Department of Conservation and Development

County Planning Commission

Wednesday, January 10, 2024 – 6:30 P.M.

STAFF REPORT **Agenda Item #_____**

Project Title:	Grayson Road 10-Lot Subdivision
County File Number:	#CDSD20-09531
Appellant:	Patrick King
Applicant:	Calibr Ventures c/o Andy Byde
Owner:	Grayson Road LLC
Zoning/General Plan:	R-15 Single-Family Residential (R-15) District / Single-Family Residential Low Density (SL)
Site Address/Location:	1024 and 1026 Grayson Road, Pleasant Hill, CA 94523 (APNs: 166-030-001 and 166-030-002)
California Environmental Quality Act (CEQA) Status:	A Mitigated Negative Declaration (MND) has been prepared which indicates that there will be no significant environmental impact as a result of the project.
Project Planner:	Joseph W. Lawlor Jr, AICP, (925) 655-2872
Staff Recommendation:	Approve (See Section II for Full Recommendation)

I. PROJECT SUMMARY

This is an appeal of the Zoning Administrator's October 16, 2023, decision to approve a vesting tentative map for a subdivision which proposes to subdivide the 3.05-acre project site into 10 lots ranging in size from 7,347 to 22,460 square feet. On each new lot, a 4- to 5-bedroom single-family residence ranging in size from approximately 2,900 to 3,500 square feet, is expected to be constructed. The residence on Lot 1 would be restricted for sale to a moderate-income household, therefore the project is eligible for a Density Bonus, waivers or reductions in development standards, incentives and concessions, and parking reductions

pursuant to the California Density Bonus Law, Gov. Code Section 65915. The project is seeking waivers of development standards pertaining to: (a) a reduction in minimum lot size for Lots 1 and 4-10; (b) a reduction in the minimum lot width for Lots 1-10 to allow average lot widths as low as 56 feet; (c) a reduction in minimum lot depth for Lot 1; and (d) reduced residential setback requirements. The project is also seeking a concession to allow the installation of the complete frontage improvements be omitted in lieu of a reconstructed asphalt-concrete curb along the edge of pavement of Grayson Road along the project frontage as well as bicycle lane striping. Implementation of the project could include more than 1,000 cubic yards of grading. To accommodate improvements, a tree permit would be included for the removal of 97 code-protected trees.

II. RECOMMENDATION

Department of Conservation and Development, Community Development Division (CDD) staff recommend that the County Planning Commission:

A. UPHOLD the Zoning Administrator's approval of County File #CDSD20-09531, and DENY the appeal of Patrick King,

B. FIND that on the basis of the whole record before the County (Department of Conservation and Development, 30 Muir Road, Martinez, CA 94553), that there is no substantial evidence the project will have a significant effect on the environment and that the March 24, 2023, Mitigated Negative Declaration prepared for this project reflects the County's independent judgment and analysis;

C. ADOPT the March 24, 2023, Mitigated Negative Declaration (MND), and Mitigation Monitoring and Reporting Program (MMRP) prepared for the project;

D. APPROVE the Vesting Tentative Map received January 28, 2022, by the Department of Conservation and Development, Current Planning Division;

E. APPROVE the attached findings and conditions of approval prepared for this project; and

F. DIRECT Staff to file a Notice of Determination with the County Clerk.

III. BACKGROUND

This application was heard at the October 2, 2023, and October 16, 2023, Zoning Administrator hearings, where the Zoning Administrator received testimony from the applicant, neighbors, other interested parties, and representatives of the applicant. At the October 16, 2023, hearing, the Zoning Administrator approved the Vesting Tentative Map for the project with minor modifications to the recommended conditions of approval.

On October 26, 2023, neighboring property owner, Patrick King, filed a timely appeal of the Zoning Administrator's decision. The appeal letter was signed by Mr. King, other neighbors, and other interested parties that oppose the project.

IV. GENERAL INFORMATION

A. General Plan: The subject property is located within the Single-Family Residential Low Density (SL) General Plan land use designation.

B. Zoning: The subject property is located within the R-15 Single-Family Residential (R-15) District.

C. California Environmental Quality Act (CEQA) Compliance: On March 24, 2023, an Initial Study was prepared for the project, and posted and circulated for public review. Upon completion of the Initial Study, it was found that the project would not result in any significant environmental impacts. Comments regarding the adequacy of the review were received within the comment period and are discussion of the issues raised is provided in Section VIII below.

V. SITE/AREA DESCRIPTION

The 3.05-gross-acre project site is located on the south side of Grayson Road, opposite the intersection of Grayson Road and Buttner Road in unincorporated Pleasant Hill. The roughly L-shaped project site is comprised of two parcels: a northern parcel that fronts on Grayson Road, and a southern parcel that is bound by Grayson Creek to the south and east. Grayson Creek runs roughly east-west along the southern boundary of the project site, then takes a northward bend forming the east boundary. Other private properties with single-family residences abut the property to the north and west.

The immediate surrounding area is representative of single-family residential development in central Contra Costa County. Properties along Grayson Road are predominantly developed with single-family residences. Within a half-mile radius, developed parcels range in size from 4,000 square feet to 68,700 square feet, with a median size of approximately 13,000 square feet. The larger vicinity includes a mix of neighborhood-residential uses including single-family residences, churches, schools, and parks.

Regional access to the site is provided via I-680 by way of Gregory Lane and Taylor Boulevard and is also provided via State Route (SR) 24 by way of Pleasant Hill Road/Taylor Boulevard. Local access to the project site would be provided via Grayson Road and a new private internal street.

VI. PROJECT DESCRIPTION

The applicant is requesting approval of a vesting tentative map for a subdivision which proposes to subdivide the 3.05-acre project site into 10 lots ranging in size from 7,347 to

22,460 square feet. On each new lot, a 4- to 5-bedroom single-family residence ranging in size from approximately 2,900 to 3,500 square feet, is expected to be constructed. Two existing, vacant, residences would be demolished to accommodate the project. Implementation of the project could include more than 1,000 cubic yards of grading.

Associated access, drainage, and utility facilities would be constructed throughout the site. For access, a 28-foot roadway and 4.5-foot sidewalk would connect the lots to Grayson Road. Stormwater flows would be directed to a 2,021-square-foot bioretention basin located at the northeast corner of Lot 2. Treated stormwater will be discharged from the basin into a Contra Costa County maintained stormwater drainage system that currently exists under Grayson Road.

Running southwest to northwest along the southern boundary of the project site is Grayson Creek, a perennial creek. The proposed project does not anticipate placing any development or infrastructure in Grayson Creek or the associated riparian corridor. A riparian setback between the project's grading limits and Grayson Creek would be included as part of the project. To accommodate improvements, a tree permit would be included for the removal of 97 code-protected trees and work within the dripline of 17 code-protected trees.

The home on Lot 1 would be restricted for-sale to a moderate-income household, therefore the project is eligible for a Density Bonus, waivers or reductions in development standards, incentives and concessions, and parking reductions under the California Density Bonus Law, Gov. Code Section 65915. By providing one lot of the nine base units for sale to a moderate income household, the Project qualifies for a 7% density bonus, resulting in one additional unit. In addition to the increased density of one unit (10 units total), the project is seeking waivers of development standards pertaining to: (a) a reduction in minimum lot size for Lots 1 and 4-10; (b) a reduction in the minimum lot width for Lots 1-10 to allow lot average widths as low as 56 feet; (c) a reduction in minimum lot depth for Lot 1; and (d) reduced residential setback requirement to allow 14-foot front setbacks and 0-foot setbacks for retaining walls. The project is seeking these reductions and waivers because application of the required standard would physically preclude the development of the project at the proposed density with the proposed one moderate income unit. Finally, the project is seeking a concession to allow the installation of the complete frontage improvements be omitted in lieu of a reconstructed asphalt-concrete curb along the edge of pavement of Grayson Road along the project frontage as well as bicycle lane striping.

VII. APPEAL OF THE ZONING ADMINISTRATOR'S DECISION

On October 26, 2023, Patrick King, the adjacent property owner, filed a timely appeal with the Department of Conservation and Development, Community Development Division (CDD) over the decision of the Zoning Administrator (ZA) to approve the proposed project. The following section summarizes the appeal points and provides CDD staff's response.

Impacts to Oak Woodland and Riparian Woodland

The appellant raised concerns about the adequacy of mitigation measures for impacts to oak and riparian woodlands, as well as sensitive plants, within the proposed subdivision project. The following includes responses to specific points raised by the appellant regarding these concerns.

Comment: Mitigation Measure Biology 2 lacks performance standards (location of planting, timing for planting, survival milestones, monitoring requirements, planting methodology, bonding requirements, etc.) sufficient to demonstrate that the loss of almost 2 acres of oak and mixed woodland and some additional trees in the riparian woodland will be mitigated below a threshold of significance, an issue also raised by CDFW. All of CDFW's recommendations for additional oak woodland impact analysis were not implemented, and recommended mitigation for the loss of oak woodland habitat was completely dismissed by the County.

