PUBLIC DRAFT
INITIAL STUDY AND MITIGATED NEGATIVE DECLARATION

FOR THE

TRUE LIFE SUBDIVISION PROJECT

FEBRUARY 18, 2016

Prepared for:

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

Prepared by:

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

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TABLE OF CONTENTS

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INITIAL STUDY

PROJECT TITLE

True Life Subdivision Project

LEAD AGENCY NAME AND ADDRESS

City of Brentwood
150 City Park Way
Brentwood, CA 94513

CONTACT PERSON AND PHONE NUMBER

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

PROJECT SPONSOR'S NAME AND ADDRESS

The True Life Company
1247 Alcosta Blvd, Suite 470
San Ramon, CA 94583
(925) 824-4300

PURPOSE OF THE INITIAL STUDY

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

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

BACKGROUND

On July 22, 2014, the City of Brentwood City Council adopted a comprehensive General Plan Update, which was last updated in 1993 (a partial update involving the Growth Management, Land Use, and Circulation Elements was completed in 2001). An Environmental Impact Report (EIR) was prepared for the General Plan Update, which addressed the potential impacts associated with full build-out of the General Plan Land Use Diagram. The 2014 Brentwood General Plan Update EIR was certified by the Brentwood City Council on July 22, 2014. The General Plan Update Land Use Map designates the project site as Residential Medium Density (R-MD). Medium Density Residential land uses are required to have a density of between 5 and 11 dwelling units/acre; the proposed 96 single family residential project is consistent with this land use designation at 5.19 dwelling units/acre. In accordance with Section 15150 of the CEQA Guidelines (Section 21083.3 of the Public Resources Code), this Initial Study will tier from the previously certified Environmental Impact Report (EIR) (SCH# 2014022058) prepared for the Brentwood General Plan Update.

PROJECT LOCATION AND SETTING

PROJECT LOCATION

The project site consists of approximately 18.5 acres located in the southeast quadrant of the City of Brentwood. The project site is bounded by Sellers Avenue to the east, La Paloma High School and agricultural land to the north, the Brentwood Police Department to the west, and the East Contra Cost County Irrigation District (ECCID) main canal to the south. The project site can be identified by its Assessor's Parcel Number (APN) 010-160-043. The project's location is shown in Figure 1.

EXISTING SITE USES

The project site is currently a vacant, undeveloped lot that contains active agricultural uses. The southern portion of the project site contains a 90 foot PG&E easement for electrical towers and wires. Figure 2 displays aerial views of the project site and surrounding area.

SURROUNDING LAND USES

The Brentwood General Plan designates lands adjacent to the project site as: Business Park (BP), School (SCH), and Residential Medium Density (R-MD) to the north of the project site; Public Facilities (PF) to the west of the project site; and Agricultural Conservation to the east and south of the project site within the SOI.

Current uses within these areas include the Brentwood Police Department, which adjoins the project site on the western portion, and the La Paloma High School located on the northern border of the project site. The City is currently processing an application for the Sellers Pointe project, which is immediately to the north of the proposed project site. The Sellers Pointe project proposes to develop a total of 84 new single family detached homes on 13.8 acres (6.1 dwelling units per acre).

GENERAL PLAN DESIGNATIONS

The project site is currently designated Residential Medium Density (R-MD) by the City of Brentwood General Plan Land Use Map. The R-MD designation accommodates a variety of housing product types, including duplexes, triplexes, apartments, townhouses, and small lot single family detached homes. The permitted density range is 5.1 to 11.0 units per gross acre.

ZONING DESIGNATIONS

The project site is currently designated Planned Development 24 (PD-24) by title 17 of the City of Brentwood Zoning Code, which allows for business park-type uses.

PROJECT DESCRIPTION

The proposed project would develop the 18.5 acre project site with 96 single-family residential lots (5.19 dwelling units per acre), one onsite park area, two open space landscape/water quality lots, and one lot designated for an onsite sanitary sewer lift station. Typical lot sizes would include sixty-five 5,000 square foot lots, and thirty-one 4,000 square foot lots. The homes would range in size from 2,186 to 3,284 square feet over two stories, and include 2-car garages ranging in size from 464 to 521 square feet.

The project site includes approximately 1.5 acres of park space along the southwestern portion of the project site, and a roughly 0.7-acre landscaped water quality detention area in the southeast portion of the project site.

The project site would include a 30-foot landscape/water quality buffer along Sellers Avenue. Additionally, a 6-foot sound wall is proposed to be located along Sellers Avenue along the eastern portion of the project site. Additional proposed sound walls include a 10-foot sound wall along the western portion of the project site.

Access to the project site would be provided via Sellers Avenue. The proposed onsite roadways include an inner street network of cul-de-sacs. The proposed site plan layout is shown in Figure 3.

The proposed project would involve the construction of the necessary infrastructure to serve the proposed neighborhood. The project includes installation of 8-inch water lines and storm drain lines within the internal street right-of-ways (ROWs) and along the site perimeter, which would connect to a proposed force main in the northeast portion of the project site and would then connect to existing water and storm stubs approximately 730 linear feet north of the project site along Sellers Avenue. Storm drainage would discharge to the retention basin in the open space portion along the southwest and western portion of the project site. The project also includes installation of 8-inch sanitary sewer lines within the internal street ROWs, and a sanitary sewer lift station located in the southwestern portion on the project site. The sanitary sewer lines include a proposed force main in the northeast portion of the project site with a connection point to existing off-site sewer conveyance immediately to the northeast.

DESIGN REVIEW

The proposed project provides four floor plans, including several variations of Farmhouse, Early Californian, and Italianate elevational styles. In accordance with the Brentwood Zoning Ordinance, all proposed structures are subject to design review approval by the City of Brentwood Planning Commission in order to foster a good design character through consideration of aesthetic and functional relationships to surrounding development.

DEVELOPMENT STANDARDS

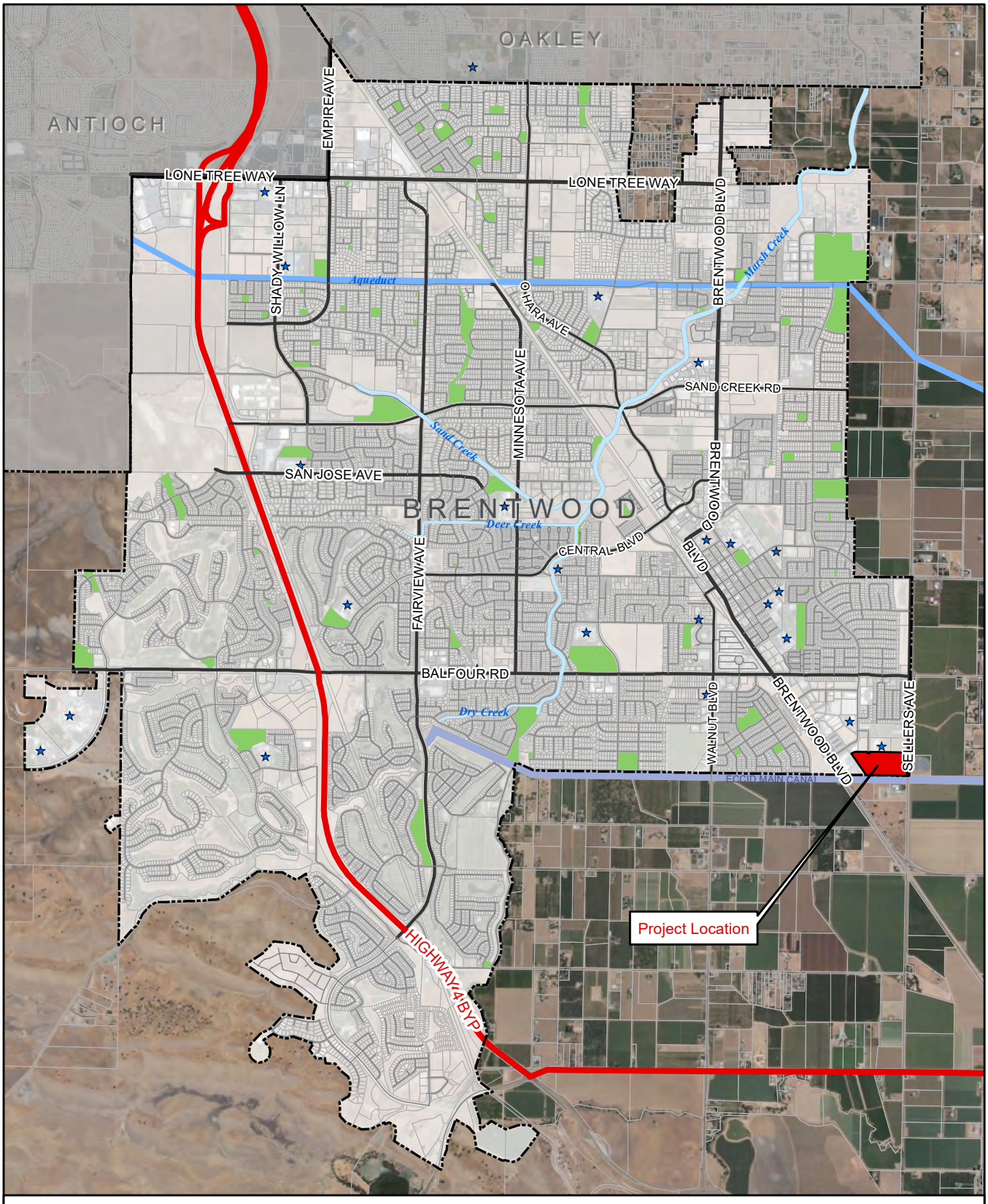
The entire project site is zoned PD-24, which contains development standards that contemplate business park uses at the site. As part of the proposed project, updated zoning development standards would be included in a PD-24 Amendment. This amendment outlines setback criteria as well as the required plan styles, number of plans, and elevation styles, consistent with residential development.

REQUESTED ENTITLEMENTS AND OTHER APPROVALS

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

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

- Adoption of the Mitigated Negative Declaration (MND) and adoption of the Mitigation Monitoring and Reporting Program (MMRP)
- Revision of the Planned Development (PD-24) zoning development standards to be consistent with residential development
- Approval of a Tentative Subdivision Map to subdivide approximately 18.5 acres into 96 single-family detached residential lots, 1 onsite park area, 2 open space landscape/water quality lots, and 1 lot designated for an onsite sanitary sewer lift station.
- Design Review of the proposed residential structures.



TRUE LIFE SUBDIVISION

Figure 1: Project Vicinity

Legend

- ★ School
- Park

0 ¼ ½ Miles

1:45,000

Data sources: Contra Costa County; ArcGIS Online World Imagery Map Service. Map date: December 15, 2015.

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TRUE LIFE SUBDIVISION

Figure 2: Aerial View

Legend

Project Parcel 010-160-043

0 150 300

Feet

1:3,600

Data sources: Contra Costa County; ArcGIS Online World Imagery Map Service. Map date: December 15, 2015.

