

Mitigation Measures

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

- VIII-16.** *Prior to grading permit issuance, the developer shall submit to the City Engineer for review and approval a Drainage Master Plan which implements Best Management Practices (BMPs) to control quality of storm water runoff.*
- VIII-17.** *Prior to grading permit issuance, a National Pollution Discharge Elimination System (NPDES) construction permit shall be obtained for any disturbance of more than one acre.*

b-e. The project consists of the development of single-family homes in an area designated for single-family residential development. The development would not alter existing drainage courses and would be accommodated primarily in the existing City of Brentwood storm drainage system. Implementation of the proposed project would add impervious surfaces to the area, which would result in a decrease in absorption rates and an increase in storm water runoff rates. The conceptual grading and utility plan prepared for the project includes an outfall into the Drainage Area 104, operated and maintained by the Contra Costa County Flood Control & Water Conservation District (District). In order to facilitate the outfall and any other work within the District's right-of-way, permitting from the District will be required, as well as potentially from the Army Corps of Engineers, the California Department of Fish and Game, and the California Regional Water Quality Control Board. Based on the foregoing, impacts are considered to be **potentially significant**.

Mitigation Measures

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

- VIII-18.** *Prior to grading permit issuance, the developer shall submit to the City Engineer for review and approval a Drainage Master Plan that implements BMPs to control quality of storm water runoff. The plan shall describe how on-site drainage systems will be designed to compensate for the reduced water absorption capacity of the site and to prevent flooding of adjacent properties. The plan must ensure that all storm water entering or originating within the project site shall be conveyed, without diversion of the watershed, to the nearest adequate natural watercourse or adequate man-made drainage facility.*
- VIII-19.** *Design of both the on-site and downstream drainage facilities shall meet with the approval of both the City Engineer and the Contra Costa County Flood Control & Water Conservation District prior to grading permit issuance.*
- VIII-20.** *Contra Costa County Flood Control & Water Conservation District drainage fees for the Drainage Area shall be paid prior to final map approval.*
- VIII-21.** *The construction plans shall indicate roof drains emptying into a pipe leading out to the street for the review and approval of the City Engineer prior to building permit issuance.*
- VIII-22.** *The improvement plans shall indicate concentrated drainage flows not crossing sidewalks or driveways for the review and approval of the City Engineer prior to grading permit issuance.*

VIII-23. *The developer shall ensure that each lot or parcel shall drain into a street, public drain, or approved private drain in such a manner that there will be no undrained depression. Satisfaction of this measure shall be subject to the approval of the City Engineer.*

VIII-24. *Prior to grading permit issuance, the developer shall secure all necessary permits from the Contra Costa County Flood Control & Water Conservation District (District) for the outfall and any other work within the District's right-of-way. Additional permitting from the Army Corps of Engineers, the California Department of Fish and Game, and the California Regional Water Quality Control Board may be required.*

g-i. The project site is not within a 100-year floodplain; therefore, **no impact** would occur with regards to housing or structures placed in a 100-year floodplain.

j. The project site is not located near a major body of water that could result in a seiche. The risk of potential mudflows is considered low based on the generally flat topography of the surrounding area. The proposed project is of sufficient distance from any large body of water that could produce a tsunami due to seismic activity. Therefore, **no impact** would occur.

Issues	Potentially Significant Impact	Potentially Significant With Mitigation Incorp.	Less-Than-Significant Impact	No Impact
<b>IX. LAND USE AND PLANNING.</b>				
<i>Would the project:</i>				
a. Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Conflict with any applicable land use plans, policies, or regulations of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating on environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Conflict with any applicable habitat conservation plan or natural communities conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion**

a. The proposed project would not physically divide an established community because there are no established communities within the boundaries of the project site. Although the majority of the project site has historically been utilized for agricultural production, the site is designated in the General Plan for low density residential development. There are four existing single-family homes within the boundaries of the project site, and three of those homes will be retained, while the other home will be demolished to accommodate some of the proposed lots. Therefore, **no impact** would result on the physical arrangement of the community.

b. The proposed project is consistent with the City of Brentwood General Plan land use designation and is not in conflict with a policy to preserve the environment. The type and density of the proposed development is consistent with the existing Planned Development



No. 35 zoning classification of the project site, although a rezone is being requested in order to create new development standards for this project site. Therefore, the impact is considered to be **less-than-significant**.

- c. The project site is not located within the area designated by the General Plan as Expected Habitat Conservation Plan or Area of Significant Natural Open Space. Therefore, **no impact** would occur.