The comment raises previously addressed concerns about impacts to Sensitive Natural Communities. These were comprehensively addressed in the October 2, 2023, Zoning Administrator staff report responses to *CDFW Comment 3* and *Shikany Comment 17*. As noted there, the December 2022 BRA Addendum by Johnson Marigot Consulting, LLC, and the recirculated IS/MND analyze project impacts to the sensitive communities. They conclude that the project would remove 1.18 acres of Valley Oak Woodland.

The County has not dismissed CDFW's recommended mitigation measures. Rather, based on the BRA, alternative mitigation measures have been developed that the County believes mitigates the impacts to less than significant levels.

Mitigation Measure Biology 2 mandates in-kind, on-site replacement at a 3:1 ratio for native trees removed from the Valley Oak Woodland, or out-of-kind 1:1 replacement with natives. A replacement tree planting plan, requiring County approval alongside landscape plans prior to building permits, will detail this. The landscaping plan, reviewed for adequacy before building permit issuance, will comply with County Water Efficient Landscape Ordinance planting specifics and incorporate Mitigation Measure Biology 2's requirements.

While this differs from the CDFW recommendation, the mitigation ratio aligns with Contra Costa County Tree Protection and Preservation Ordinance practices and BRA support. In regard to survival milestones and monitoring, bonding ensures planting viability or replacement for the planted trees and reporting by a qualified arborist to the Department of Conservation and Development is required. Thus, the measurable performance standards in the landscaping plan justify considering project impacts less than significant.

Mitigation Measure Biology 7 further strengthens ecological value by requiring Valley Oak Woodland species planting within all on-site undeveloped areas, specifically targeting this sensitive habitat. Prior to the October 16th Zoning Administrator hearing, the applicant provided a draft tree replanting plan to further demonstrate the viability and specificity of

the mitigation measure. This plan identifies 158 tree replantings (67 at 24" box size, 63 at 15 gallon size, and 32 at 5 gallon size), including 104 oak trees. Within the identified oak woodland on the property, the project proposes to remove 32 native trees. It is reasonable and supported by the evidence in the BRA that these replantings will adequately mitigate the impacts to the oak woodland. This also addresses concerns that the appellant has raised related to the size of the trees that are to be replanted, which was concerned that only smaller less viable trees would be replanted.

The comment letter further states that since the mitigation measures require the landscaping plan to be reviewed at a later date, the County is deferring the mitigation measure and since the mitigation states ""to the greatest extent practicable" the mitigation is not certain. As stated above, the applicant has provided a draft landscaping plan that clearly shows that the trees necessary to mitigate impacts to oak woodlands could be accommodated on the site.

Impacts to Rare Plants

The appellant questions whether Mitigation Measure *Biology 1* mitigates impacts to special-status plants. Specifically, the comment questions how the mitigation would reestablish sensitive plants once seed or root stock are removed during grading.

These concerns were comprehensively addressed in the October 2, 2023, Zoning Administrator staff report response *CDFW Comment 2*. As stated there, Mitigation Measure Biology 1, would require that in the spring immediately prior to project implementation, protocol-level rare plant surveys be conducted on the project site. Rare plant surveys would be conducted by a qualified botanist, in accordance with all applicable survey guidelines including those published by the United States Fish and Wildlife Service (USFWS), California Department of Fish and Wildlife (CDFW), and the California Native Plant Society (CNPS). If State or federally listed plants are observed on-site during protocol-level rare plant surveys, all compensatory mitigation requirements and additional avoidance and minimization measures identified by CDFW and/or USFWS shall be implemented.

Since previous surveys of the site have not identified special-status plants, specific recommendations on the replacement of these not existent plants are provided. Mitigation Measure *Biology 1*, nevertheless, provides mitigation for heretofore unidentified special-status plants that could exist on the property. These plants would be protected by all compensatory mitigation requirements and additional avoidance and minimization measures identified by CDFW and/or USFWS, and are thus, impacts are expected to be mitigated to a less than significant level. If prior to project construction, the premise of these assumptions is proved to be incorrect, further environmental review could be required. However, based on the available information in the record, the mitigation measures would adequately mitigate impacts to special status species.

Avoidance of Impacts Through Reduced Density

The appellant states that MND makes no mention of avoidance of impacts by developing the project at a lesser density. The comment goes on to explain that the County has multiple policies that encourage the preservation of habitats and wildlife, and that the County's tree protection ordinance only allows tree removal for "reasonable development."

As addressed in the October 2, 2023, Zoning Administrator staff report responses *Shikany Comment 26, Shikany Comment 52*, and *Shikany Comment 53*, the Density Bonus project is consistent with the allowed density on the project site and is an infill project within a developed residential neighborhood. Though lots could be removed from the development proposal resulting in less impacts to the habitat on the site, the project as proposed and mitigated is not expected to have a significant impact on biological resources. It is true that less development would result in less impacts – no development would result in no impacts. However, this is not a basis for requiring reduced density below what is allowed under the current regulatory framework. In balancing the many policies identified in the General Plan, including the interest of providing adequate housing for the residents of the County, the impact to trees and vegetation on the project site and mitigation of it are reasonable.

The proposed project has been designed to avoid impacts to natural habitats and resources where feasible. Project design elements include incorporating a structure setback from the centerline of Grayson Creek of a minimum of 50 feet, as well as avoidance and preservation of many trees and tree clusters, and isolation of the residential development from the preserved riparian corridor.

Impacts from Previously Conducted Works on the Site

The appellant states that the applicant has taken actions that already have impacted the biological resources on the site, thus, the CEQA analysis in not adequate. These actions include the removal of a tree, removal of understory vegetation, installation of fencing, and dumping of fill.

As addressed in the October 2, 2023, Zoning Administrator staff report response *Shikany Comment 31*, a dead Monterey pine tree that was considered a safety hazard was removed from the site on October 28, 2021. Removal of this dead tree was not done as part of project activities.

There are many reasons for removal of understory vegetation that are associated with the regular maintenance of a property and the County has no reason to believe that any understory removal was associated with the project. This work would be considered regular management and maintenance of the site, outside the scope of CEQA. Similarly, fencing that is less than 7 feet tall can be installed without any County approvals and would be considered regular management outside the scope of the project.

In August of 2021, the County responded to a code enforcement complaint regarding unpermitted fill on the project site. Couty Code Enforcement opened a code enforcement case, which notified the applicant that the fill was not allowed on the site without proper permitting. The case was closed following a code enforcement inspection in June of 2022, which observed that the fill had been removed. The activity on the site was remedied and is not expected to impact the mitigation measures that were developed for the project. Specifically, all surveys and reports that were prepared prior to the unpermitted fill remain fully accurate and provide a reasonable basis for the County's environmental review of the project, and all mitigation measures and surveys that are to be performed prior to project implementation will assess the site conditions at that time.

The appellant questions the timing of when the studies were conducted relative to when other work was done on the property, and provides that the initial BRA was completed prior to work on the property but the addendum was completed after. The County agrees with the appellants assessment but believes that the BRA and addendum are still complete and accurate given that they are based on the biologists observations, which would include observations of impacts caused by non-project work done at the site.

Wildlife Corridor Impacts

The appellant states that the MND assumes all wildlife movement occurs within the riparian corridor. They say that this is supported by their observation of paths created by wildlife that lead onto the property.

As addressed in the October 2, 2023, Zoning Administrator staff report response *Shikany Comment 45*, the Grayson Creek riparian corridor has been identified as a potential wildlife corridor and nursery site; the remainder of the project site has not been identified as either a wildlife corridor or a nursery site. The Grayson Creek riparian corridor would remain largely untouched by implementation of the proposed project, with the exception of construction within 0.21 acre of riparian habitat (necessitating riparian tree removal along its northern boundary) and implementation of a riparian tree planting plan to mitigate impacts to trees. Furthermore, the infill project is surrounded by residential development.

The County used the CEQA Environmental Checklist (Appendix G of the CEQA Guidelines) as a guide for analyzing the impacts to wildlife corridors. This checklist, in addition to the BRA for the project are the bases for understanding impacts that could occur from the project. As guided by the checklist, the County has answered whether the project 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 wildlife nursery sites.

In response, the County has identified Grayson Creek corridor and its associated riparian habitat to be presumed to act as a wildlife corridor and provides wildlife nursery sites. The BRA identifies the Grayson Creek corridor as providing potential suitable foraging and/or dispersal habitat for California red legged frog, Alameda whipsnake (Masticophis lateralis

euryxanthus), and western pond turtle. Additionally, the BRA identifies suitable habitat for nesting birds and roosting bats within the Grayson Creek riparian corridor. It is presumed that the Grayson Creek riparian habitat would provide wildlife nursery sites due to the combination of presence of suitable nesting/roosting and aquatic habitats.

The project design incorporates a stream setback along the north side of the Grayson Creek corridor. While a majority of the Grayson Creek riparian corridor will be avoided by project activities, project implementation would require grading and the removal of trees within the Grayson Creek riparian wildlife corridor and nursery site. Grading activities within this wildlife corridor could result in direct impacts to terrestrial individuals using the corridor for dispersal. Tree removal would also result in the loss of nesting bird and roosting bat habitat.