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LOT SIZE (TYP).	UNITS
50' X 100'	65
40' X 100'	31

- PLAN 1 FARMHOUSE (8)
- PLAN 1 ITALIANTE (6)
- PLAN 1 EARLY CALIFORNIA (6)
- PLAN 2 FARMHOUSE (11)
- PLAN 2 ITALIANTE (9)
- PLAN 2 EARLY CALIFORNIA (11)
- PLAN 3 FARMHOUSE (6)
- PLAN 3 ITALIANTE (9)
- PLAN 3 EARLY CALIFORNIA (7)
- PLAN 4 FARMHOUSE (7)
- PLAN 4 ITALIANTE (6)
- PLAN 4 EARLY CALIFORNIA (10)

0 75 150
Feet

1:1,800

Data sources: Wood Rogers 7/27/15; Contra Costa County GIS. Map date: December 15, 2015.

TRUE LIFE SUBDIVISION

Figure 3: Site Plan Layout

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ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

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

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

DETERMINATION:

On the basis of this initial evaluation:

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

Signature Date

EVALUATION INSTRUCTIONS:

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

Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.

7) Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.

8) This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.

9) The explanation of each issue should identify:
   a) The significance criteria or threshold, if any, used to evaluate each question; and
   b) The mitigation measure identified, if any, to reduce the impact to less than significance

EVALUATION OF ENVIRONMENTAL IMPACTS:

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

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

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ENVIRONMENTAL CHECKLIST

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

I. AESTHETICS -- WOULD THE PROJECT:

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

RESPONSES TO CHECKLIST QUESTIONS

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

According to the 2014 Brentwood General Plan Update EIR and the California Scenic Highway Mapping System, administered by Caltrans, the City of Brentwood does not contain officially designated State Scenic Highways[1]. However, it should be noted that the segment of State Route 4 (SR 4) located approximately 3 miles to the west of the project site is listed as an Eligible State Scenic Highway, but has not yet been officially designated. The project would not damage any scenic resources, such as trees, rock outcroppings, or historic buildings, within a State Scenic Highway, and is not a visible feature from the SR 4 corridor. Additionally, the project site is not designated as a scenic vista. The 2014 Brentwood General Plan Update EIR identifies SR 4 as a local scenic route due to the distant panoramic vistas of the Diablo Range and Mount Diablo in particular. Mount Diablo is located to the west of SR 4 and the proposed project is located to the east of SR 4, and on the eastern edge of the city. As a result, the project structures would not impede views of Mount Diablo currently afforded to travelers along SR 4, or impede views of Mount Diablo from residents residing in the City of Brentwood.

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

The proposed project would not remove trees, rock outcroppings, and historic buildings within a state scenic highway, and is not designated as a scenic vista. Therefore, this is considered a **less than significant** impact.

Response c): Less than Significant. The development of the site would change the existing visual setting from predominately agricultural land, to an urban area consisting of 96 single family residential units. The proposed development would be considered compatible with other residential and commercial uses designated for the immediate vicinity of the project site. In addition, the proposed project is consistent with (R-MD) land uses identified in the City's General Plan and General Plan Land Use Map. Implementation of the proposed project would alter the visual appearance on the project site through the removal of farmland and subsequent housing development. The proposed project is identified for urban land uses in the Brentwood General Plan. The proposed project is consistent with the overriding considerations that were adopted for the General Plan. As such, implementation of the proposed project would not create new impacts over and above those identified in the General Plan Final EIR nor significantly change previously identified impacts.

The final project design would be approved by the City through its design review process. Through this process the Planning Commission would ensure the design meets the criteria set forth in Municipal Code Section 17.820.007. As a result, development of the project site would result in a **less than significant** impact with respect to substantially degrading the existing visual character or quality of the site and its surroundings.

Response d): Less than Significant with Mitigation. The project site is void of structures and permanent light sources. As a result, no light or glare is currently emitted from the project site other than during active agricultural operations. The change from a vacant property to a residential development including 96 single family residences and associated street lighting would generate new permanent sources of light and glare. The project site is adjacent to existing public facilities to the west, and a continuation high school to the north. The structures located in the immediate vicinity of the site would be considered sensitive receptors, which could be adversely affected by additional sources of light and glare. However, the project would not include reflective building materials, and vehicle headlight glare would not be exacerbated given the existing level of traffic on Sellers Avenue, and landscaping and fencing that would contain project vehicle light sources. However, street and safety lighting located along project streets and within park areas may be visible from surrounding locations. Therefore, the increase in light produced by the proposed project would be considered potentially significant.

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

Mitigation Measure(s)

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

II. AGRICULTURE AND FOREST RESOURCES: WOULD THE PROJECT:

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

RESPONSES TO CHECKLIST QUESTIONS

Responses a): Less than Significant with Mitigation. The 18.5-acre development plan area currently contains agricultural operations. The Project site contains soils that are considered Prime Farmland soils by the California Department of Conservation, Farmland Mapping and Monitoring Program and the USDA Soil Conservation Service.[2] Figure 3.2-1 of the City of Brentwood General Plan EIR identifies important farmlands, as mapped by the USDA, on and near the project site. Additionally, the Planning Survey Report indicated that 16.41 acres of the project site is irrigated agricultural cropland.

Development of the site for urban uses and the subsequent removal of prime farmland soil for agricultural use was taken into consideration in the City of Brentwood General Plan and General Plan EIR. Buildout of the General Plan would result in the conversion of Prime Farmland, Unique Farmland, and Farmland of Statewide Importance to urban uses. The General Plan Draft EIR found this to be a significant and unavoidable impact. In June, 2014 the Brentwood City Council adopted a Statement of Overriding Considerations for the loss of prime agricultural land resulting from adoption of the Plan and EIR, and provided mitigation measures for the agricultural land lost to development in the City of Brentwood's urbanized areas.

Additionally, Section 17.730.020 of the City of Brentwood's Agricultural Preservation Program states that, "agricultural land" requiring mitigation, includes: "*those land areas of Contra Costa*

[2] http://maps.conservation.ca.gov/ciff/ciff.html

County specifically designated as agricultural core (AC) or agricultural lands (AL) as defined in the Contra Costa County general plan; those land areas near the city designated as agricultural conservation (AC) as defined in the Brentwood general plan; and/or other lands upon which agricultural activities, uses, operations or facilities exist or could exist that contain Class I, II, III or IV soils as defined by the United States Department of Agriculture Natural Resource Conservation Service."

The proposed project is identified for urban land uses in the Brentwood General Plan. The proposed project is consistent with the overriding considerations that were adopted for the General Plan. As such, implementation of the proposed project would not create new impacts over and above those identified in the General Plan Final EIR, nor significantly change previously identified impacts, therefore, in this regard, there is no impact. However, the site currently consists if active agricultural land, and contains Class I and Prime Ag soils. The proposed project is therefore subject to compliance with Chapter 17.730, Agricultural Preservation Program, of the Brentwood Municipal Code. Implementation of the following mitigation measure would bring the proposed project in compliance with Chapter 17.730 of the Brentwood Municipal Code. Thus, through implementation of Mitigation Measure 2, impacts related to this environmental topic are considered **less than significant**.

Mitigation Measure(s)

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

Response b): No Impact. The project site is not under Williamson Act contract, nor is the site zoned for agricultural use. The current land use designation for the project site is Medium Density Residential. Therefore, the project would have no impact with respect to conflicting with agricultural zoning or Williamson Act contracts**.** There is **no impact.**

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

Responses e): Less than Significant. Individual project impacts to the loss of prime farmland are addressed through the proposed mitigation in item **a)** above. The proposed project would not be anticipated to promote off-site development of existing agricultural land because the proposed infrastructure is sized to serve only the project area. As stated previously, agricultural land to the north of the project site is expected to be developed as part of the proposed Sellers Pointe project, however, the proposed project and urban land uses identified for the surrounding area are consistent with the overriding considerations that were adopted for the General Plan. As such, implementation of the proposed project would not create new impacts over and above those identified in the General Plan Final EIR, nor significantly change

previously identified impacts related to agricultural resources. In addition, the project site is consistent with the type and intensity of land uses anticipated by the General Plan. Finally, the project site is not considered to be forest land. Therefore, the proposed project would result in a **less than significant** impact to the existing environment that could individually or cumulatively result in loss of farmland to non-agricultural uses or conversion of forest land to non-forest uses.

III. AIR QUALITY -- WOULD THE PROJECT:

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

EXISTING SETTING

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

RESPONSES TO CHECKLIST QUESTIONS

Response a): Less than Significant.

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

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

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

Responses b), c): Less than Significant. According to the California Environmental Quality Act (CEQA) Guidelines, an air quality impact may be considered significant if the proposed project's implementation would result in, or potentially result in, conditions, which violate any existing local, State or federal air quality regulations. In order to evaluate ozone and other criteria air pollutant emissions and support attainment goals for those pollutants designated as nonattainment in the area, the BAAQMD has established significance thresholds associated with development projects for emissions of reactive organic gases (ROG), nitrogen oxide (NOx), PM_{10}, and $PM_{2.5}$. The BAAQMD's significance thresholds, expressed in pounds per day (lbs/day) for project-level and tons per year (tons/yr) for cumulative, listed in Table 1, are recommended for use in the evaluation of air quality impacts associated with proposed development projects.

Table 1: BAAQMD Thresholds of Significance

Pollutant	Construction (lbs/day)	Operational (lbs/day)	Cumulative (tons/year)
ROG	54	54	10
NOx	54	54	10
PM_{10}	82	82	15
$PM_{2.5}$	54	54	10
Source: BAAQMD, CEQA Guidelines, May 2011.			

In addition, the BAAQMD identifies screening criteria for development projects, which provide a conservative indication of whether a development could result in potentially significant air

quality impacts. If the screening criteria are exceeded by a project, a detailed air quality assessment of that project's air pollutant emissions would be required. The project is made up of single-family residences. The screening criteria for a single-family residential development are if the development is less than or equal to the following screening level sizes:

- 325 dwelling units for operational criteria pollutants;
- 56 dwelling units for operational greenhouse gas (GHG) (addressed in Section XII); or
- 114 dwelling units for construction criteria pollutants.

Accordingly, if a single-family development is less than or equal to the screening size for operational or construction criteria pollutants, or for operational GHG, the development would not be expected to result in potentially significant air quality impacts, and a detailed air quality assessment would not be required. The proposed project screens out under all criteria except operational GHG emissions analysis which is further addressed in Section XII.

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

Implementation of the proposed project would contribute local emissions in the area during both the construction and operation of the proposed project. As the proposed project involves the development of 96 dwelling units, the project does not exceed the screening criteria for operational or construction-related criteria pollutants resulting from a single-family residential development. As such, the proposed project would not be expected to result in potentially significant operational or construction-related air quality impacts.

As discussed previously, the proposed projects falls under the screening criteria for operational and construction criteria air pollutants and precursors. BAAQMD's has determined that if the project meets the screening criteria, the project would not result in the generation of

operational-related criteria air pollutants and/or precursors that exceed the Thresholds of Significance. Therefore implementation of the proposed project would result in a **less-than-significant** impact to air quality from criteria air pollutant and precursor emissions.

It should be noted that the project is required to comply with all BAAQMD rules and regulations for construction, including implementation of the BAAQMD's recommended Basic Construction Mitigation Measures. The Basic Construction Mitigation Measures include, but are not limited to, watering exposed surfaces, covering all haul truck loads, removing all visible mud or dirt track-out, limiting vehicle speeds on unpaved roads, and minimizing idling time.