Issues	Potentially Significant Impact	Potentially Significant With Mitigation Incorp.	Less-Than-Significant Impact	No Impact
<b>X. MINERAL RESOURCES.</b>				
<i>Would the project:</i>				
a. Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion**

- a,b. The project site has not been identified in the City of Brentwood General Plan as containing any mineral resources that would be considered a significant resource. Therefore, **no impact** would occur.

Issues	Potentially Significant Impact	Potentially Significant With Mitigation Incorp.	Less-Than-Significant Impact	No Impact
<b>XI. NOISE.</b>				
<i>Would the project result in:</i>				
a. Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Exposure of persons to or generation of excessive ground borne vibration or ground borne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Issues	Potentially Significant Impact	Potentially Significant With Mitigation Incorp.	Less-Than-Significant impact	No Impact
e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✘
f. For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✘

### Discussion

- a-c. The Brentwood General Plan EIR indicates that the proposed project is not located within noise contours exceeding normal residential levels. The site is also not identified in the General Plan as an area of high noise levels. Therefore, the impact is considered to be ***less-than-significant***.
- d. The Brentwood General Plan EIR identifies that there would be a temporary increase in noise levels during construction of projects pursuant to the implementation of the General Plan. The General Plan EIR identifies that the noisiest construction machinery is typically earthmoving equipment with noise levels ranging from 73 to 96 dBA at 50 feet from the equipment. The subsequent phases of construction vary from 79 to 89 dBA at 50 feet from the source. The Brentwood General Plan identifies that a noise level of 60 dBA is acceptable for residential land uses. Therefore, the temporary increase in noise levels during construction would be considered a ***potentially significant impact***.

#### Mitigation Measures

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

***XI-25. Construction activities shall be limited to the hours set forth by the City Engineer and the Chief Building Official. Construction shall be prohibited on Sundays and City holidays. These criteria shall be included in the grading plan submitted by the developer for review and approval of the Community Development Director prior to grading permit issuance. Exceptions to allow expanded construction activities shall be reviewed on a case-by-case basis as determined by the Chief Building Official and/or City Engineer.***

***XI-26. All construction equipment shall use properly operating mufflers, and no combustion equipment such as pumps or generators shall be allowed to operate within 500 feet of any occupied residence during construction hours, unless the equipment is surrounded by a noise protection barrier. These criteria shall be included in the grading plan submitted by the developer for review and approval of the Community Development Director prior to grading permit issuance.***

- e,f. The project site is not located near an existing airport and is not within an existing airport land use plan. Therefore, **no impact** would occur.

Issues	Potentially Significant Impact	Potentially Significant With Mitigation Incorp.	Less-Than-Significant Impact	No Impact
<b>XII. POPULATION AND HOUSING.</b>				
<i>Would the project:</i>				
a. Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (e.g., through projects in an undeveloped area or extension of major infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

### Discussion

- a. The density of development is consistent with the General Plan land use designation. Although the development would increase the population in the area, the development of the proposed project would be within the population levels projected under the General Plan. Therefore, the impact is considered to be **less-than-significant**.
- b,c There is currently one single-family homes within the boundaries of the project site. The home is occupied by the respective property owner of the proposed subdivision. Although development of the project would include the demolition and removal of the home, the project would also provide 37 new homes. Therefore, approval and implementation of the proposed project would neither displace any housing nor necessitate the construction of replacement housing. As a result, potential impacts are considered to be **less-than-significant**.

Issues	Potentially Significant Impact	Potentially Significant With Mitigation Incorp.	Less-Than-Significant Impact	No Impact
<b>XIII. PUBLIC WORKS.</b>				
<i>Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public works:</i>				
a. Fire protection?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Issues	Potentially Significant Impact	Potentially Significant With Mitigation Incorp.	Less-Than-Significant Impact	No Impact
b. Police protection?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Schools?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d. Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

### Discussion

- a,b. The proposed project is located within the jurisdiction of the East Contra Costa Fire Protection District and the Brentwood Police Department. Implementation of the proposed project would add to the overall demand for fire and police protection services. The increase in service requirements for the proposed project is considered a **potentially significant** impact.