The project design incorporates a stream setback along the north side of the Grayson Creek corridor. While a majority of the Grayson Creek riparian corridor will be avoided by project activities, project implementation would require grading and the removal of trees within the Grayson Creek riparian wildlife corridor and nursery site. Grading activities within this wildlife corridor could result in direct impacts to terrestrial individuals using the corridor for dispersal. Tree removal would also result in the loss of nesting bird and roosting bat habitat.

Implementation of Mitigation Measures Biology 2 through Biology 6, which require tree replacement for riparian trees removed from the project site, pre-construction surveys for dispersing, roosting, and/or nesting wildlife, and installation of wildlife exclusion fencing, and implementing post-construction measures for protection of the riparian corridor from site occupation would reduce impacts to wildlife corridors and nursery sites to less than significant through avoidance and minimization of impacts to species and habitat and/or compensatory mitigation for impacts to riparian trees.

Additionally, adequate protection of all fish and wildlife resources, including wildlife movement corridors and nursery sites will be defined by the CDFW through the SAA. The SAA program is designed to avoid, minimize, and mitigate any impacts on stream-related resources to a less than significant level under CEQA, and no additional mitigation measures would be necessary. With compliance with all measures defined by the CDFW through the SAA, potential project-related impacts on Grayson Creek and associated fish and wildlife resources, including wildlife movement corridors, nursery sites and other biological resources associated with the riparian habitat are considered less than significant under CEQA Guidelines.

Impacts to Grayson Creek

The appellant states that the County has failed to adequately analyze the impacts to Grayson Creek and failed to mitigate significant impacts. The comment questions the 50-ft setback, stating that it was not analyzed, and the setback should include significant riparian vegetation along the creek. The appellant goes on to state that Patrick King provided comments during the 2022 MND comment period regarding the creek that were not addressed related to the use of the riparian habitat by birds, and potentially by salmon.

These concerns were previously addressed in the October 2, 2023, Zoning Administrator staff report responses *Shikany Comment 48, Shikany Comment 53,* and in the March 2023 MND.

As stated in the Zoning Administrator staff report, the proposed project has been designed to avoid impacts to natural habitats and resources where feasible. Project design elements include incorporating a structure setback from the centerline of Grayson Creek of a minimum of 50 feet, as well as avoidance and preservation of many trees and tree clusters, and isolation of the residential development from the preserved riparian corridor. A 50-foot Creek Structure Setback would be recorded against the proposed properties in perpetuity. Additionally, tree replanting would be monitored and bonded to ensure the health of replacement trees, and CC&Rs for the project would include maintaining the trees on the property. Furthermore, the Initial Study goes into great detail regarding how birds might be impacted by the project and includes mitigations to limit the impact on these species.

The JMC Addendum and Olberding BRA identified that the potential for wildlife to occur on the project site was based on the presence of suitable habitats and occurrences recorded by the CNDDB within the Walnut Creek quadrangle and eight surrounding quadrangles. A total of five bird species were identified to have a moderate to high potential to occur on the project site in a nesting or foraging capacity. The red-shouldered hawk (Buteo lineatus), red-tailed hawk (Buteo jamaicensis), and Cooper's hawk (Accipiter cooperii) all have a high potential to occur in a nesting and foraging capacity. The sharp-shinned hawk (Accipiter striatus) and American kestrel (Falco sparverius) have a moderate potential to occur in a nesting and foraging capacity. Three of the birds listed above (red-tailed hawk, red-shouldered hawk, Cooper's hawk, sharp-skinned hawk, and destrel) were present, and observed foraging on the project site. Additionally, a Cooper's hawk was observed on the project site exhibiting nesting behaviors. Based on this information and comments from CDFW on the previously circulated initial study, Mitigation Measures Biology 2 and Biology 3 would be incorporated as part of the project. These mitigation measures specifically address he concerns raised by Mr. King during the 2022 MND comment period.

As described in the JMC BRA Addendum, with the implementation of all mitigation measures and conditions defined through the SAA, or other permits related to the California Endangered Species Act (CESA) compliance, if determined necessary by the trustee agencies, the proposed project would not 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 CDFW or USFWS. Impacts would be considered less than significant with mitigation.

The appellant also questioned whether the lighting from the project would negatively affect Grayson creek, stating that lighting impacts to wildlife and the riparian corridor remain unmitigated below a threshold of significance.

As discussed in the Initial Study, new sources of light associated with the proposed new 10 homes would illuminate the surrounding properties and Grayson Creek; thus, the project

lighting could create a potentially significant adverse environmental impact due to substantial new light. Consequently, the applicant is required to implement mitigation measure *Aesthetics 1* to reduce impacts on nighttime views. This mitigation requires all outdoor lighting, including façade, yard, security, and street lights, shall be oriented down, onto the project site or road, and Back shields or functionally similar design elements shall be installed on every lighting pole to reduce lighting from spilling off site, and to ensure that lighting remains within the project site. These measures ensure that all lights installed on the property will be designed to orient light downward to areas that require lighting. Given that no development is allowed in the creek due to the setback easement, no lighting will be placed there. Some spillover could occur from lighting in the backyard of residences, however, impacts to special-status species have been reviewed in the BRA and no impacts from the lighting are expected.

Mitigation Impacts to Grayson Creek

The appellant states that mitigation measure *Biology 2,* which requires tree replanting on the property to mitigate impacts to trees, causes additional impacts to Grayson Creek that are not mitigated or analyzed. The comment questions whether the project would have "direct impacts" on Grayson Creek due to implementation of the mitigation.

As addressed in the October 2, 2023, Zoning Administrator staff report responses *Francois Comment 4*, *Shikany Comment 6*, *Shikany Comment 44, Shikany Comment 45,* Mitigation Measures *Biology 2, Biology 3, Biology 4, Biology 5*, and *Biology 8,* require tree replacement for riparian trees removed from the project site, pre-construction surveys for dispersing, roosting, and/or nesting wildlife, installation of wildlife exclusion fencing, and implementing post-construction measures for protection of the riparian corridor from site occupation would reduce impacts to nursery sites as well as all nesting, roosting, and dispersing wildlife.

These comprehensive mitigations demonstrably reduce impacts to biological resources within the riparian area. They directly address concerns about Grayson Creek, and specifically, *Biology 2*, which the appellant claims leaves impacts unmitigated, is intended to support the biological resources within the creek's riparian area. The actions required by these mitigations are clearly outlined and were fully considered in the Initial Study.

The Grayson Creek riparian corridor would remain largely untouched by implementation of the proposed project, with the exception of construction within 0.21 acre of riparian habitat (necessitating riparian tree removal along its northern boundary) and implementation of a riparian tree planting plan to mitigate impacts to trees. Furthermore, the infill project is surrounded by residential development.

Drainage Impacts to Grayson Creek

The appellant states that due to diverted stormwater from the project, there will be sedimentation impacts to Grayson Creek that were not discussed in the Initial Study.

As discussed in the Geology and Soils section of the Initial Study, because the proposed project would disturb more than one acre of land, it would be required to obtain a Construction General Permit from the California State Water Resources Control Board (State Water Board) and to comply with its conditions and requirements, which are designed to minimize potential erosion issues. The proposed project would comply with the terms of the County's National Pollutant Discharge Elimination System (NPDES) permit and the County Ordinance Code Chapter 1014-4, which requires the preparation and implementation of a SWPPP. The SWPPP includes Best Management Plans (BMPs) to ensure reduction of pollutants from construction activities potentially entering surface waters. Additionally, implementation of the SWPPP would also prevent pollutants from entering surrounding water courses in the project vicinity by preventing pollutants from moving off-site.

Furthermore, the proposed project would be consistent with Ordinance Code Division 716, Grading. Division 716 of the Ordinance Code provides regulations to ensure that soil would not be stripped and removed from lands, which can create hazards related to subsidence and faulty drainage. It also ensures grading is regulated to control erosion and sedimentation to protect water quality of water courses and water bodies. For example, Article 716-8.8 of the Ordinance Code would require that all erodible cut slopes more than 5 feet in height and fill slopes more than 3 feet in height be protected against erosion by planting with grass or ground cover plants, subject to review and recommendations provided by a County building official. Furthermore, the proposed project would be landscaped and would not leave disturbed soils exposed. Therefore, impacts would be less than significant.

The Hydrology and Water Quality section of the Initial Study further discusses this issue, stating that the proposed project would not substantially alter the drainage pattern of the area or change the course of Grayson Creek. In the preliminary stormwater review, the grading pattern of the property will follow the existing drainage pattern and will ultimately connect to an existing drainage located along the northeast side of the project site after the water is detained and treated in a C3 compliant LID flowthrough treatment planter. Accordingly, the proposed project would not substantially alter the drainage pattern of the site or area or result in substantial erosion or siltation. The additional impervious surface flows will be directed to a single C3 compliant LID flowthrough treatment planter to act as a source control, treating all replaced impervious surfaces prior to connecting to the public storm drain system. No direct storm water discharge would be placed within Grayson Creek. All storm water would be metered and cleaned by the C3 compliant LID flowthrough treatment planter, prior to the indirect discharge into Grayson Creek.