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

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

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

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

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

Toxic Air Contaminants (TACs) are also a category of environmental concern. The California Air Resources Board's (CARB) *Air Quality and Land Use Handbook: A Community Health Perspective* (Handbook) provides recommendations for siting new sensitive land uses near sources typically associated with significant levels of TAC emissions, including, but not limited to,

freeways and high traffic roads, distribution centers, and rail yards. It should be noted that the project site is approximately one quarter-mile from the nearest railroad tracks; however, due to the lack of idling trains, the CARB does not consider tracks to be a significant source of TAC emissions, and the project site is not located in the vicinity of a rail yard. The CARB has identified diesel particulate matter (DPM) from diesel-fueled engines as a TAC; thus, high volume freeways, stationary diesel engines, and facilities attracting heavy and constant diesel vehicle traffic are identified as having the highest associated health risks from DPM. Health risks from TACs are a function of both the concentration of emissions and the duration of exposure. Health-related risks associated with DPM in particular are primarily associated with long-term exposure and associated risk of contracting cancer.

Children, pregnant women, the elderly, and those with existing health problems are considered more sensitive to air pollution than others. Accordingly, land uses that are typically considered to be sensitive receptors include residences, schools, day care centers, playgrounds, and medical facilities. The proposed project includes the development of single-family residences, the occupants of which would be considered sensitive receptors. Additionally, La Paloma High School located just north of the project site would also be considered sensitive receptors. The CARB, per its Handbook, considers that any project placing sensitive receptors within 500 feet of a major roadway or freeway may have the potential to expose those receptors to DPM. Similarly, the BAAQMD recommends placement of overlay zones at least 500 feet from all freeways and high volume roadways. The nearest freeway, SR 4, is located over 12,000 feet to the west of the project site. Therefore, the project site is not located within 500 feet of any freeway or high volume roadway, and would not be subjected to substantial concentrations of DPM associated with roadways.

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

proposed project would not expose any nearby existing sensitive receptors to any short-term substantial concentrations of TACs.

The City of Brentwood was previously advised of two serious cases of Valley Fever contracted during an archeological excavation near the southern City limit boundary. Valley Fever is an infection caused by inhalation of the spores of the *Coccidioides immitis fungus*, which grows in soils and are released during earthmoving. The fungus is very prevalent in the soils of California's San Joaquin Valley. The ecological factors that appear to be most conducive to survival and replication of the spores are high summer temperature, mild winters, sparse rainfall, and alkaline, sandy soils. Earth moving during development of the project site could put nearby residents at a greater risk of exposure to Valley Fever; however, because fungus spores need to become airborne in order to enter the respiratory tract of humans, and landscaping, building pads, and streets associated with the development would eliminate most fugitive dust, the threat is more serious for construction workers than for nearby residents. Residents living in close proximity to the project site during construction may be at risk of being exposed to the disease due to proximity and a relatively lower immunity. As a result, measures should be taken to reduce the potential for exposure of the disease during construction to both construction workers and nearby receptors. These include measures to control dust through construction site irrigation, soil stabilizers and landscaping. Paving roads, planting grass, and other measures that reduce dust where people live, work, or engage in recreation have been shown to reduce the incidence of infection. Sufficient wetting of the soil prior to grading activities can reduce exposure to airborne spores of the fungus.

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

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

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

Mitigation Measure(s)

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

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

- *Cover all trucks hauling construction and demolition debris from the site;*
- *Water all exposed or disturbed soil surfaces at least twice daily;*
- *Use watering to control dust generation during demolition of structures or break-up of pavement;*
- *Pave, apply water three time daily, or apply (non-toxic) soil stabilizers on all unpaved parking areas and staging areas;*
- *Sweep daily (with water sweepers) all paved parking areas and staging areas;*
- *Provide daily clean-up of mud and dirt carried onto paved streets from the site;*
- *Enclose, cover, water twice daily or apply non-toxic soil binders to exposed stockpiles (dirt, sand, etc.);*
- *Limit traffic speeds on unpaved roads to 15 mph;*
- *Install sandbags or other erosion control measures to prevent silt runoff to public roadways;*
- *Replant vegetation in disturbed areas as quickly as possible;*
- *Install wheel washers for all exiting trucks, or wash off the tires or tracks of all trucks and equipment leaving the site;*
- *Install wind breaks, or plant trees/vegetative wind breaks at windward side(s) or construction areas;*
- *Suspend excavation and grading activity when winds (instantaneous gusts) exceed 25 mph;*
- *Limit the area subject to excavation, grading, and other construction activity at any one time;*
- *Unnecessary idling of construction equipment shall be avoided;*
- *Equipment engines shall be maintained in proper working condition per manufacturers' specifications;*
- *During periods of heavier air pollution (May to October), the construction period shall be lengthened to minimize the amount of equipment operating at one time;*
- *Where feasible, the construction equipment shall use cleaner fuels, add-on control devices and conversion to cleaner engines.*

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

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

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

Response e): Less than Significant. According to the CARB's Handbook, some of the most common sources of odor complaints received by local air districts are sewage treatment plants, landfills, recycling facilities, waste transfer stations, petroleum refineries, biomass operations, autobody shops, coating operations, fiberglass manufacturing, foundries, rendering plants, and livestock operations. The proposed project site is located around developed areas and is surrounded by an existing school, public facilities, residential, and agricultural land uses (row crops) that are generally not associated with objectionable odors.

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

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

IV. BIOLOGICAL RESOURCES -- WOULD THE PROJECT:

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

RESPONSES TO CHECKLIST QUESTIONS

Response a): Less than Significant with Mitigation.

The following section is based upon the Planning Survey Report (PSR) prepared for the project site by Zentner and Zentner Biological Consultants (June 2015) in order to comply with and receive Permit coverage under the East Contra Costa County Habitat Conservation Plan (ECCCHCP).

The property consists primarily of croplands and small portions of ruderal grasslands. Due to cultivation practices, the site contains no high quality habitat for covered and no-take plant species. In addition, none of the covered or no-take plant species were observed during the planning survey on June 3rd, 2015, and according to Zentner and Zentner none are expected to occur on the site, due to the site's history of heavy disturbance. The project site is routinely disked and farmed for row crops, which would eliminate any special status plant species. The

ruderal edges of the site are also heavily disturbed by the associated farming practices and are highly unlikely to contain special status plant species.

Vegetation observed on the project site includes: bristly ox-tongue (*Helminthotheca echiolides*), bindweed (*Convovulus arvensis),* yellow star thistle *(Centaurea solstitialls),* Johnson grass (*Sorghum halepense),* tree of heaven (*Ailanthus altissima),* wild grape (*Vitis sp.),* black mustard (*Brassica nigra),* fan palm (*Washingtonia robusta),* goosefoot (*Chenopodium album),* wild barley (*Hordeum murinum),* red alder (*Alnus rubra),* and sow thistle (*Sonchus oleraceus).*

Special Status Plant Species

Surveys to assess whether the project site contains potentially suitable habitat for special-status plants, and to search for special-status plants, were undertaken by Zentner and Zentner on June 3, 2015. The site was systematically searched by walking throughout the project site.

The planning survey revealed that the ruderal vegetation is dominated by non-native species that had recently been sprayed with herbicides. None of the covered or no-take species were found during the survey, and due to its disturbed state, the site is highly unlikely to contain any of these species. Potentially occurring special-status plant species listed in the ECCCHCP for the grassland habitat type are not expected to occur on-site because of the heavy disturbance the site has received being under intensive agricultural uses. Therefore the project is not expected to impact any covered or no-take plants.

Special Status Wildlife Species

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

The project site and surroundings were surveyed for special status species on June 3rd, 2015 by Zentner and Zentner staff. The following presents the results of that survey for each species triggered by cropland and ruderal land cover types.

San Joaquin Kit Fox: The project site is outside the modeled habitat for San Joaquin kit fox and therefore no planning surveys are required. In addition, the site contained no burrows of any kind.

Western Burrowing Owl: No burrowing owls or signs of burrowing owls, ground squirrels, or burrows of any kind were found on the subject property. The site is marginally suitable for burrowing owls, it contains 1.94 acres of ruderal vegetation that fit into the category of "occasional and limited use" habitat for the owls, a 500-foot buffer was also surveyed for burrowing owls. Within a 500-foot radius of the site, there is an additional 23.13 acres of potential habitat. However, the project site is heavily disturbed; the field has been recently disked and the ruderal areas have been sprayed, which makes it poor habitat on-site for burrowing owls. Still, because of the potential habitat that exists, a preconstruction survey for burrowing owls will be required.

Townsend's Big-eared Bat, Swainson's Hawk and Golden Eagle: No appropriate nesting or roosting habitat elements were found onsite for any of these special status species. The only significant tree within the project site is a small bushy alder, approximately 12 feet tall, which would not provide suitable nesting habitat for nesting raptors including Swainson's hawks or Golden eagles. During the planning surveys, no active raptor nests were observed within 2,500 feet of the project site. Furthermore, an analysis of the California Natural Diversity Database (CNDDB) revealed that within 1/2 mile of the project site, there is only a single historical occurrence of a Swainson's hawk nest. This occurrence is centered on Brentwood Boulevard in downtown Brentwood, and was recorded in 1921. Because this nesting site was last seen 94 years ago in what is now the center of the City of Brentwood, this nest is highly likely to be extirpated.

None of the fully protected wildlife species listed in the HCP/NCCP have been observed or are likely to occur within the property. The site does not provide adequate nesting habitat for any of the raptors (Swainson's hawk, white-tailed kite, peregrine falcon, or golden eagle); nor does it contain adequate habitat for ringtails. However, if/when the site contains growing grain crops, the cropland land cover type does provide moderately suitable foraging habitat for kites and Swainson's hawk. The site contains a single small red alder tree that has some potential for migratory bird nesting habitat, but is too small for raptor nesting.

Conclusion

Due to the disturbed nature of the project site's ruderal annual grassland cover type, suitable habitat does not exist to support special-status plant species known to occur within the annual grassland cover type of East Contra Costa County. While the presence of special- status wildlife species is relatively unlikely, based upon the current land cover types found on-site, in accordance with the ECCCHCP, wildlife species surveys are required to determine whether any special-status wildlife species are occupying the project site prior to initiating on-site ground disturbance and vegetation removal. If the necessary preconstruction surveys are not carried out, the project could result in a potentially significant adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the U.S. Fish and Wildlife Service (USFWS), or the California Department of Fish and Wildlife (CDFW). The following mitigation measures would reduce the above-stated special-status wildlife impacts to a **less than significant** level.

Mitigation Measure(s)

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

received, that other ECCC HCP/NCCP requirements have been met or will be performed, and will authorize take of covered species.