#### Mitigation Measures

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

- XIII-27. Prior to building permit issuance, the developer shall participate in a Capital Improvement Financing Program.**
- XIII-28. The Police Department shall review the design plans for this project prior to building permit issuance in order to ensure that the site plan incorporates appropriate crime prevention features.**
- XIII-29. Prior to building permit issuance, the developer shall comply with all applicable requirements of the Uniform Fire Code and the adopted policies of the East Contra Costa Fire Protection District (ECCFPD). The Chief Building Official shall review the building plans to ensure compliance.**
- XIII-30. Prior to building permit issuance, the developer shall provide an adequate and reliable water supply for fire protection with a minimum fire flow of 2,000 gallons per minute (GPM). The required fire flow shall be delivered from not more than two fire hydrants flowing simultaneously while maintaining 20 pounds of residual pressure in the main. The City Engineer shall ensure the minimum fire flow requirements are satisfied.**
- XIII-31. Prior to final map approval, the developer shall provide the number and type of hydrants called for by the ECCFPD. Hydrant locations will be determined by the ECCFPD prior to encroachment and/or building permit issuance.**
- XIII-32. Prior to construction, the developer shall provide access roadways having all-weather driving surfaces of not less than 20' of unobstructed width, and not less than 13'6" of vertical clearance, to within 150' of travel distance to all portions of the exterior walls of every building. Access roads shall not exceed 16% grade, shall have a minimum**

*outside turning radius of 45', and must be capable of supporting imposed loads of fire apparatus (37 tons). The City Engineer shall ensure compliance.*

**XIII-33.** *Prior to encroachment and/or building permit issuance, the developer (and all subsequent property owners) shall submit plans and specifications to the East Contra Costa Fire Protection District and the City Engineer for review and approval in accordance with codes, regulations, and ordinances administered by the East Contra Costa Fire Protection District and the State Fire Marshal's office.*

**XIII-34.** *Prior to final map approval, the developer shall comply with any City Council fire/emergency services programs established pursuant to the General Plan Safety Element in order to provide such adequate services to the community.*

- c. The project is located within the Liberty Union High School District and the Brentwood Union School District. The increased development of single-family homes will add to the demand for services provided by both Districts. Implementation of the proposed project would result in a **potentially significant** impact related to schools.

Mitigation Measure

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

**XIII-35.** *Prior to building permit issuance, the developer shall submit to the Community Development Department written proof from the Liberty Union High School District and the Brentwood Union School District indicating that appropriate school mitigation fees have been paid.*

- d. The City of Brentwood General Plan encourages an urban form that is based on open space throughout and around the community. The respective General Plan policy recommends park acreage of 5 acres per 1,000 residents. The City utilizes a ratio of 3.1 persons per dwelling unit. The proposed project would create 37 new dwelling units, thus increasing the population by approximately 115. This would require approximately 0.6 acres of park and recreational facilities. The project includes a 1.58-acre neighborhood open space area located at the southern end of the project and north of Sand Creek. Therefore, the impact is considered to be **less-than-significant**.

Issues	Potentially Significant Impact	Potentially Significant With Mitigation Incorp.	Less-Than-Significant Impact	No Impact
<b>XIV. RECREATION.</b>				
<i>Would the project:</i>				
a. Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Does the project include recreational facilities or require the construction or expansion of	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Issues	Potentially Significant Impact	Potentially Significant With Mitigation Incorp.	Less-Than-Significant Impact	No Impact
recreational facilities that might have an adverse physical effect on the environment?				

**Discussion**

a,b. The proposed project includes 84 new dwelling units. Applying the Brentwood standard of 3.1 persons per dwelling unit, the proposed project would have 115 new residents. The Brentwood General Plan recommends 5 acres of park per 1,000 residents. The project would require approximately 0.6 acres of park and recreational facilities. The project includes a 1.58-acre neighborhood open space area located at the south end of the project. Therefore, the impact is considered to be **less-than-significant**.

Issues	Potentially Significant Impact	Potentially Significant With Mitigation Incorp.	Less-Than-Significant Impact	No Impact
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**XV. TRANSPORTATION/CIRCULATION.**

*Would the project:*

a. Cause an increase in traffic that is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?	☐	✘	☐	☐
b. Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?	☐	☐	✘	☐
c. Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	☐	☐	☐	✘
d. Substantially increase hazards due to a design features (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	☐	☐	☐	✘
e. Result in inadequate emergency access?	☐	☐	☐	✘
f. Result in inadequate parking capacity?	☐	☐	☐	✘
g. Conflicts with adopted policies supporting alternative transportation (e.g., bus turnouts, bicycle racks)?	☐	☐	☐	✘

## Discussion

- a. The number of lots proposed as part of the project (37) does not meet the threshold number (100) that would require a site specific traffic study and the project is consistent with future development levels planned in this part of Brentwood, which have been included in the regional Traffic Models developed by the Contra Costa Transit Authority (CCTA) and Contra Costa County. The developer would, however, be required to contribute to the construction of planned local and regional facilities.