Regional Water Quality Control Board Review

The appellant commented that an email was received from the Regional Water Quality Control Board during the Zoning Administrator hearing process that stated that the Water Board was in the process of reviewing the Initial Study for the Grayson Creek Subdivision.

The appellant states that the Water Board's comments should be considered before the project is approved, and that there are potentially flooding concerns with Grayson Creek.

The Water Board has yet to review the initial study for the project or provide their comments. The board was notified of the project during circulation of the document, and County staff has reached out to Water Board to follow up on their email comment. Based on conversations with Water Board staff, any concerns are related to potential flood hazard or bank encroachment from the development. County Public Works staff has evaluated the Hydrology and Stormwater Detention Report for the project, which shows that even in a 100-year storm event, the proposed project runoff would be reduced to at or below existing conditions. Therefore, the impacts would be less than significant. Furthermore, development is located away from the creek due to the County's requirement for a 50-foot creek structure setback.

Project Obtainment of Other Agency Permits

The appellant states that lack of enforcement to obtain CDFW and WQCB permits results in unmitigated significant impacts.

The County is not responsible for enforcing other agencies regulatory authority. That said, the Initial Study does recognize that multiple permits will be necessary from other agencies in order to implement the project. Given that these permits have been discussed with the applicant and are noted in the Initial Study, there is no reason to believe that the required permits would not be obtained. If they are not obtained, the agencies that administer those permits would be able to enforce their permitting authority.

Aesthetic, Land Use and Community Character Impacts

The appellant states that the due to the project density, it is out of character with the surrounding area, and will have aesthetic and land use impacts. The basis for these is that the project density is higher than surrounding development that is located within unincorporated Contra Costa County.

As addressed in the October 2, 2023, Zoning Administrator staff report responses *Shikany Comment 70, West Comment 1,* and in the Initial Study Aesthetics, and Land Use and Planning sections, the project would be consistent with the surrounding neighborhood and land uses. The State Legislature passed the State Density Bonus Law to require cities and counties to grant a density bonus and other incentives or concessions to housing development projects in which affordable housing is provided. Consistent with State law, the proposed project's inclusion of one moderate-income housing unit would allow for a 7 percent increase in density. Development on the project site at this density would be physically precluded by the minimum lot size, lot width, depth, retaining wall setbacks, and front and side yard setbacks for the R-15 zoning designation. As such, these standards would be waived for the proposed project in accordance with State law. It is important to note that the Density Bonus Law establishes mandatory requirements for the County and is entirely

separate from CEQA. Under the Density Bonus Law, the County is precluded from applying any development standard that would prevent construction of the project unless the County can make specific public health and safety findings. Furthermore, environmental impact concerns resulting from high density development are addressed in the IS/MND.

The appellant claims that the County should not consider the residences across the street from the project site when considering if the project is consistent with the neighborhood because these residences are located within the City of Pleasant Hill. In fact, a neighborhood is defined by a group of uses that are within proximity. It would be unreasonable to exclude projects that directly across the street. As discussed in the Zoning Administrator hearings, there is no recognizable difference or separation that would lead a person to believe that the residences on one side of the street should be different from those on the other.

Landscaping Mitigation

The appellant claims that since the required landscaping plan is not a mitigation measure, it cannot be relied upon to limit aesthetic impacts from the project.

While the landscaping plan is a project component and not explicitly listed as a mitigation measure, its inclusion reflects the project's commitment to minimizing aesthetic impacts. As previously addressed in the Zoning Administrator Staff Report response to Shikany Comment 17, the Initial Study/Mitigated Negative Declaration (IS/MND) comprehensively analyzes potential aesthetic impacts. As detailed in the Aesthetics section, the project will comply with all applicable zoning and aesthetic regulations, utilizing Density Bonus Law concessions where appropriate. The proposed landscaping plan further enhances the surrounding aesthetic by maintaining adequate screening and privacy. Any remaining differences between the project and nearby, less dense properties are not considered significant environmental impacts. Additionally, Conditions of Approval 19 and 20 require bonding for the landscaping plan, ensuring its implementation. The County has reasonable expectation that this project component will be realized, minimizing the potential for unmitigated aesthetic impacts.

Density Bonus Law Interpretation

The appellant describes their understanding of the density bonus law and how it should be implemented differently than how the County has interpreted it. They state that they believe that the actual density allowed should be 4 lots.

While the appellant offers their interpretation of the State Density Bonus Law and proposes an alternative application, the County's assessment differs significantly. After a comprehensive review, including consultations with the State Department of Housing and Community Development, the administering agency, the County has determined that the project qualifies for the 10 units requested.

The appellant further questions whether the waivers granted to the project are reasonable, and allowed for under the State Density Bonus Law. As stated in the October 2, 2023 Zoning Administrator Staff Report, the Density Bonus Law provides for regulatory incentives or concessions that result in identifiable and actual cost reductions to provide for affordable housing costs. (Gov. Code § 65915(d)(1)). The Density Bonus Law puts the burden of rejecting any proposed incentives or concessions on the County and requires the County to grant the concession or incentive requested by the applicant unless the County makes a written finding, based upon substantial evidence, of any of the following:

(A) The concession or incentive does not result in identifiable and actual cost reductions;

(B) The concession or incentive would have a specific, adverse impact upon public health and safety or the physical environment or on any real property that is listed in the California Register of Historical Resources and for which there is no feasible method to satisfactorily mitigate or avoid the specific, adverse impact without rendering the development unaffordable to low-income and moderate-income households;

(C) The concession or incentive would be contrary to state or federal law.

Though the appellant states that the project will have impacts on the environment and thus the waivers can be denied, based on the available evidence and the County's independent judgment, there is no evidence in the record that the waivers granted for the project meet any of these requirements for denial. Thus, the County may not deny these waivers.

Accessory Dwelling Units

The appellant questions whether Accessory Dwelling Units are part of the proposed project, and states that if they are, they must be analyzed as part of the environmental review.

ADUs are not part of the project. The applicant made this clear at the Zoning Administrator hearings and has since submitted revised architectural plans that no longer show ADUs. As explained at the previous hearing, the ADUs were considered at one time during the application process but were later determined to be unnecessary.

Noise Impact Evaluation

The appellant states that the County's analysis of noise impacts is inadequate since the project will generate temporary construction noise impacts that are not adequately mitigated.

As discussed in the October 2, 2023, Zoning Administrator Staff Report responses *Haberman Comment 1, Shikany Comment 75, West Comment 3,* and the Initial Study Noise section, the project would include standard conditions of approval that would limit the construction to the hours of 8:00 A.M. to 5:00 P.M., Monday through Friday. The County restricts construction activities to the hours of the day that are not noise-sensitive for adjacent land

uses and should be commissioned to occur during normal work hours of the day to provide relative quiet during the more sensitive evening and early morning periods. Therefore, restricting construction activity to daytime hours, as well as implementing the best management noise reduction techniques and practices outlined in Mitigation Measure Noise 1, would ensure that construction noise would not result in a substantial temporary increase in ambient noise levels that would result in annoyance or sleep disturbance of nearby sensitive receptors. Thus, the project is not expected to have significant impacts from temporary noises.

Frontage Improvements

The appellant states that elimination of a sidewalk creates an unmitigated traffic hazard to pedestrians as well as drivers, and that this should have been mitigated through a mitigation measure identified in the Initial Study. They state that the Zoning Administrator's added condition of approval to require 150-feet of sidewalk across the street from the subdivision proves that the sidewalk is necessary to reduce a impact to health and safety from the project implementation.

The impacts to health and safety related to the installation of frontage improvements was analyzed in the Initial Study and in the October 2, 2023 Zoning Administrator Staff Report response to *Shikany Comment 7*, *Shikany Comment 67, Shikany Comment 76* and *West Comment 1.* Specifically, The County's Complete Streets policy requires streets to enable reasonably safe travel along and across the right-of-way for each category of users. The IS/MND describes that the proposed project would comply with this requirement. Furthermore, the proposed project qualifies for one exemption or concession from the County pursuant to the Density Bonus Law. The project applicant requested that they provide asphalt-concrete curb along the edge of pavement of Grayson Road along the project frontage as well as bicycle land striping, as shown on the Tentative Map.

The commenter raises concerns, which state that the County can reject a concession request if there would be an adverse impact on public safety. The project frontage is located in excess of 1,000 feet away to the east to the nearest sidewalks. As a result of the isolation, an isolated sidewalk along the project frontage would not provide pedestrians, cyclists, or vehicles with a safer travel experience along Grayson Road. The proposed alternative improvements would provide a safe path for both cyclists and pedestrians. As such, the applicant can legally request this concession, and the County is required to approve it.