Burrowing Owl

Mitigation Measure 8A: *Prior to any ground disturbance related to activities covered under the ECCCHCP, a preconstruction survey of the 18.5-acre development plan area shall be completed. The surveys shall establish the presence or absence of western burrowing owl and/or habitat features, and evaluate use by owls in accordance with CDFW survey guidelines.*

An approved biologist will conduct a preconstruction survey in areas identified in the planning surveys as having potential burrowing owl habitat. The surveys will establish the presence or absence of western burrowing owl and/or habitat features and evaluate use by owls in accordance with CDFW survey guidelines (California Department of Fish and Game 1995). On the parcel where the activity is proposed, the biologist will 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 will not be surveyed. Surveys should take place near sunrise or sunset in accordance with CDFW guidelines. All burrows or burrowing owls will be identified and mapped. Surveys will take place no more than 30 days prior to construction. During the breeding season (February 1—August 31), surveys will document whether burrowing owls are nesting in or directly adjacent to disturbance areas. During the nonbreeding season (September 1—January 31), surveys will document whether burrowing owls are using habitat in or directly adjacent to any disturbance area. Survey results will be valid only for the season (breeding or nonbreeding) during which the survey is conducted. If burrowing owls and/or burrows are identified in the survey area, Mitigation Measure 8B shall be implemented. If burrowing owls and/or suitable burrows are not discovered, then further mitigation is not necessary.

Mitigation Measure 8B: *If burrowing owls are found during the breeding season (February 1 August 31), the project proponent will 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 will 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 —January 31), the project proponent should avoid the owls and the burrows they are using, if possible. Avoidance will 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 will be established around each occupied burrow (nest site). Buffer zones of 160 feet will be established around each burrow being used during the nonbreeding season. The buffers will be delineated by highly visible, temporary construction fencing, if occupied burrows for burrowing owls are not avoided, passive relocation will be implemented. Owls should 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 should be in place for 48 hours prior to excavation. The project area should be monitored daily for 1 week to confirm that the owl has abandoned the burrow. Whenever possible, burrows should be excavated using hand tools and refilled to prevent reoccupation*

(California Department of Fish and Game 1995). Plastic tubing or a similar structure should be inserted in the tunnels during excavation to maintain an escape route for any owls inside the burrow.

Covered Migratory Birds

Mitigation Measure 9: *Prior to any ground disturbance a pre-construction survey for covered migratory birds shall be completed. This survey shall be conducted in the morning or evening hours within 30 days prior to any construction activities. The entire site, including the alder tree and surrounding vegetation, will be surveyed for birds, nests and nesting behavior. Common nesting behavior by birds includes; collecting nesting materials, bringing food items to a nest and vocalizations from young or from adults to attract a mate and to establish or defend a nesting territory. A construction-free buffer of suitable dimensions must be established around any active migratory bird nests (up to 250 feet, depending on the location and species) for the duration of the project or until it has been determined that the chicks have fledged and are independent of their parents.*

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

During the planning survey of the project site, the site was sampled and examined for wetland indicators. The project site was determined to be upland with all data points confirming the site as upland or cropland. Therefore, Zentner and Zentner determined that no jurisdictional waters or wetlands are present onsite, and no Army Corps of Engineers or Regional Water Quality Control Board (RWQCB) permits would be required relating to jurisdictional waters.

There is no aquatic habitat at the site. As a result, the implementation of the proposed project would have a **less than significant** impact to any riparian habitat, seasonal wetlands, or vernal pools as defined by Section 404 of the Clean Water Act through direct removal, filling, hydrological interruption, or other means.

Responses d): Less than Significant. While the proposed project would result in substantial development of the project site, the site is adjacent to existing developments. The project site and the open fields to the east provide limited opportunities for native, resident, or migratory wildlife to use as a movement corridor. The CNDDB record search did not reveal any documented wildlife corridors or wildlife nursery sites on or adjacent to the project site.

Furthermore, the field survey did not reveal any wildlife nursery sites on or adjacent to the project site.

Given that the project site provides limited habitat due to ongoing cultivation, impacts related to the movement of any resident or migratory fish or wildlife species or with established resident or migratory wildlife corridors, or impeding the use of wildlife nursery sites are considered **less than significant**.

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

V. CULTURAL RESOURCES -- WOULD THE PROJECT:

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

RESPONSES TO CHECKLIST QUESTIONS

Response a): Less than Significant. Holman & Associates, Archaeological Consultant, conducted literature review and archival research for the proposed project to determine if the project site contains cultural or historical resources.

The literature review was conducted at the Northwest Information Center of the California Historical Resources Information System on April 20, 2015. Cultural resource studies have not been completed within the proposed area of development.

Additionally, a field inspection was conducted by Holman & Associates on May 7, 2015. Field inspections of the project site indicate that there is no evidence of historic or prehistoric archeological deposits.

The 2014 Brentwood General Plan Update EIR identifies 24 historic properties in the Brentwood Planning Area. None of the 24 properties listed are within the proposed project site.[3] Since there are no existing buildings on the project site, there is nothing on that site that could be considered a "historical resource" under Section 15064.5 in the CEQA handbook.

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

Responses b), c), d): Less than Significant with Mitigation. According to Holman & Associates, Cultural Resources Assessment, studies did not reveal Native American, or archaeological resources associated with the project site. Therefore, the subject parcel is considered of low archaeological sensitivity for prehistoric cultural resources. However, ground-disturbing activities may have the potential to uncover buried cultural deposits. As a result, during construction and excavation activities, unknown archaeological resources, including human bone, may be uncovered, resulting in a potentially significant impact.

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

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

Mitigation Measure(s)

Mitigation Measure 10: *Prior to grading permit issuance, the developer shall submit plans to the Community Development Department for review and approval which indicate (via notation on the improvement plans) that if historic and/or cultural resources are encountered during site grading or other site work, all such work shall be halted immediately within the area of discovery and the developer shall immediately notify the Community Development Department of the discovery. In such case, the developer shall be required, at their own expense, to retain the services of a qualified archaeologist for the purpose of recording, protecting, or curating the discovery as appropriate. The archaeologist shall be required to submit to the Community Development Department for review and approval a report of the findings and method of curation or protection of the resources. Further grading or site work within the area of discovery would not be allowed until the preceding work has occurred.*

Mitigation Measure 11: *Pursuant to State Health and Safety Code §7050.5 (c) State Public Resources Code §5097.98, if human bone or bone of unknown origin is found during construction, all work shall stop in the vicinity of the find and the Contra Costa County Coroner shall be contacted immediately. If the remains are determined to be Native American, the coroner shall notify the Native American Heritage Commission who shall notify the person believed to be the most likely descendant. The most likely descendant shall work with the contractor to develop a program for re-internment of the human remains and any associated artifacts. Additional work is not to take place within the immediate vicinity of the find until the identified appropriate actions have been implemented.*

VI. GEOLOGY AND SOILS -- WOULD THE PROJECT:

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

RESPONSES TO CHECKLIST QUESTIONS

Responses a.i), a.ii): Less than Significant with Mitigation. The site is not located within a currently designated Alquist-Priolo Earthquake Fault Zone, and known surface expression of active faults does not exist within the site. However, the site is located within a seismically active region. According to the USGS Fault and Fold Database, the nearest active faults are the Greenville Fault and the Concord Fault, located about15 miles southwest and 17 miles west, respectively. The Greenville Fault is considered to be capable of a moment magnitude earthquake of 6.8 to 7.0.

Geologic Hazards

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

Ground Rupture

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

Ground Shaking

An earthquake of moderate to high magnitude generated within the San Francisco Bay region could cause considerable ground shaking at the site, similar to that which has occurred in the past. The project would be built using standard engineering and seismic safety design techniques. Building design at the project site would be completed in conformance with the recommendations of the geotechnical investigation required by Mitigation Measure 13 below, as reviewed and approved by the City of Brentwood Building Division. The structures would meet the requirements of applicable Building and Fire Codes, including the 2013 California Building Code (CBC), as adopted or updated by the City of Brentwood. Seismic design provisions of current building codes generally prescribe minimum lateral forces, applied statically to the structure, combined with the gravity forces of dead-and-live loads. The code-prescribed lateral forces are generally considered to be substantially smaller than the comparable forces that would be associated with a major earthquake. Therefore, structures would be able to: (1) resist minor earthquakes without damage, (2) resist moderate earthquakes without structural damage but with some nonstructural damage, and (3) resist major earthquakes without collapse but with some structural as well as nonstructural damage.

Ground Lurching

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

Conclusion

The project site is not within an Alquist-Priolo Special Studies Zone; however, the Brentwood area is located in a seismically active zone. Five active faults are located within an approximate 50-mile radius of the project site. The nearest State of California zoned, active faults are the Greenville and Concord faults, located approximately 15 miles southwest and 17 miles west, respectively. Development of the proposed project in this seismically active zone could expose

people or structures to substantial adverse effects, including the risk of loss, injury, or death involving rupture of a known earthquake fault and/or strong seismic ground shaking. Therefore, a potentially significant impact could result. The City of Brentwood General Plan Action SA 1a requires the submission of geologic and soils reports for all new developments. The geologic risk areas that are determined from these studies shall have standards established and recommendations shall be incorporated into development. Implementation of the following mitigation measures would ensure the potential impacts are **less than significant.**

Mitigation Measure(s)

Mitigation Measure 12*: All project buildings shall be designed in conformance with the current edition of the California Building Code (CBC).*

Mitigation Measure 13: *Prior to grading permit issuance, the applicant shall submit a final geotechnical evaluation of the project site that analyzes soil stability including soil expansion, and the potential for lateral spreading, subsidence, liquefaction or collapse. The report shall identify any on site soil and seismic hazards and provide design recommendations for onsite soil and seismic conditions. The geotechnical evaluation shall be reviewed and approved by the Director of Public Works/City Engineer, Chief Building Official, and a qualified Geotechnical Engineer to ensure that all geotechnical recommendations specified in the geotechnical report are properly incorporated and utilized in the project design.*

Mitigation Measure 14*: All grading and foundation plans for the development shall be designed by a Civil and Structural Engineer and reviewed and approved by the Director of Public Works/City Engineer, Chief Building Official, and a qualified Geotechnical Engineer prior to issuance of grading and building permits to ensure that all geotechnical recommendations specified in the geotechnical report are properly incorporated and utilized in the project design.*

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

According The City of Brentwood General Plan Draft EIR Figure 3.6-2 the risk of liquefaction is considered High in the southeast portion of the project site, and Moderate in the northwest portion of the project site. As discussed previously, the City of Brentwood General Plan Action SA 1a requires the submission of geologic and soils reports for all new developments. The geologic risk areas that are determined from these studies shall have standards established and recommendations shall be incorporated into development.

Considering the high to moderate risk of liquefaction at the proposed project site potentially significant impacts relating to soil stability are present. As stated previously, Mitigation Measure 13 requires the preparation of a geotechnical evaluation of the project site. Implementation of Mitigation Measure 13 would reduce impacts to **less than significant** levels related to soil stability, and the potential result in, lateral spreading, subsidence, liquefaction or collapse.

Mitigation Measure(s)
Implement Mitigation Measure 13

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

Response b): Less than Significant with Mitigation. The project site currently consists of undeveloped agricultural land. According to the project site plans prepared for the proposed project, development of the proposed project would result in the creation of new impervious surface areas throughout the project site. The development of the project site would also cause ground disturbance of top soil. The ground disturbance would be limited to the areas proposed for grading and excavation, including the residential building pads and drainage, sewer, and water infrastructure improvements. After grading and excavation, and prior to overlaying the disturbed ground surfaces with impervious surfaces and structures, the potential exists for wind and water erosion to occur, which could adversely affect downstream storm drainage facilities.