Although consistent with the anticipated development levels, the proposed project would impact local and regional circulation. Several off-site traffic improvements are identified to be implemented within the next 5 to 10 years and to be included within the City's 5-year Capital Improvement Program (CIP).

The developer will be extending the existing Water Street south into the proposed subdivision and extend the existing Helena Way into the proposed subdivision, which would provide two separate points of access into and out of this project. Based on the foregoing, **potentially significant** impacts would occur.

### Mitigation Measures

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

**XV-36.            *The developer shall pay applicable thoroughfare facility fees (plus any annual increase) in effect at the time of building permit issuance and shall participate in the City's Capital Improvement Financing Plan (CIFP) to finance necessary roadway infrastructure. In addition, this specific project may be conditioned to pay its fair share of other off-site improvements that are outside the parameters of the CIP.***

- b. The City of Brentwood General Plan describes the growth of the City through the year 2020. The Circulation Element is based on trip generation projections and includes a corresponding transportation system designed to adequately accommodate the movement of vehicles. The proposed project is consistent with development levels identified in the Brentwood General Plan for the site. The circulation network is also planned and designed to meet the planned level of growth and development identified in the project area. The proposed project consists of 84 residential units, which would not generate enough project specific traffic to adversely affect the local circulation. Therefore, the impact is considered to be **less-than-significant**.
- c. The proposed project does not require any changes to existing regional air traffic activity and the project site is not located near an airport. Therefore, **no impact** would occur.
- d. The proposed project does not include any unusual design features in the layout of the streets that would increase hazards. There is **no impact** associated with the proposed development.
- e. The proposed project would provide public street access to all lots. All streets would be constructed in accordance with City standards. Compliance with the City standards ensures the provision of adequate emergency access. Therefore, **no impact** would occur.

- f. The proposed project consists of 37 new single-family homes. Development of the single-family homes must be consistent with the applicable zoning requirements to ensure that adequate parking exists for the subdivision. Therefore, **no impact** would occur.
- g. The proposed subdivision does not conflict with alternative transportation routes or policies. Therefore, **no impact** would occur.

Issues	Potentially Significant Impact	Potentially Significant With Mitigation Incorp.	Less-Than-Significant Impact	No Impact
<b>XVI. UTILITIES AND SERVICE SYSTEMS.</b>				
<i>Would the project:</i>				
a. Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d. Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e. Result in a determination by the wastewater treatment provider that serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f. Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g. Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

### Discussion

- a-e. The proposed project would require the installation and necessary extension of all utility lines for water, sewer, electricity, natural gas, telephone, and cable communications. The General



Plan EIR indicates that Pacific Gas & Electric (PG&E) already has sufficient facilities to provide gas and electricity to the General Plan area. However, to ensure adequate capacity to serve the proposed project, the developer must ensure that the project site is adequately connected to the existing facilities. Therefore, the impact from the proposed project on public utilities is **potentially significant**.

Mitigation Measure

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

**XVI-38.        *The developer shall be required to connect to the existing Brentwood utility network as well as pay all applicable fees in effect in order to ensure adequate capacity to serve the proposed project, at the time of building permit issuance. Improvement plans indicating conformance to City of Brentwood standards shall be prepared, submitted, and approved by the City Engineer prior to encroachment permit issuance.***

f.g.        The proposed project consists of the development of single-family homes at a density that is consistent with the General Plan. The solid waste generated by the development would be consistent with the levels that have been anticipated on the site. Therefore, the impact is considered to be **less-than-significant**.

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

## Discussion

- a,b. Conversion of rural areas to urban/suburban uses may be regarded as achieving short-term goals to the disadvantage of long-term environmental goals. However, the inevitable impacts resulting from population and economic growth are mitigated by long-range planning to establish policies, programs, and measures for the efficient and economical use of resources. Long-term environmental goals, both broad and specific, have been addressed previously in several environmental documents, the most comprehensive being the General Plan EIR. Therefore, the impact is considered to be ***less-than-significant***.
- c,d. The loss of prime agricultural land is considered a “cumulatively considerable impact” and a “substantial adverse impact,” both direct and indirect, which were addressed by the General Plan EIR. Other cumulative impacts may be identified in the categories of population growth, use of resources, demand for services, and physical changes to the natural environment. These impacts would be considered ***potentially significant***. They may be mitigated to a degree through mitigation measures cumulatively applied as development occurs, or they have been considered subject to findings of overriding benefit by the lead agency. The proposed development is consistent with the level of development that was anticipated in the General Plan. The previous mitigation and findings of overriding benefit result in a ***less-than-significant*** impact for the proposed subdivision.