Furthermore, the concession request for alternative frontage improvements is allowed for under the State Density Bonus Law and can only be rejected if adequate findings are made by the County. Given that the project proposes alternative frontage improvements that provide for reasonably safe pedestrian and bicyclist travel along the project frontage, the County cannot reject the concession requested.

Curb Requirements

The appellant comments that the applicant should be required to install concrete curb and gutter along the project frontage. The appellant states that an asphalt curb is not adequate and would deteriorate quickly.

Along the project frontage, the project will provide a reconstructed asphalt-concrete curb along the edge of pavement of Grayson Road, as well as bicycle lane striping in-lieu of complete frontage improvements. Though the project does not include full frontage improvements, the project would meet the County's curb and gutter requirements along the project frontage.

Private Road Standards

The appellant states that granting of an exception to private road standards results jn diminished accessibility and loss of landscaping area in the right of way. The appeal letter goes on to say that it is unclear what is required for the onsite roadway improvements.

The onsite roadway improvements will meet the County's private road standards. No exception has been requested or grated. During the Zoning Administrator hearing process, the Zoning Administrator modified the description of the onsite easement area in the COAs so that the roadway and sidewalk were within the easement area, and the landscape area was not. No changes to the design were proposed and the design is still expected to meet all private roadway requirements.

VIII. STAFF ANALYSIS

The proposed ten parcels would be compatible with the surrounding neighborhood in design and density. The infill project layout and access would provide for reasonable development with no significant or adverse effects to the surrounding community or environment.

Analysis of individual aspects of the project are provided below:

A. **State Density Bonus Law Analysis:**

The State Density Bonus Law (Gov. Code §§ 65915-65918) incentivizes the building of affordable housing by granting developers "a density increase over the otherwise maximum allowable gross residential density," as well as other incentives or concessions, waivers of development standards, and parking ratio reductions in return for a commitment to provide affordable housing as part of a development project. If the developer meets the requirements of section 65915, a city or county must award a density bonus. (Gov. Code, § 65915(b))

The home on Lot 1 would be restricted for-sale to a moderate-income household (12%

of 9 base lots), therefore the project is eligible for a Density Bonus, waivers or reductions in development standards, incentives and concessions, and parking reductions under the California Density Bonus Law, Gov. Code Section 65915, subdivision (b)(1)(D). By providing one lot of the nine base units for sale to a moderate income household, the Project qualifies for a 7% density bonus, resulting in one additional unit (9 du x.07 = 9.63, which rounds up to 10). (Gov. Code, § 65915(f)(4), (5).) The following summarizes the density calculation.

Base Density
Project Site Gross Acreage: 3.05 Acres
Project Site Net Acreage (Excludes Private ROW: 12,866 sq. ft.): 2.76 Net Acres
Base Density Calculation: 2.76 Acres x 1.0 to $2.\overline{99}$ = 2.76 to 8.28 units. Rounds to 3 to 9 units[1].

Density Bonus
Proposed Percentage Moderate-Income Units: 1 of 9 units = 11.11%. Round up to 12%.
Density Bonus Allowed Per Gov. Code Section 65915(f)(4): 7%
Max Density Bonus Calc: 9 units + 7% Bonus = 9.63 units. Rounds up to 10 Units.
Total Allowable Units: 10 Units

In addition to the increased density, the Density Bonus Law provides for regulatory incentives or concessions that result in identifiable and actual cost reductions to provide for affordable housing costs. (Gov. Code § 65915(d)(1)). The Density Bonus Law puts the burden of rejecting any proposed incentives or concessions on the County and requires the County to grant the concession or incentive requested by the applicant unless the County makes a written finding, based upon substantial evidence, of any of the following:

(A) The concession or incentive does not result in identifiable and actual cost reductions;

(B) The concession or incentive would have a specific, adverse impact upon public health and safety or the physical environment or on any real property that is listed in the California Register of Historical Resources and for which there is no feasible method to satisfactorily mitigate or avoid the specific, adverse impact without rendering the development unaffordable to low-income and moderate-income households;

(C) The concession or incentive would be contrary to state or federal law.

[1] Government Code section 65915, subdivisions (f)(5) states, "All density calculations resulting in fractional units shall be rounded up to the next whole number." Additionally, subdivision (q) states that "Each component of any density calculation, including base density and bonus density, resulting in fractional units shall be separately rounded up to the next whole number."

Furthermore, the Density Bonus Law (Gov. Code § 65915(e)(1)) states "In no case may a city, county, or city and county apply any development standard that will have the effect of physically precluding the construction of a development meeting the criteria of subdivision (b) at the densities or with the concessions or incentives permitted by this section." The applicant has requested waivers of development standards for lot size and setbacks. The applicant has stated that application of these development standards would physically preclude the construction of the project, at its proposed density, as well as the proposed moderate-income unit.

At the October 16, 2023 hearing, the Zoning Administrator added a condition of approval that would require sidewalk improvements to fill a sidewalk gap on the opposite side of Grayson Road. This condition of approval would be a partial denial of the concession requested by the applicant but the Zoning Administrator based their decision on the feasibility of the improvement and the fact that is is related to the health and safety.

B. **General Plan Consistency:** The proposed project would conform to the applicable General Plan land use designation of SL, Single-Family Low Density, 1.0-2.9 units per acre. As described above, the project proposes to utilize a Density Bonus pursuant to the State Density Bonus Law, under Government Code Section 65915.

The density of the proposed project would be 3.62 dwelling units per net acre, which would be deemed consistent with the SL Land Use designation density range of 1 to 2.9 dwelling units per acre as a result of the utilization of a Density Bonus.

Government Code Sections 65915(j)(1) and 65915(C)(5) state that either granting a density bonus, concession, incentive, or waiver, "Shall not require or be interpreted, in and of itself, to require a general plan amendment, local coastal plan amendment, zoning change, study, or other discretionary approval." This language means that the applicant's requests made pursuant to the Density Bonus Law do not require a General Plan Amendment to accommodate the additional density in the proposed project.

The County's land use compatibility standards contained in Figure 11-6 of the Noise Element, ambient noise environments are considered normally acceptable for new single-family residential land use development with noise levels ranging up to 60 A-weighted decibel (dBA) Community Noise Equivalent Level (CNEL)/day/night average sound level (Ldn). Environments with noise levels from 55 dBA to70 dBA CNEL/Ldn are considered conditionally acceptable for new single-family land use development; and such development should be undertaken only after a detailed analysis of the noise reduction requirements is made and needed noise insulation features are included in the design. Environments with noise levels from 70 dBA to 75 dBA CNEL/Ldn are considered normally unacceptable for new single-family land use development, and clearly unacceptable for levels above 75 dBA CNEL/Ldn.

Two noise measurement surveys were taken to determine existing noise levels at the project site. The dominant noise source in the project vicinity was found to be traffic noise on adjacent roadways and lawnmowing. The noise survey documented that existing ambient noise levels on the project site range from 61 dBA equivalent continuous sound level (Leq), as measured at approximately 20 feet from the edge of Grayson Road, to 47 dBA Leq at the project boundary adjoining 2043 Mohawk Drive property. The noise measurement survey files are included in the FCS Draft IS/MND report. These noise measurements were taken during the peak noise hours of the day, and represent the expected highest hourly average noise levels that are experienced on the project site. Resulting 24-hour average noise levels would be even lower when averaged with quieter hours of the day. Therefore, the existing ambient noise environment of the project site is within the conditionally acceptable range for new residential land use development. For conditionally acceptable noise environments, new construction or development should be undertaken only after a detailed analysis of the noise reduction requirements is made and needed noise insulation features included in the design. Conventional construction, but with closed windows and fresh air supply systems, will normally suffice.

Based on the EPA's Protective Noise Levels, with a combination of walls, doors, and windows, standard construction in accordance with building code requirements for multi-family residential developments would provide 25 dBA in exterior-to-interior noise reduction with windows closed and 15 dBA or more with windows open. The proposed project will include alternative ventilation systems such as mechanical air conditioning whick will allow windows to remain closed for prolonged periods of time, sufficiently reducing traffic noise levels to meet the interior noise level standard of 45 dBA CNEL (i.e., 61 dBA - 25 dBA = 36 dBA).

C. **Zoning Consistency**: The project would be considered consistent with the R-15 Single-family zoning district as a result of the utilization of the Density Bonus, pursuant to Government Code sections 65915(j)(1) and 65915(C)(5) and County Ordinance Code Section 822-2. The State Density Bonus Law provides for unlimited number of waivers of development standards in order to construct the project at the proposed density. (See Gov. Code, § 65915(b)(1), (e)(1).) Where a development standard would physically prevent the project from being built at the permitted density and with the granted concessions/incentives, the developer may propose to have those standards waived or reduced.

The applicant is seeking waivers of development standards pertaining to:

(a) a reduction in minimum lot size for Lots 1 and 4-10;
(b) a reduction in the minimum lot width for Lots 1-10 (instead of 100 feet);
(c) a reduction in minimum lot depth for Lot 1;
(d) a reduction in minimum front yard and side yard setback and
(e) a waiver of the setback requirement for retaining walls.