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

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

Mitigation Measure(s)
Mitigation Measure 15*. Prior to grading permit issuance, the applicant shall submit a final grading plan to the Director of Public Works/City Engineer for review and approval. If the grading plan differs significantly from the proposed grading illustrated on the approved project plans, plans that are consistent with the new revised grading plan shall be provided for review and approval by the Director of Public Works/City Engineer.*

Mitigation Measure 16*. Any applicant for a grading permit shall submit an erosion control plan to the Director of Public Works/City Engineer for review and approval. The plan shall identify protective measures to be taken during construction, supplemental measures to be taken during the rainy season, the sequenced timing of grading and construction, and subsequent revegetation and landscaping work to ensure water quality in creeks and tributaries in the General Plan Area is not degraded from its present level. All protective measures shall be shown on the grading plans and specify the entity responsible for completing and/or monitoring the measure and include the circumstances and/or timing for implementation.*

Mitigation Measure 17*: Grading, soil disturbance, or compaction shall not occur during periods of rain or on ground that contains freestanding water. Soil that has been soaked and wetted by rain or any other cause shall not be compacted until completely drained and until the moisture content is within the limit approved by a Soils Engineer. Approval by a Soils Engineer shall be*

obtained prior to the continuance of grading operations. Confirmation of this approval shall be provided to the Public Works Department prior to commencement of grading.

Response d): Less than Significant with Mitigation. Expansive soils shrink/swell when subjected to moisture fluctuations, which could cause heaving and cracking of slabs-on-grade, pavements, and structures founded on shallow foundations. Building damage due to moisture changes in expansive soils could be reduced by appropriate grading practices and using post-tensioned slab foundations or similarly stiffened foundation systems which are designed to resist the deflections associated with soil expansion. According to the City of Brentwood General Plan Draft EIR Figure 3.6-4 the project site has a high (6%-9%) Linear Extensibility (which directly relates to the soils shrink-swell potential). Therefore, because of the potential presence of expansive soils on the site, a **potentially significant** impact could occur. However, as mentioned previously, Mitigation Measure 13 requires a final geotechnical evaluation of the project site that analyzes soil stability including soil expansion. Implementation of Mitigation Measure 13 ensures project soils are analyzed and design recommendations are provide by a qualified geotechnical engineer to ensure the safety and welfare of future project residence. Therefore, this impact is considered **less than significant**.

Mitigation Measure(s)

Implementation of Mitigation Measure 13.

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

XII. GREENHOUSE GAS EMISSIONS – WOULD THE PROJECT:

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

RESPONSES TO CHECKLIST QUESTIONS

Responses a), b): Less than Significant. Implementation of the proposed project would cumulatively contribute to increases of GHG emissions that are associated with global climate change. Estimated GHG emissions attributable to future development would be primarily associated with increases of carbon dioxide (CO_2) and, to a lesser extent, other GHG pollutants, such as methane (CH_4) and nitrous oxide (N_2O). Sources of GHG emissions include area sources, mobile sources or vehicles, utilities (electricity and natural gas), water usage, wastewater generation, and the generation of solid waste. The common unit of measurement for GHG is expressed in terms of annual metric tons of CO_2 equivalents ($MTCO_2e/yr$).

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

The BAAQMD identifies screening criteria for development projects, which provide a conservative indication of whether a development could result in a potentially significant impact associated with GHG emissions. If the screening criterion for GHG is met by a project, an assessment of that project's GHG emissions would be required. The operational GHG screening criterion for a single-family residential development is if the development is less than or equal to 56 dwelling units. Because the proposed project consists of a total of 96 single-family residential dwelling units, a GHG assessment is required for the proposed project.

The BAAQMD threshold of significance for project-level operational GHG emissions is 1,100 $MTCO_2e/yr$ or 4.6 $MTCO_2e$ per service population, per year ($MTCO_2e/SP/yr$). Construction GHG emissions are a one-time release and are, therefore, not typically expected to generate a significant contribution to global climate change. As such, BAAQMD has not established a threshold of significance for construction-related GHG emissions and the District does not require their quantification.

The proposed project's operational GHG emissions, including CO_2, N_2O, and CH_4 emissions, were analyzed using CalEEMod. Applying the City's 3.22 persons per household statistic to the proposed project's 96 units, the proposed project would result in a service population of 309 persons. According to the CalEEMod results, the proposed project's unmitigated operational GHG emissions per the service population of 309 persons would be 4.14 $MTCO_2e/SP/yr$

(1281/309, see Table 2), which would be below the applicable threshold of significance of 4.6 $MTCO_2e/SP/yr$. In addition, it should be noted that implementation of *Mitigation Measure 3* set forth within this IS/MND would further reduce the proposed project's associated construction GHG emissions in conjunction with criteria pollutant emissions. The proposed project's unmitigated GHG emissions are presented in Table 2 below.

Table 2: Unmitigated Project GHG Emissions

Emissions Source	Annual GHG Emissions (MT CO_2e/yr)
Total Construction-related GHG Emissions [1]	265
Operational GHG Emissions	1281.9
Total Annual Project GHG Emissions per Service Population	**4.14**

Source: CalEEMod, December 2015.
[1] average based on 2016 through 2017 construction schedule.

As shown in Table 2, the proposed project's unmitigated project (2018) GHG emissions would be 4.14 $MTCO_2e/SP/yr$, which is below the applicable threshold of significance of 4.6 $MTCO_2e/SP/yr$. Therefore, the project would not conflict with any applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of GHGs, and impacts associated with the generation of GHG emissions would be considered **less than significant**.

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

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

RESPONSES TO CHECKLIST QUESTIONS

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

A Phase I Environmental Site Assessment (Phase I Report), and Soil Quality Evaluation dated January 13, 2015, was prepared for the project site by Cornerstone Earth Group. As part of the evaluation process Cornerstone Earth Group also reviewed previous environmental documents prepared by Engeo in 2014. Cornerstone conducted a review of federal, state and local regulatory agency databases provided by Environmental Data Resources (EDR) to evaluate the

likelihood of contamination incidents at and near the site. The database sources and the search distances are in general accordance with the requirements of ASTM E 1527-13. The purpose of the records review was to obtain reasonably available information to help identify Recognized Environmental Conditions. Additionally, Cornerstone Earth Group conducted a reconnaissance of the project site on January 22, 2015. The site reconnaissance was conducted by walking and driving representative areas of the site. Results of the site reconnaissance and records searches are as follows:

Site Reconnaissance: The site was observed to be vacant and entirely unpaved. The majority of the site appeared to have been tilled somewhat recently as the soil was observed in distinct row patterns. Unpaved vehicular access roads were observed encircling the tilled areas of the site. Fences were observed along portions of the northern and western site boundaries. A steel pipe was observed along the western fence that originated on the police station property. The purpose of this pipe was not apparent, but it did not appear to have been used recently as the pipe appeared to be filled with soil.

A high voltage transmission line tower and irrigation standpipes were observed at the southeast corner of the site. High voltage electrical lines were observed along the southern border of the site and travelled to the adjacent PG&E substation. Signage indicating a buried underground petroleum pipeline was observed at the southeastern corner of the site. Former buried HDPE irrigation tubing was also observed throughout the site.

A large stockpile of soil was observed on-site and along the site's eastern boundary. The stockpile was observed to be up to approximately 12 feet high and approximately 20 feet wide. The stockpiled soil visually appeared similar to the remainder of the soils on site, and no visibly apparent signs of contamination were observed (i.e., odors, staining, debris, etc.).

Structures: No existing structures were identified at the site.

Hazardous Substances and Soil Sampling*:* To help evaluate the general soil quality, soil samples were collected on January 22, 2015 from soil borings from the upper 1/2 foot of soil and from the approximate depth interval of 2 to 2 ½ feet. To evaluate the soil quality in the area of the former on-site structure and reported trolley tracks, soil samples were collected on February 23, 2015 from a depth of approximately 1/2 to 1 foot.

Laboratory testing included arsenic, lead, and mercury (EPA Test Method 6010/7000) and organochlorine Pesticides (OCPs) (EPA Test Method 8081). Deeper samples were held pending the analytical results of the shallow samples; selected deeper soil samples were also taken and analyzed for arsenic to help evaluate the concentrations detected in the near surface samples.

Arsenic concentrations detected ranged between 7.2 mg/kg and 14 mg/kg, and exceeded the published regional background concentration of 11 mg/kg in 8 samples. The detected arsenic concentrations in these samples were similar to those previously detected on site in 2014 (Engeo, 2014), and to those detected in soil samples collected from the adjacent property to the North in 2006 (Kleinfelder, 2007). Therefore, the arsenic concentration detected in these samples appear to be indicative of background levels at the site. Natural background

concentrations of arsenic are often well above the health-based RSL of 0.67 mg/kg; however, Department of Toxic Substances Control (DTSC) generally does not require cleanup of metals in soil to below background levels. Bradford eta'. (1996) estimated that background arsenic concentrations in California soil types range from 0.6 mg/kg to 11 mg/kg. Scott'. (1991) documented background arsenic concentrations ranging up to 20 mg/kg. Duverge (2011) concluded that the upper estimate (the 99th percentile) for background arsenic levels in the San Francisco Bay Region is 11 mg/kg. Engeo also concluded that the concentrations of arsenic detected in soil appeared consistent with background levels. The remaining metal concentrations detected were all below their respective residential screening criteria and/or within their published background ranges.

The Organochlorine Pesticide Compounds (OCPs) 4,4'-DDD, 4,41-DDE, 4,41-DDT, and dieldrin were detected at concentrations below their respective Regional Screening Levels (RSLs). No other OCPs were detected.

Engeo concluded that no Recognized Environmental Conditions' or Historical Recognized Environmental Conditions' were identified. Additionally, Cornerstone's assessment revealed no Recognized Environmental Conditions, Controlled Recognized Environmental Conditions, or Historical Recognized Environmental Conditions were identified on the project site.

Proposed Project Uses

The proposed project has limited potential for the routine transport, use, or disposal of hazardous materials. The proposed residential uses would not involve the routine transport, use, or disposal of hazardous materials, or present a reasonably foreseeable release of hazardous materials. Hazardous materials associated with the residential uses would consist mostly of typical household-type cleaning products and fertilizers, which would be utilized in small quantities and in accordance with label instructions.

Conclusion

Development of the proposed project would include the construction of 96 residential units and associated infrastructure. Projects that involve the routine transport, use, or disposal of hazardous materials are typically industrial in nature. The proposed project would not involve the routine transport, use, or disposal of hazardous materials. The Phase I prepared for the project site revealed no Recognized Environmental Conditions, Controlled Recognized Environmental Conditions, or Historical Recognized Environmental Conditions. Therefore, implementation of the proposed project would have a **less than significant** impact relative to this environmental topic**.**

Response c): Less than Significant. La Paloma High School is located directly adjacent to the northern portion of the project site, however, the proposed project has limited potential for the routine transport, use, or disposal of hazardous materials as discussed above in Responses a) and b). The proposed residential uses would not involve the routine transport, use, or disposal of hazardous materials, or present a reasonably foreseeable release of hazardous materials. Therefore, the project would have a **less than significant** impact with respect to emitting

hazardous emissions or handling hazardous or acutely hazardous materials, substances, or waste within ¼ mile of an existing or proposed school.

Response d): No impact. In preparing the Phase 1 Environmental Site Assessment, and Preliminary Soil Quality Evaluation Report (2015), Cornerstone Earth Group performed a search of Federal, State, and local hazardous materials/sites databases regarding the project site and nearby properties.

The project site has not been identified in any of the hazardous databases, nor is the site on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5. As a result, the proposed project would have **no impact** under this criterion.

Responses e), f): No impact. The project site is not within an airport land use plan or within two miles of an airport. The nearest airport, Funny Farm Airfield, is a private airfield located approximately 2.5 miles northeast of the project site. Therefore, implementation of the proposed project would result in **no impact** to this environmental topic.

Response g): Less than significant. The Brentwood General Plan currently designates the proposed project site for medium density residential uses, such as those proposed for the project. Implementation of the proposed project would not result in any substantial modifications to the existing roadway system and would not interfere with potential evacuation or response routes used by emergency response teams. Therefore, the impact would be **less than significant**.

Response h): No impact. The site is not located within an area where wildland fires occur. The site is predominately surrounded by existing development, and agricultural lands, which have a low potential for wildland fires. Therefore, **no impact** would occur.

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

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

RESPONSES TO CHECKLIST QUESTIONS

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

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

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

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

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

Mitigation Measure(s)

Mitigation Measure 18: *Prior to issuance of grading permits, the contractor shall prepare a Storm Water Pollution Prevention Plan (SWPPP). The Developer shall file the Notice of Intent (NOI) and associated fee to the SWRCB. The SWPPP shall serve as the framework for identification, assignment, and implementation of BMPs. The contractor shall implement BMPs to reduce pollutants in stormwater discharges to the maximum extent practicable. The SWPPP shall be submitted to the Director of Public Works/City Engineer for review and approval and shall remain on the project site during all phases of construction. Following implementation of the SWPPP, the contractor shall subsequently demonstrate the SWPPP's effectiveness and provide for necessary and appropriate revisions, modifications, and improvements to reduce pollutants in stormwater discharges to the maximum extent practicable.*

Response b): Less than Significant. The City provides domestic, potable water to its residents using both surface water and groundwater resources. The City has seven active groundwater wells, which provided approximately 30 percent of the potable water supplied during 2010. Brentwood is located within the Tracy Subbasin of the San Joaquin Valley Groundwater Basin. While the project would create new impervious surface areas on portions of the 18.5 acre project site, the Tracy Subbasin comprises 345,000 acres (539 square miles); therefore, recharge of the groundwater basin within which the project site is located comes from many

sources over a broad geographic area. The new impervious surfaces associated with the project would not cause a substantial depletion of recharge within the Tracy Subbasin. In addition, except for seasonal variations resulting from recharge and pumping, water levels in most of the wells of the Tracy Sub-basin have remained stable over at least the last 10 years (as of 2010)[4].

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

Responses c), d), e): Less than Significant with Mitigation.

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

For the proposed project, a 0.7 acre bio-retention swale area in the southeast portion of the project site is proposed that would channel site stormwater to a catch basin in the southeast open space portion of the site. Low flows will percolate through the basin before being released into the stormdrain system. An overflow weir to the stormdrain system will be provided to accommodate high flows.

A long-term maintenance plan is needed to ensure that all proposed stormwater treatment BMPs function properly. Should the proposed water quality treatment facilities not be maintained properly, a potentially significant impact could occur with respect to creating or contributing runoff water which would exceed the capacity of existing or planned stormwater drainage systems or providing substantial additional sources of polluted runoff.

Implementation of the following mitigation measures would reduce the impact to a **less than significant** level. Proper operation and maintenance of stormwater management facilities would be the responsibility of the Homeowner's Association in perpetuity. The Homeowner's Association would be subject to an annual fee (set by the City's standard fee schedule) to offset the cost of inspecting the site or verifying that the stormwater management facilities are being maintained.

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

Mitigation Measure(s)

Mitigation Measure 19: *Prior to the completion of construction the applicant shall prepare and submit, for the City's review, an acceptable Stormwater Control Operation and Maintenance Plan. In addition, prior to the sale, transfer, or permanent occupancy of the site the applicant shall be responsible for paying for the long-term maintenance of treatment facilities, and executing a Stormwater Management Facilities Operation and Maintenance Agreement and Right of Entry in the form provided by the City of Brentwood. The applicant shall accept the responsibility for maintenance of stormwater management facilities until such responsibility is transferred to another entity.*

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

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

Mitigation Measure 20: *Design of both the on-site drainage facilities shall meet with the approval of both the Director of Public Works/City Engineer and the Contra Costa County Flood Control and Water Conservation District prior to the issuance of grading permits.*

Mitigation Measure 21: *Contra Costa County Flood Control and Water Conservation District drainage fees for the Drainage Area shall be paid prior to issuance of grading permits to the satisfaction of the Director of Public Works/City Engineer.*

Mitigation Measure 22: *The Applicant/Developer shall ensure that the project site shall drain into a street, public drain, or approved private drain, in such a manner that un-drained depressions shall not occur. Satisfaction of this measure shall be subject to the approval of the Director of Public Works/City Engineer.*

Mitigation Measure 23: *The construction plans shall indicate roof drains emptying into a pipe leading to the project bioswale areas for the review and approval of the Director of Public Works/City Engineer prior to the issuance of building permits.*

Mitigation Measure 24: *The improvement plans shall indicate concentrated drainage flows not crossing sidewalks or driveways for the review and approval of the Director of Public Works/City Engineer prior to the issuance of grading permits.*

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

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

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

X. LAND USE AND PLANNING - Would the project:

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

RESPONSES TO CHECKLIST QUESTIONS

Responses a): No Impact. As noted in the General Plan, the City of Brentwood has planned for orderly, logical development that supports compatibility among adjacent uses. The General Plan goals seek to retain the character of existing communities and ensure that future land uses are compatible with existing uses. The 18.5-acre project site contains agricultural uses. Currently, there are no existing structures on the site, and the site is surrounded by school uses, public facilities, vacant land and residential areas to the north. The proposed project, which includes residential development and an open space, would not physically divide an established community due to the nature of the site, and its location on the southwest city limits. Therefore, the project would have **no impact** related to physically dividing an established community.

Responses b): Less than Significant. The recently adopted Brentwood General Plan identifies the project site for Medium Density Residential land uses. The Medium Density Residential land use requires densities between 5 and 11 du/ac. The proposed project consists of the development of 96 single-family residential units on 18.5 acres, which results in approximately 5.19 du/ac, which is within the General Plan density requirements. Therefore, the proposed project is consistent with the existing General Plan land use designation. The project would require a Zoning Amendment to change the Zoning designation from supporting business park-type uses to medium density residential. However, the BP Zoning designation was not adopted for the purpose of avoiding or mitigating an environmental effect, and amendments to the Zoning Code reflect the City's vision identified for the project site under the current General Plan Land Use Map. As a result, the project would have a **less than significant** impact related to conflicting with applicable land use plans, policies, regulations, or surrounding uses.

Response c): Less than Significant. The ECCCHCP provides guidance for the mitigation of impacts to covered species. Mitigation of impacts is accomplished through payment of a Development Fee. The Development Fee requires payment based on a cost-per-acre for all acres converted to non- habitat with the cost-per-acre based on the quality of the habitat converted. The fees are used to acquire higher value habitats in preserved areas and to fund their restoration and management. Because the City of Brentwood is a signatory to the ECCCHCP,

anticipated project impacts could be mitigated through the payment of Development Impact fees to the ECCCHCP Conservancy. The proposed project would comply with the ECCCHCP requirements regarding special-status species, and the applicant would be required to pay the associated Development Fee to the Conservancy, per *Mitigation Measure 7* above. Therefore, the proposed project would not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Conservation Community Plan, or other approved local, regional, or state habitat conservation plan, resulting in a **less than significant** impact.

XI. MINERAL RESOURCES -- WOULD THE PROJECT:

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

RESPONSES TO CHECKLIST QUESTIONS

Responses a), b): Less than Significant. The 2014 Brentwood General Plan Update EIR does not identify significant mineral resources within the area. In addition, Figure 3.6-6 in the 2014 Brentwood General Plan Update EIR does not show an existing active oil and gas well on the project site. Therefore, the impact regarding the loss of availability of a known mineral resource that would be of value to the region would be **less than significant**.

XII. NOISE -- WOULD THE PROJECT RESULT IN:

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

RESPONSES TO CHECKLIST QUESTIONS

Response a): Less than Significant with Mitigation. This section is based upon the project-specific environmental noise study prepared by Charles M. Salter Associates, Inc. dated January 22, 2016 (available for review at Brentwood City Hall).

Significance Criteria

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

- A significant noise impact would be identified if the project would expose persons to or generate noise levels that would exceed applicable noise standards presented in the City of Brentwood General Plan. Specifically, exterior and interior noise levels of 60 dB Ldn and 45 dB Ldn, respectively, for residential uses exposed to transportation noise sources. Where it is not possible to reduce noise in outdoor activity areas to 60 dB Ldn/CNEL, or less using a practical application of the best available noise reduction measures, an exterior noise level of up to 65 dB Ldn/CNEL may be allowed, provided that available exterior noise level reduction measures have been implemented and

interior noise levels are in compliance with this table (see p. IV. 3-9 of the General Plan). Additionally, maximum allowable noise exposure for outdoor activities such as neighborhood playgrounds and park uses is 70 Ldn/CNEL.

Existing Noise Environment

The main source of noise in the area is from local traffic along Sellers Avenue to the east of the project site. On May 5-7th, 2015, Charles M. Salter Associates Inc. conducted short-term noise level measurements to quantify the existing noise environment at the project site. Five noise measurement locations were includes throughout the project perimeter.

Future Noise Environment

The future noise environment in the project vicinity consists of traffic-related noise along Sellers Avenue. The anticipated future noise levels assumes a 1-DB increase over a ten year period as outlined by Caltrans.

Noise Measurements

Table 3 below shows noise measurements for the project site, and noise measurement locations are displayed on Figure 4.

Table 3: Noise Levels at Project Site

Monitor Locations	Noise Levels, L_{dn}
Along Sellers Avenue, 17 feet west of the Sellers Avenue centerline, 847 feet north of the Church Road centerline, 12 feet above grade	75 dB
Along Ghiggeri Drive, 29 feet west of the Ghiggeri Drive centerline, 1100 feet west of the Sellers Avenue centerline, 12 feet above grade	56 dB
Adjacent to Police Station, 514 feet east of the Brentwood centerline, 1470 feet west of the Sellers Avenue centerline, 5 feet above grade	57 dB
Adjacent to Police Station, 653 feet east of the Brentwood centerline, 1780 feet west of the Sellers Avenue centerline, 5 feet above grade	54 dB
North of Eccid Main Canal, 657 feet east of the Brentwood centerline, 1040 feet west of the Sellers Avenue centerline, 50 feet east of canal spout, 5 feet above grade	67 dB*

*Sound levels at short-term location is estimated based on long-term data. Source: Charles M. Salter Associates, Inc. (2016)

Exterior Noise

Exterior noise levels in the backyards of residences along Sellers Avenue and adjacent to the police station were calculated. With the proposed 10 foot sound wall along the police station, the noise levels in the backyards of residences adjacent to the police station are expected to meet the Municipal Code 60 dB criteria. In order to meet the 60 dB criteria for residences along Sellers Avenue, the proposed sound wall would need to be increased to a height of 8 feet.