The proposed lot sizes, lot width, depth, and setbacks, are shown in the following table. The project is seeking these reductions and waivers as application of the required standard would physically preclude the development of the project at the proposed density with the proposed one moderate income unit and with the application of the available incentives, concessions, and density bonus.

1024 & 1026 Grayson Rd. Proposed Development Standards (R-15 Standards)						
Lot #	**Area (15,000 Sq. Ft.)**	**Depth (100 Ft. Min.)**	**Average Width (100 Ft. Min.)**	**Front Yard Setback (20 feet)**	**Side Yard Setback (25 feet aggregate, no yard less than 10 feet)**	**Retaining Walls 6' or less**
Lot 1	7,347	87.45	84.01	20' feet to face of garage; 14' Feet to living area	15 feet aggregate, (no yard less than 5 feet)	0'
Lot 2	22,460	331	67.85	20' feet to face of garage; 14' Feet to living area	15 feet aggregate, (no yard less than 5 feet)	0'
Lot 3	15,236	270	56.43	20' feet to face of garage; 14' Feet to living area	15 feet aggregate, (no yard less than 5 feet)	0'
Lot 4	14,257	144	99.01	20' feet to face of garage; 14' Feet to living area	15 feet aggregate, (no yard less than 5 feet)	0'
Lot 5	14,713	195	75.45	20' feet to face of garage; 14' Feet to living area	15 feet aggregate, (no yard less than 5 feet)	0'
Lot 6	11,261	163	69.09	20' feet to face of garage; 14' Feet to living area	15 feet aggregate, (no yard less than 5 feet)	0'
Lot 7	11,360	166	68.43	20' feet to face of garage; 14' Feet to living area	15 feet aggregate, (no yard less than 5 feet)	0'
Lot 8	13,388	185	72.37	20' feet to face of garage; 14' Feet to living area	15 feet aggregate, (no yard less than 5 feet)	0'
Lot 9	13,655	173	78.93	20' feet to face of garage; 14' Feet to living area	15 feet aggregate, (no yard less than 5	0'

					feet)	
Lot 10	14,013	220	63.70	20’ feet to face of garage; 14’ Feet to living area	15 feet aggregate, (no yard less than 5 feet)	0’

Lastly, the project is seeking a concession to allow the installation of the complete frontage improvements be omitted in lieu of a reconstructed asphalt-concrete curb along the edge of pavement of Grayson Road along the project frontage as well as bicycle lane striping.

D. **Traffic and Circulation:** Policy 4-c of the Growth Management Element of the Contra Costa County General Plan requires a traffic impact analysis of any project that is estimated to generate 100 or more AM or PM peak-hour trips. Based on the Institute of Transportation Engineers (ITE) peak period trip generation rates of 1.0 trip per dwelling unit for single-family residences, the proposed project consisting of the ten-lot subdivision, and the future construction of 10 single-family residence (8 net new units) would generate an additional eight AM and eight PM new peak period trips, and therefore, is not required to have a project-specific traffic impact analysis. Since the project would yield less than 100 peak-hour AM or PM trips, the proposed project would not conflict with the circulation system in the Pleasant Hill area.

The proposed subdivision project includes a new 28-foot-wide access road which would permit two 10-foot travel lanes and an 8-foot wide parking on one side of the street. Additionally, a 5-foot wide, monolithic, elevated sidewalk would be constructed adjacent to the new road to provide access for pedestrians and persons with disabilities within the project. Along the project frontage, the project will provide a reconstructed asphalt-concrete curb along the edge of pavement of Grayson Road, as well as bicycle lane striping in-lieu of complete frontage improvements.

The Density Bonus application submitted to the County has requested that the installation of the complete frontage improvements be omitted in lieu of a reconstructed asphalt-concrete curb along the edge of pavement of Grayson Road along the project frontage as well as bicycle lane striping, as shown on the Tentative Map.

Improved frontage improvements are defined as curb, gutter pan, and a sidewalk. No complete frontage improvements exist along the southern portion of Grayson Road, from the intersection of Reliez Valley Road to the west and Heritage Hills Drive to the East (that road segment is in is in excess of 2,000 feet in length). Complete frontage improvements would be prohibitively expensive given the length of the project frontage (354 feet), the required grading, tree removal, and utility requirements. In addition, there is no sidewalk along the southern side of Grayson Road to connect with, in 1,000 feet in

either direction. The adjacent properties that front along Grayson Road are not expected to develop in the future. Finally, existing Grayson Road has adequate width to support two travel lanes, parking, and a bike lane. Therefore the overall the surrounding circulation system is consistent with the Complete Streets policy.

The Complete Streets Policy, adopted by the Contra Costa County Board of Supervisors on July 12, 2016, requires Complete Streets infrastructure sufficient to enable reasonably safe travel along and across the right of way for each category of users be incorporated into all planning, funding, design, approval, and implementation processes for any construction, reconstruction, retrofit, maintenance, operations, alteration, or repair of streets (including streets, roads, highways, bridges, and other portions of the transportation system), except that specific infrastructure for a given category of users may be excluded if an exemption is approved via the process set forth in section C.1 of the policy. The policy applies to both publicly owned roads/land and private developments (or redevelopment areas). Additionally, the County General Plan includes many policies promoting pedestrian and bicycle facilities. As designed, the project would be consistent with this policy.

E. **Drainage:** The proposed project would comply with applicable water quality and discharge requirements. The proposed project would add an estimated 50,825 square feet of new impervious surface area. The C.3 requirements stipulate that projects that create or replace 5,000 square feet or more of impervious surface must incorporate specific measures to reduce runoff, such as dispersion of runoff to vegetated areas, use of pervious pavement, installation of cisterns, and installation of bioretention facilities or planter boxes. Implementation of these measures would be required as a condition of approval.

   An existing 24" reenforced concrete pipe within Grayson Road currently collects stormwater runoff from upstream properties. The 24" storm drainpipe connects to 2 6x6 concrete boxes under Grayson Creek and discharges water directly to Grayson Creek.

   Most runoff on the project site would be directed to a 674-cubic-foot bioretention basin located adjacent to Lot 2 for treatment. Once treated, runoff would be directed to the public storm drainpipe beneath Grayson Road. A portion of the runoff would bypass this treatment system and instead enter the existing 24-inch pipe in Grayson Road. According to the Hydrology and Stormwater Detention Report, the 24-inch pipe has adequate capacity to capture this amount of stormwater runoff, even in a 100-year storm event. This would ensure that project runoff would not exceed existing conditions.

F. **Housing Element Compliance – Residential Sites Inventory**: California Government Code Section 65863 mandates that no local government action shall reduce, require or permit the reduction of the residential density, or allow development at a lower residential density for any parcel identified in the sites inventory for the adopted Housing Element, unless the local government makes written findings that the reduction is

consistent with the General Plan, and the remaining sites identified in the Housing Element's site inventory are adequate to meet the jurisdiction's share of the regional housing need. As defined by statute, "a lower residential density" refers to allowing fewer units on the site than were projected within the site inventory of the Housing Element.

In order to assess whether this residential development application is subject to requirements of California Government Code section 65863, staff reviewed the site inventory for the adopted 2014 Housing Element and determined that Assessor's Parcel Numbers 166-030-001 and 166-030-002 are not among the parcels listed in the inventory of residential sites which were relied upon to meet the County's share of regional housing needs.

IX. ENVIRONMENTAL REVIEW

In accordance with the state Guidelines for Implementation of the California Environmental Quality Act (CEQA), an Initial Study was prepared to determine the potential environmental impacts of the proposed development project. The initial study identified potential impacts in the areas of Air Quality, Biological Resources, Cultural Resources, Geological Resources, and Tribal Cultural Resources. Upon completion of the Initial Study, it was determined that mitigation measures could be incorporated into the project description that would reduce these project impacts to a less than significant level. These mitigation measures have been incorporated into the project as recommended conditions of approval.

The Initial Study, Notice of Public Review, and Notice of Intent to Adopt a Mitigated Negative Declaration were first posted with the County Recorder and circulated for public and agency review on April 22, 2022. In response to extensive comments from the California Department of Fish and Wildlife, the applicant revised the project and updated multiple studies, including the Biological Resources Analysis and associated mitigation measures. The revised MND was then prepared and circulated for public and agency review on March 24, 2023. The final day for providing comments on the adequacy of the Initial Study was April 24, 2023. Two agency comments were received during the comment period: the CDFW and EBMUD. Additionally, seven comment letter were received from individuals. All comments were summarized and responded to in the October 2, 2023 Zoning Administrator hearing staff report for the project.

X. CONCLUSION

Staff recommends the County Planning Commission deny the appeal of Patrick King, and approve County File #CDSD20-09531, subject to the attached conditions of approval.