Interior Noise

Standard construction practices, consistent with the uniform building code typically provide an exterior-to-interior noise level reduction of approximately 25 dB, assuming that air conditioning is included for each unit, which allows residents to close windows for the required acoustical isolation. Therefore, as long as exterior noise levels at the building facades do not exceed 70 dB Ldn, the interior noise levels will typically comply with the interior noise level standard of 45 dB Ldn.

The existing noise levels at the nearest residential facades facing Sellers Avenue are 75 dB Ldn. Therefore, the interior noise levels are expected to be over the interior noise level standard of 45 dB Ldn, and STC rated doors and windows necessary to meet noise reduction requirements outlined in the Noise Study would be required.

Neighborhood Park

Maximum allowable noise exposure for outdoor activities such as neighborhood playgrounds and park uses is 70 Ldn/CNEL. The location of the proposed park is approximately 425 feet from Sellers Avenue. At this distance DNL noise levels are expected to be less than 60 DB, which is less than the City's noise threshold for park uses.

Conclusion

Development of the proposed project could result in exposure of future residential receptors to adverse traffic noise levels along Sellers Avenue, which could exceed the interior /exterior noise level standards applied to new residential developments by the City of Brentwood. Therefore existing and future traffic noise could result in a **potentially significant** noise impact at the project site.

Implementation of the following mitigation measures would ensure that future residences at the project site would not be subject to exterior and interior noise levels in excess of the City's standards, resulting in a **less than significant** impact.

Mitigation Measure(s)

Mitigation Measure 25*: Prior to occupancy of any affected residence at the east end of the project site, the final construction shall include STC rated doors and windows necessary to meet noise reduction requirements outlined in the Noise Study including STC ratings of 33 for homes backing up to Sellers avenue (lots 87 through 96), and STC ratings of 28 for lots 76, 77, 86, and 67. Recommended STC ratings are for full window assemblies (glass-and frame). Tested sound-rated assemblies shall be used.*

Mitigation Measure 26: *An 8-foot tall sound wall shall be constructed along Sellers Avenue. The wall may include a combination of earthen berm and concrete masonry to achieve the overall required wall height (e.g. 6-foot wall on a 2-foot berm), as measured from the Sellers Avenue side of the wall.*

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

Groundborne vibration levels commonly associated with construction equipment are summarized in Table 4. Measurements of vibration used in this evaluation are expressed in terms of the peak particle velocity (ppv). Based on the levels presented in Table 4, groundborne vibration generated by construction equipment would not be anticipated to exceed approximately 0.089 inches per second ppv at 25 feet. Predicted vibration levels would not be anticipated to exceed recommended criteria for structural damage and human annoyance (0.2 and 0.1 in/sec ppv, respectively) at nearby land uses. As a result, short-term groundborne vibration impacts would be considered **less than significant** and no mitigation is required**.**

Table 4: Representative Vibration Source Levels for Construction Equipment

EQUIPMENT	*PEAK PARTICLE VELOCITY AT 25 FEET (IN/SEC)*
Large Bulldozers	0.089
Loaded Trucks	0.076
Jackhammer	0.035
Small Bulldozers	0.003
Source: FTA 2006, Caltrans 2004	

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

The proposed project would not directly generate increased noise beyond those activities commonly found in residential developments (i.e., lawnmowers, leaf blowers, etc.). The noise directly generated by the project would not differ from the existing ambient noises currently generated by the surrounding residential land uses.

However, the proposed project would indirectly increase ambient noise levels in the project vicinity through the introduction of additional vehicle trips to area roadways. The General Plan EIR found that future traffic noise increases along many roadways within the City at buildout are expected to cause a significant and unavoidable impact on some roadways. The proposed project would be consistent with, or below, the vehicle trips assumed for the General Plan and the assumptions used in the General Plan EIR. This impact was already accounted for in the General Plan EIR for the area within the project site that is currently designated Residential - Medium Density. Therefore, impacts related to permanent ambient noise level increases from the proposed project would be **less than significant.**

Response d): Less than Significant with Mitigation. Construction activities at the project site would result in temporary increases in noise levels that could expose adjacent residences to increased noise levels and noise nuisances. Construction activities could create temporary noise levels ranging from 85 to 90 dB at a distance of 50 feet. Because the project site is adjacent to an existing school to the north, this temporary increase in construction noise is considered **potentially significant**.

The following mitigation measure would place restrictions on the time of day that construction activities can occur, and includes additional techniques to reduce noise levels at the school, and nearby residences during construction activities. The implementation of this mitigation measure would reduce this temporary impact to a **less than significant** level.

Mitigation Measure(s)
Mitigation Measure 27*: The project contractor shall ensure that construction activities shall be limited to the hours set forth in Brentwood Municipal Code Section 9.32.050, as follows:*

Outside Heavy Construction:

Monday-Friday:	*8:00 AM to 5:00 PM*
Saturday:	*9:00 AM to 4:00 PM*

Outside Carpentry Construction:

Monday-Friday	*7:00 AM to 7:00 PM*
Saturday	*9:00 AM to 5:00 PM*

Construction shall be prohibited on Sundays and City holidays. The construction activities hours shall be included in the grading plan submitted by the developer for review and approval by the Community Development Director prior to grading permit issuance.

Mitigation Measure 28: *The project contractor shall ensure that the following construction noise BMPs are met on-site during all phases of construction:*

- *All equipment driven by internal combustion engines shall be equipped with mufflers, which are in good condition and appropriate for the equipment.*

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

Responses e), f): No Impact. The project site is not located near an existing airport and is not within an existing airport land use plan. The nearest airport, Funny Farm Airfield, is a private airfield located approximately 2.5 miles east of the project site. Although aircraft-related noise could occasionally be audible at the project site, noise would be extremely minimal. Exterior and interior noise levels resulting from aircraft would be compatible with the proposed project. Therefore, there would be **no impact**.

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Legend

Noise Measurement Locations
** Estimated from long-term data*

0 50 100
Feet

1:2,000

Data sources: Charles M Slater Associates, Inc.; ArcGIS Online World Imagery Map Service. Map date: December 15, 2015.

TRUE LIFE SUBDIVISION

Figure 4: Noise Measurement Locations

De Novo Planning Group
A Land Use Planning, Design, and Environmental Firm

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XIII. POPULATION AND HOUSING -- Would the project:

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

RESPONSES TO CHECKLIST QUESTIONS

Response a): Less than Significant. The proposed project would directly result in population growth in the area through the proposed construction of 96 single family dwelling units, generating approximately 309 additional residents (based on 3.22 persons per household[5]). Resulting growth from the proposed project is consistent with the General Plan Land Use designation for the project site, and would fall within the anticipated population growth levels analyzed in the Brentwood General Plan EIR (2014). As discussed below, the utility systems (e.g., water and sewer) serving the project could accommodate the additional demands created by the project and the project includes infrastructure improvements needed to connect the project to these existing utility systems. In addition, as discussed below in Section XIV (Public Services), public service providers such as police and fire, could accommodate the additional demands for service created by the project. As a result, the impact would be **less than significant** with respect to inducing population growth because the demands resulting from said growth could be accommodated by existing utility systems and service providers.

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

[5] City of Brentwood. *2014 Brentwood General Plan Update EIR* [pg. 3.10-32]. July 22, 2014.

XIV. PUBLIC SERVICES

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

RESPONSES TO CHECKLIST QUESTIONS

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

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

The City of Brentwood is served primarily by Station 52. Station 52 is located roughly 3 miles west of the project site.

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

- Action CSF 1a: Requiring new development to pay their fair share fees of the cost of on and off-site community services and facilities;

- Action CSF 4a: Continue to enforce the California Building Code and the California Fire Code to ensure that all construction implements fire-safe techniques, including fire resistant materials, where required;
- Action CSF 4b: As part of the City's existing development review process for new projects, the City would continue to refer applications to the ECCFPD for determination of the project's potential impacts on fire protection services. Requirements would be added as conditions of project approval, if appropriate.

The project would comply with these General Plan actions. For example, the City of Brentwood collects development impact fees that support the construction of new fire facilities in the amount of approximately $700 per new single-family residence. The City also has Community Facilities Districts (special tax revenue) that can be used for a variety of services, and which are currently being allocated primarily towards public protection and safety services. These funds amount to approximately $760 per year per home and could be used to fund new facilities, maintain existing facilities and equipment, and pay for salaries and benefits. In addition to providing additional revenue for fire facilities, the project would be required to comply with all ECCFPD standard conditions of approval related to provision of fire flow, roadway widths, etc. The project is also subject to the City of Brentwood residential life safety sprinkler requirements set forth in Section 15.64.010 of the Municipal Code.

The 2014 Brentwood General Plan Update EIR concluded implementation of the General Plan would result in a less than significant impact related to the provision of public services throughout the City.[6] The project is consistent with the General Plan designation for the site; therefore, the additional demand for fire protection services resulting from the proposed project has already been evaluated in the General Plan EIR. Given the project's compliance with the relevant General Plan policies and actions related to fire service, the impact from the proposed project, consistent with the General Plan EIR determination, would be **less than significant** regarding the need for the construction of new fire protection facilities which could cause significant environmental impacts.

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

The Brentwood Police Department services an area of approximately 14 square miles. As of February 2016, the Department had 65 sworn police officers and another 21 civilian support

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

staff. In addition to the permanent staff, the Department had approximately 20 volunteers who are citizens of the community and assist with day to day operations.

The department is located at 9100 Brentwood Blvd, immediately adjacent to the western portion of the project site.

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

- Policy CSF 3-4: Emphasize the use of physical site planning as an effective means of preventing crime. Open spaces, landscaping, parking lots, parks, play areas, and other public spaces should be designed with maximum feasible visual and aural exposure to community residents.
- Policy CSF 3-5: Promote coordination between land use planning and urban design through consultation and coordination with the Police Department during the review of new development applications.
- Action CSF 1a: Requiring new development to pay their fair share fees of the cost of on and off-site community services and facilities;
- Action CSF 3c: As part of the development review process, consult with the police department in order to ensure that the project design facilitates adequate police staffing and that the project addresses its impacts on police services.

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

Response c): Less than Significant with Mitigation. The project site is located within the Liberty Union High School District and the Brentwood Union School District (BUSD). Liberty Union High School District (LUHSD) includes three comprehensive high schools: Liberty High, Freedom High, and Heritage High. In addition, the District includes one continuation high school, La Paloma, and one alternative high school, Independence High School. According to the LUHSD, all three comprehensive high school sites were built with a 2,200 student capacity; this capacity is currently being exceeded at all three high schools and facility needs are being met with portables.[7] The LUHSD student generation factors for grades 9-12 are 0.2074 for single-family detached units. With 96 single- family units, the project is expected to generate

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

approximately 20 new high school students. Available capacity does not exist to accommodate these additional students.

The BUSD consists of eight elementary schools and three middle schools. In 2013 the District had a K-6th grade enrollment of 6,345 with K-6th capacity of 6,800. The District's 2013 7-8th grade enrollment is 2,081 with a 7-8th grade capacity of 1,940[8]. Therefore, the District has excess capacity for another 455 K-6th grade students, but is over capacity for grades 7-8th by approximately 141 students. Utilizing the District's current Student Generation Rates, the 96 units proposed for the proposed project would introduce approximately 40 new K-6th students (96 * 0.402) to the District and 11 new 7-8th grade students (96 * 0.118). Available capacity exists to accommodate K-6th students anticipated from the project, but not the new 7-8th grade students.

The applicant is required to pay school impact fees. Proposition 1A/SB 50 prohibits local agencies from using the inadequacy of school facilities as a basis for denying or conditioning approvals of any "[…] legislative or adjudicative act…involving …the planning, use, or development of real property" (Government Code 65996(b)). Satisfaction of the Proposition 1A/SB 50 statutory requirements by a developer is deemed to be "full and complete mitigation."

Because the LUHSD is already over capacity; and the BUSD is over capacity for grades 7-8, adding students to the districts may result in further overcrowding and compromising programs. Therefore, the project would have a potentially significant impact regarding the need for the construction of new school facilities which could cause significant environmental impacts.

Consistent with State law, implementation of the following mitigation measure would reduce the impacts to a **less than significant** level.

Mitigation Measure(s)

Mitigation Measure 29: *Prior to building permit issuance for any residential development, the developer shall submit to the Community Development Department written proof from the Liberty Union High School District and the Brentwood Union School District that appropriate school mitigation fees have been paid.*

Response d): Less than Significant with Mitigation. The proposed project includes the construction of 96 residences. Applying the Brentwood standard of 3.22 residents per dwelling unit, the proposed project would create housing for approximately 309 additional residents. The Brentwood General Plan calls for 5 acres of park per 1,000 residents. The proposed project would thus require approximately 1.55 acres of park space for these additional residents. However, the proposed project only includes approximately 1.44 acres of active park area, less than the amount called for in the General Plan. Therefore, the project could result in a **potentially significant** impact.

[8] Jack Schreder & Associates. School Facility Needs Analysis for Brentwood Union School District. July 23, 2013

Implementation of the following mitigation measure would ensure that the City requirements are satisfied, resulting in a **less than significant** impact.

Mitigation Measure(s)

Mitigation Measure 30: *Prior to the recordation of final map(s), the project applicant shall pay the required park in-lieu fees as determined by the Parks and Recreation Department and the Community Development Department.*

XV. RECREATION

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

RESPONSES TO CHECKLIST QUESTIONS

Responses a), b): Less than Significant. As explained above in Question 'd' of the Public Services section, the proposed project does not include sufficient park land acreage for the 96 residential units. As a result, in-lieu fee payments would be required to meet the City's park land requirements. Therefore, the proposed project's impact related to the provision of adequate recreational facilities would be **potentially significant**.

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

Mitigation Measure(s)

Implementation of Mitigation Measure 30.

XVI. TRANSPORTATION/TRAFFIC -- WOULD THE PROJECT:

	Potentially Significant Impact	*Less Than Significant with Mitigation Incorporation*	*Less Than Significant Impact*	*No Impact*
a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?			X	
b) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?			X	
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?				X
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?			X	
e) Result in inadequate emergency access?			X	
f) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?				X

RESPONSES TO CHECKLIST QUESTIONS

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

The Applicant/Developer will also pay applicable thoroughfare facility fees (plus any annual increase) in effect at the time of building permit issuance and shall participate in the City's Capital Improvement Financing Plan (CIFP) to finance necessary roadway infrastructure to the satisfaction of the Public Works Director/City Engineer and Community Development Director.

The Applicant/Developer shall also construct roadway improvements to the proposed site access point along Seller's Avenue and the internal roadway connections to Ghiggeri Drive, and the future access road in the northeast portion of the project site to the satisfaction of the Director of Public Works/City Engineer prior to building permit issuance.

The Circulation Element of the City of Brentwood General Plan Update provides a detailed description of Goals, Policies, and Actions that the City will undertake in order to ensure adequate LOS standards. The Brentwood General Plan identifies planned area major transportation improvements for Sellers Avenue. These include: Sellers Avenue Widening–southern boundary of school parcel to Sunset Road (CIP); Sellers Avenue Widening–subdivision 7844 to the southern city limits (CIP); Sellers Avenue Widening–Sunset Road to Chestnut Street (CMP and CIP); Sellers Avenue/Balfour Road–Traffic Signal (CMP); and a Proposed Class II bike trail adjacent to the project site along Sellers Avenue.

Additionally, Brentwood Boulevard (a minor project access point) is designated as a Major Arterial in the City of Brentwood General Plan Update. Brentwood Boulevard and other City roads would be adequately maintained to the extent to prevent such an exceedance of LOS standards or otherwise prevent an increase in traffic which is substantial in relation to the existing traffic capacity. Therefore, the project would cause a **less than significant** impact to the City's existing street system.

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

Responses d) and e): **Less than Significant.** Access to the project site would be provided via Sellers Avenue, with alternative access provided through Ghiggeri Drive, and a newly constructed road in the northeast portion of the project site. The proposed onsite roadways would include cul-de-sac development with a looped street that would connect Brentwood Boulevard to Sellers avenue via Ghiggeri Dr. The proposed site plan is shown in Figure 3. The proposed site access points would facilitate access by emergency vehicles via multiple points of entry into the project site. Parking for the project would be provided by off-street garages and driveways for each residence, and additional on street parking options available for emergency vehicles. The site access, on-site circulation, and parking is adequate. Therefore, the impact is **less than significant.**

Response f): No Impact. The project would have no impact on any existing plans or policies related to alternative transportation. The proposed project includes ample space for bicycle parking and storage, and provides connections to the proposed bicycle lanes in the project area along Sellers Avenue. Project implementation would assist the City in providing connections and access to alternative transportation in the project area. There is **no impact**.

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

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

RESPONSES TO CHECKLIST QUESTIONS

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

Wastewater Treatment Plant Capacity

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

The current WWTP system is designed to expand to 10 mgd in 2.5 mgd increments and the City collects development impact fees from new development to fund future expansion efforts.

Phase I of the WWTP expansion was completed in 1998-2002, to bring the treatment plant to current levels. Preliminary planning of the Phase II expansion of the WWTP has been completed. Final design is currently underway and construction would follow after that. Phase II would expand capacity to 7.5 or 10.0 mgd by adding oxidation ditches, secondary clarifiers, filters, and related appurtenances.

Buildout of the proposed project would result in the construction of 96 dwelling units generating approximately 309 additional residents (based on 3.22 persons per household). The 2014 Brentwood General Plan Update EIR uses a wastewater generation factor of 85 gallons per day per person of residential development. Therefore, the total wastewater flow from the project site would be about 0.026 MGD. Therefore, the current capacity of the WWTP would be sufficient to handle the wastewater flow from the proposed project. In addition, the proposed project is required to pay sewer impact fees which would contribute towards the cost of future upgrades, when needed. As a result, the proposed project would not have adverse impacts to wastewater treatment capacity.

Wastewater Infrastructure

The wastewater generated by the project would be collected by an internal sewer system, which would connect to the existing sewer conveyance line along Sellers Avenue in the northeast portion of the project site. A sanitary sewer lift station will be provided in the southeast portion of the project site on a dedicated 0.05 acre site.

Conclusion

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

Responses c): Less than Significant with Mitigation. As discussed in Questions 'c-e' of Section IX, Hydrology and Water Quality, of this IS/MND, storm drains would be installed along the proposed project internal ROWs, which would route stormwater to the bio-detention area in the open space/water quality lot portion of the site. Project runoff would then filter into detentions area then ultimately through the City's stormwater infrastructure during peak flows. The expansion of these water drainage facilities could cause a potentially significant effect. However, the implementation of the mitigation measures listed below would reduce impacts to **less than significant**.

Mitigation Measure(s)

Implementation of Mitigation Measures 19, 20, 21, 22, 23, and 24.

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

Water Supply System

The City of Brentwood has prepared an Urban Water Management Plan (UWMP) that predicts the water supply available to the City of Brentwood in normal, single-dry, and multiple-dry years out to 2035. The total supply available in 2035 during all scenarios (normal, single-dry, and multiple-dry) well exceeds the projected demand. The future demand projections included in the UWMP are based upon General Plan land uses. The proposed project's use is consistent with the General Plan; therefore, the proposed project's future water demand was considered in the UWMP. As a result, with respect to the availability of sufficient water supplies to serve the project, the impact from the proposed project would be **less than significant**.

Water Supply Infrastructure

The project would involve the construction of the necessary water infrastructure to serve the proposed neighborhoods. The project includes installation of 8-inch water lines within the internal street ROWs which would connect to the existing mains along Sellers Avenue.

Conclusion

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

Responses f) and g): Less than Significant. The City's Solid Waste Division, a division of the Public Works Department, provides municipal solid waste collection and transfer services for residential and commercial use within the City of Brentwood. The solid waste from Brentwood is disposed of at Keller Canyon County landfill. Keller Canyon Landfill covers 2,600 acres of land; 244 acres are permitted for disposal. The site currently handles 2,500 tons of waste per day, although the permit allows up to 3,500 tons of waste per day to be managed at the facility. As of September 2008, the remaining capacity of the landfill's disposal area is estimated at 60-64 million cubic yards, and the estimated closing date for the landfill is 2050[9]. Because the 2014 Brentwood General Plan Update EIR determined that solid waste capacity is adequate to serve the demand resulting from General Plan build-out and the proposed project's use is consistent with the General Plan designation for the project site; the project's impact to solid waste would be less than significant. This is a **less than significant** impact.

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

XVIII. MANDATORY FINDINGS OF SIGNIFICANCE --

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

RESPONSES TO CHECKLIST QUESTIONS

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

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

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

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

REFERENCES

- Archaeological Assessment Report (Holman & Associates Archeological Consultants). May, 2015.
- 2005 Ozone Strategy (BAAQMD 2006). January 2006.
- 2014 Brentwood General Plan Update EIR (City of Brentwood, 2014). July 2014.
- 2014 Brentwood General Plan Update (City of Brentwood, 2014). July 2014.
- CEQA Cultural Resources Assessment, Holman & Associates Archeological Consultants (2015). May 15, 2015.
- CEQA Guidelines (BAAQMD, 2011). May 2011.
- Charles M. Salter Associates Environmental Noise Study Equus Properties Preliminary Environmental Noise Study CSA Project: 15-0292. January 22, 2016.
- City of Brentwood Application Form and Planning Survey Report to Comply with and Receive Permit Coverage under the East Contra Costa County Habitat Conservation Plan and Natural Community Conservation Plan (East Contra Costa County Habitat Conservancy, 2012). August 2012.
- East Contra Costa County Habitat Conservation Plan/Natural Community Conservation Plan (East Contra Costa Habitat Conservation Plan Association, 2006). October 2006.
- Environmental Noise Assessment, (Charles M, Salter Associates Inc. 2015). May 22, 2015.
- 2005 Ozone Strategy (BAAQMD 2006). January 2006.
- Phase 1 Environmental Site Assessment, Sellers Avenue (Cornerstone Earth Group, 2015). March 4, 2015.
- Revised San Francisco Bay Area Ozone Attainment Plan for the 1-Hour National Ozone Standard (BAAQMD, 1999). June 1999.
- School Facility Needs Analysis for Brentwood Union School District (Jack Schreder & Associates, 2013). July 23, 2013.
- U.S. Fish and Wildlife Service San Joaquin Kit Fox Survey Protocol for the Northern Range (Sacramento Fish and Wildlife Office, 2011). June 1999.

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