Attachments:

- Findings and Conditions of Approval
- Maps
- Environmental Review (Comment, IS/MND, MMRP)

- Photographs
- Plans
- Appeal Letter

FINDINGS AND CONDITIONS OF APPROVAL FOR COUNTY FILE #CDSD21-09531: ANDY BYDE, CALIBR VENTURES (APPLICANT) GRAYSON ROAD LLC (OWNER)

FINDINGS

I. Growth Management Performance Standards

1. Traffic: Traffic engineers and planners use the concepts of Level of Service (LOS) and Vehicle Miles Traveled (VMT) to qualitatively describe traffic conditions. Additionally, the Contra Costa Transportation Authority (CCTA) Growth Management Plan, the West Contra Costa Transportation Advisory Committee (WCCTAC) Action Plan, and the County of Contra Costa (County) General Plan establish measures of effectiveness and requirements for the analysis and disclosure of circulation impacts associated with new land developments. Potential circulation impacts may be expected, and traffic impact analyses are required for projects that generate more than 100 net new peak-hour trips. A project generating less than 100 peak-hour trips generally will not create or exacerbate any current traffic patterns. Using standard Institute of Transportation Engineers (ITE) trip generation trip rates, the eight additional housing unit project will generate eight AM and eight PM gross peak-hour trips. At this expected rate, the cumulative effect to local roadways is negligible.

   Senate Bill (SB) 743 established a change in the metric to be applied for determining traffic impacts associated with development projects. Rather than the delay-based criteria associated with a Level of Service (LOS) analysis, the increase in Vehicle Miles Traveled (VMT) associated with a project is now the basis for determining impacts. Contra Costa County adopted the Transportation Analysis Guidelines, which includes a VMT policy on June 23, 2020.

   Pursuant to the County guidelines, projects of 20 residential units or less should be expected to cause a less-than-significant impact under CEQA and do not require a project specific traffic impact analysis. The project proposes eight additional residential units which is under the County guidelines VMT screening criteria threshold. Therefore, the impacts from the project are expected to be inconsequential.

1. Water: The GMP requires new development to demonstrate that adequate water quantity can be provided. The subject property is within the East Bay Municipal Utility District (EBMUD) service area. In an agency comment letter for the project, EBMUD stated that water service for the project could be accommodated. Thus, adequate water quantity is available to the project.

2. Sanitary Sewer: The GMP requires that new development demonstrate that adequate sanitary sewer service is available. The subject property is within the H. Central Contra Costa Sanitary District (CCCSD) service area. In an agency comment letter received from CCCSD, the district stated sanitary sewer service is available for the project and that the proposed project would not be expected to produce an unmanageable added capacity.

3. Fire Protection: The fire protection standards under the GMP require that a fire station be within one and one-half miles of development in urban, suburban and central business

district areas, or requires that automatic fire sprinkler systems be installed to satisfy this standard. The project site is within the Contra Costa Consolidated Fire Protection District jurisdiction, and the project requires the Fire District's review and approval prior to building permits being issued to ensure compliance with all fire codes and regulations. Compliance with all requirements suggests that the project will satisfy the GMP fire protection standards. CCCFPD, has 36 stations serving the County, including two stations within two miles of the project site. The nearest station to the project site is Station 5 at 205 Boyd Road in the City of Pleasant Hill, approximately 1.72 miles from the project site. Thus, sprinklers would be required for the residences on the property.

4. Public Protection: As the project will add to the County's population, the conditions of approval will requires that prior to the recording of the parcel map, the owner of the property shall participate in establishing a special tax for the parcel created by this subdivision. The collected tax money will be used to augment existing police services to accommodate for the incremental increase in population as a result of this subdivision project.

5. Parks and Recreation: As the project will add to the County's population, the conditions fo approval will requires the project proponent to pay applicable Park Impact in-lieu fees for the new residences. These fees, in conjunction with all other Park Dedication fees collected for development within the County, will be used in part to purchase new park land and upgrade existing community parks as determined appropriate by the Board of Supervisors.

6. Flood Control and Drainage: The project is required to meet collect and convey requirements of the County Subdivision Ordinance Title 9, by constructing the necessary drainage improvements, or obtaining necessary exceptions to the code. The applicant must also comply with the County's National Pollutant Discharge Elimination System (NPDES) Permit and Stormwater Management and Discharge Control Ordinance, Title 10, for stormwater treatment. The new drainage improvements will both meet stormwater discharge requirements for stormwater treatment, while also accommodating all rainwater runoff generated by the project, as required by Title 9. Exemptions to allow private maintenance of drainage facilities is appropriate given the necessity of onsite detention.

II. Tentative Map Findings

1. *Required Finding: The County Planning Agency shall not approve a tentative map unless it finds that the proposed subdivision, together with the provisions for its design and improvement, is consistent with the applicable general plan required by law.*

   Project Finding: The proposed project will conform to the applicable General Plan land use designation of SL, Single-Family Low Density, 1.0-2.9 units per acre. The project proposes to utilize a Density Bonus pursuant to the State Density Bonus Law, under Government Code Section 65915. Government Code Sections 65915(j)(1) and 65915(C)(5) state that either granting a density bonus, concession, incentive, or waiver, "Shall not require or be interpreted, in and of itself, to require a general plan amendment, local coastal plan amendment, zoning change, study, or other discretionary approval." This language means

that the applicant's requests made pursuant to the Density Bonus Law do not require a General Plan Amendment to accommodate the additional density in the proposed project.

Each of the following factors has also been evaluated and found to be consistent: the extent to which the project is consistent with General Plan policies pertaining to compatibility of land uses; compliance with principles of the Urban Limit Line and Measure C-1990, protection of open spaces; and protection of water quality; and found no evidence of inconsistencies. Additionally, the projected related traffic is not anticipated to negatively affect local traffic patterns or significantly diminish the Level of Service of key intersections in the area or exceed VMT thresholds. The tentative parcel map for this subdivision is consistent with the applicable goals and policies as found in the County 2005-2020 General Plan. Therefore, based on the entire record and as summarized herein, the tentative map is consistent with the County General Plan.

2. *Required Finding: The County Planning Agency shall not approve a tentative map unless it shall find that the proposed subdivision fulfills construction requirements.*

   Project Finding: As required by the conditions of approval, the project does not pose any significant traffic impacts and must comply with the "collect and convey" requirements and design standards for construction of public roads. Prior to issuance of building permits, the applicant is required to contribute fees for parks and recreation, school districts, child care and police services. Payment of these fees along with compliance with the applicable California Building Code will fulfill all obligations related to construction of the project. Therefore, based on the proposal, no physical circumstances would restrict the developer from completing the project.

III. Tree Permit Findings

Required Finding: The Zoning Administrator is satisfied that necessary factors as provided by County Code Section 816-6.8010 for granting a tree permit have been satisfied.

Project Finding: An Arborist Report dated May 6, 2020 prepared by Traverso Tree Service, identified 117 code-protected trees in the project work area. The report recommended removal of 97 trees to accommodate the proposed development and called for the protection of 17 trees with work within their dripline. The Tree Protection and Preservation Ordinance states that the director of the department may attach conditions to ensure compliance with the chapter and code. These conditions may include a requirement to replace any or all trees on a comparable ratio of either size or quantity. To meet this requirement the applicant would be required to submit and implement a landscaping and irrigation plan that includes replacement of the trees that have been removed. Trees planted will be spaced in a manner that promotes their long-term growth habits and will be replaced at a ratio of 3:1 ratio for native trees, or out-of-kind at 1:1 ratio for non-native trees, or the maximum that can be practicably accommodated on the site.

IV. California Environmental Quality Act (CEQA) Findings

In accordance with the state Guidelines for Implementation of the California Environmental Quality Act (CEQA), an initial study was prepared to determine the potential environmental impacts of the proposed development project. The initial study identified potential impacts in the areas of Air Quality, Biological Resources, Cultural Resources, Geological Resources, and Tribal Cultural Resources. Upon completion of the Initial Study, it was determined that mitigation measures could be incorporated into the project description that would reduce these project impacts to a less than significant level. These mitigation measures have been incorporated into the project as recommended conditions of approval.

The Initial Study, Notice of Public Review, and Notice of Intent to Adopt a Mitigated Negative Declaration were first posted with the County Recorder and circulated for public and agency review on April 22, 2022. In response to extensive comments from the California Department of Fish and Wildlife, the applicant revised the project and updated multiple studies, including the Biological Resources Analysis and associated mitigation measures. The revised MND was then prepared and circulated for public and agency review on March 24, 2023. The final day for providing comments on the adequacy of the Initial Study was April 24, 2023. Two agency comments were received during the comment period: California Department of Fish Wildlife and EBMUD. Additionally, seven comment letters were received from individuals. No additional impacts were identified in these comments and all comments are summarized and responded to in the project staff report.

Notice of the proposed project was sent to Native American tribes, as applicable for consultation with Native American tribes under Public Resources Code Sections 21080.3.1. A Tribal Consultation List from the Native American Heritage Commission, dated October 28, 2015, was used to identify tribes traditionally and culturally affiliated with the project area. No requests for consultation were received.

CONDITIONS OF APPROVAL FOR COUNTY FILE #CDSD20-09531

1. Approval of the Vesting Tentative Map for a 10 Residential-Lot Subdivision; is generally based on the following documents:

    - Application and materials received on January 13, 2020;
    - Revised Project Description Dated March 25, 2022;
    - Revised Vesting Tentative Map for Subdivision CDSD20-09531, received January 28, 2022;
    - Architectural Plans received December 15, 2021;
    - Hydrology And Storm Water Detention Report prepared by Debolt Civil Engineering Inc., dated February 22 2022;
    - Storm Water Control Plan prepared by Debolt Civil Engineering Inc., dated February 22 2022;

- Grayson Road Inclusionary Housing Plan submitted September 18, 2023;
- Grayson Road Density Bonus Proposal submitted September 18, 2023;
- Geotechnical Report prepared by ENGEO Incorporated dated October 4, 2019;
- Archeological Survey and Historical Resources Evaluation Report prepared by Archaeological/Historical Consultants, dated February 2007;
- Arborist Report by Traverso Tree Services, dated May 6, 2020;
- Biological Resource Analysis Addendum prepared by Johnson Marigot Consulting, LLC., dated December 2022;

2. The concession to allow the installation of the complete frontage improvements be omitted in lieu of a reconstructed asphalt-concrete curb along the edge of pavement of Grayson Road along the project frontage as well as bicycle lane striping, is approved, as shown in the Vesting Tentative Map received on January 28, 2022.

3. The waivers to development standards is Approved, as shown on the Vesting Tentative Parcel Map received January 28, 2022 to allow:

    a. A reduction in minimum lot size for Lots 1 and 4-10;
    b. A reduction in the minimum lot width for Lots 1-10 to allow lot average widths as low as 56 feet;
    c. A reduction in minimum lot depth for Lot 1; and
    d. Reduced residential setback requirement to allow 14-foot front setbacks to residences (20 feet to garages), 5-foot side yard setback for residences (with 15-foot aggregate setback), and 0-foot setbacks for retaining walls 6 feet tall or less.

4. This permit authorizes the development of ten lots on the subject property as generally identified in the CDSD20-09531 vesting tentative map and documents referenced above.

5. A Tree Permit to allow removal of 97 code-protected trees, and work within the dripline of 17 code-protected trees, as shown in the Arborist Report by Traverso Tree Services, dated May 6, 2020, is Approved.

Indemnification

6. Pursuant to Government Code Section 66474.9, the applicant (including the subdivider or any agent thereof) shall defend, indemnify, and hold harmless the County and its agents, officers, and employees from any claim, action, or proceeding against the Agency (the County) or its agents, officers, or employees, to attack, set aside, void, or annul, the Agency's approval concerning this subdivision map application, which action is brought within the time period provided for in Section 66499.37. The County will promptly notify the subdivider of any such claim, action, or proceeding and cooperate fully in the defense.

Application Costs

7. The Major Subdivision application was subject to an initial deposit of $7,525.00 that was paid with the application submittal, plus time and material costs if the application review expenses exceed the initial deposit. Any additional fee due must be paid prior to issuance of a building permit, or 60 days of the effective date of this permit, whichever occurs first. The fees include costs through permit issuance and final file preparation. Pursuant to Contra Costa County Board of Supervisors Resolution Number 2013/340, where a fee payment is over 60 days past due, the application shall be charged interest at a rate of ten percent (10%) from the date of approval. The applicant may obtain current costs by contacting the project planner. A bill will be mailed to the applicant shortly after permit issuance.

Compliance Report Prior to Filing the Parcel Map

8. At least 45 days prior to filing of the Parcel Map or issuance of a grading or building permit, whichever occurs first, the applicant shall provide a permit compliance report to the Department of Conservation and Development, Community Development Division (CDD) for review and approval. The report shall identify all conditions of approval that are administered by the CDD. The report shall document the measures taken by the applicant to satisfy all relevant conditions. Copies of the permit conditions may be obtained from the CDD. Unless otherwise indicated, the applicant will be required to demonstrate compliance with the applicable conditions of this report prior to filing the Final Map.

   The permit compliance review is subject to staff time and materials charges, with an initial deposit of $2,000 which shall be paid at the time of submittal of the compliance report.

Fencing

9. Prior to planning approval of a grading or building permit, a fencing plan program shall be submitted to CDD for the review and approval. The approved program shall be attached to the CC&Rs.

CC&Rs

10. Prior to recording the Final Map, Covenants, Conditions and Restrictions (CC&R's) shall be submitted to CDD for review and approval. This document shall include the maintenance obligation requirements of Public Works condition(s) of approval.

Park Dedication Fees

11. Prior to CDD stamp-approval of plans for issuance of a building permit for a new residence, the project sponsor shall demonstrate to the satisfaction of Community Development Division (CDD) that all Park Dedication fees have been paid for the subdivision.

Child Care Fees

12. Prior to CDD stamp-approval of plans for issuance of a building permit for a new residence, the project sponsor shall demonstrate to the satisfaction of CDD that all child care facility fees have been paid for the subdivision.

Police Services Fees

13. Election for Establishment of a Police Services District to Augment Police Services: Prior to the recordation of the Final Map, the owner of the property shall participate in the provision of funding to maintain and augment police services by voting to approve a special tax for the parcels created by this subdivision approval. The tax shall be per parcel annual amount (with appropriate future CPI adjustment) established at the time of voting by the Board of Supervisors. The election to provide for the tax shall be completed prior to filing the Final Map. The property owner shall be responsible for paying the cost of holding the election, payable at the time the election is requested by the owner. Allow a minimum of three to four months for processing.

Water Efficient Landscape Ordinance

14. The applicant shall comply with California Model Water Efficient Landscape Ordinance (Division 2, Title 23, California Code of Regulations, Chapter 2.7, Sections 490 through 495) and/or any applicable State mandated landscape/water related requirements applicable at the time of landscaping installation for the project. To the maximum extent feasible, the project proponent shall use drought tolerant vegetation for the development.

Aesthetics

15. Thirty days prior to applying for a building permit for new residence, the applicant shall submit a Lighting Plan for review and approval by the CDD. At a minimum, the plan shall include the following measures:

    - All outdoor lighting, including façade, yard, security, and street lights, shall be oriented down, onto the subject property or road.

    - Back shields or functionally similar design elements shall be installed on every lighting pole to reduce lighting from spilling off site, and to ensure that lighting remains within the subject property. **(Mitigation Monitoring (MM) Aesthetics 1)**

Air Quality

16. The following Bay Area Air Quality Management District, Basic Construction Mitigation Measures shall be implemented during the project and shall be included on all construction plans:

    - All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day.

- All haul trucks transporting soil, sand, or other loose material to and from the site shall be covered.
- All visible mud or dirt tracked-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.
- All vehicle speeds on unpaved roads shall be limited to 15 mph.
- All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.
- Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations [CCR]).
- All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications.
- Post a publicly visible sign with the telephone number and person to contact at the lead agency regarding dust complaints. This person shall respond and take corrective action within 48 hours. The Air District's phone number shall also be visible to ensure compliance with applicable regulations **(MM Air Quality 1)**

Biological Resources

17. If it is determined that additional native trees can be protected in place while still achieving project objectives (as determined by the project Arborist in coordination with the Construction Manager and the project proponent), the project proponent will determine if additional trees can be saved based upon the potential impacts from the grading to the root structure of the trees by "field-fit" grading activities to the greatest extent practicable to conduct such avoidance.

18. In the spring immediately prior to project implementation, protocol-level rare plant surveys shall be conducted on the project site. Rare plant surveys shall be conducted by a qualified botanist, in accordance with all applicable survey guidelines including those published by the United States Fish and Wildlife Service (USFWS), California Department of Fish and Wildlife (CDFW), and the California Native Plant Society (CNPS). If determined to be necessary by the qualified Botanist, reference site surveys shall be conducted to confirm plant phenology (flowering periods).

    If State or federally listed plants are observed on-site during protocol-level rare plant surveys, all compensatory mitigation requirements and additional avoidance and minimization measures identified by CDFW and/or USFWS shall be implemented. If CNPS-Ranked species are observed on-site during protocol-level rare plant surveys, salvage of seed and/or root stock shall be conducted under the direction a qualified Botanist and in coordination with a qualified plant conservation institution or native nursery. **(MM Biology 1)**

19. All trees removed from the on-site riparian woodland shall be replaced in-kind and on-site to the greatest extent practicable at a 3:1 ratio for native trees, or out-of-kind at 1:1 ratio for non-native trees, to be replaced with native trees. A total of 18 native trees within the riparian woodland community are scheduled for removal – these trees would be replaced with approximately 54 native riparian woodland tree species including valley oak, coast live oak,

California buckeye, and black walnut. A replacement tree planting plan shall be approved by the County along with landscape plans prior to issuance of building permits.

All trees removed from the onsite valley oak woodland shall be replaced in-kind and onsite at a 3:1 ratio for native trees, or out-of-kind at 1:1 ratio for non-native trees, to be replaced with native trees. A total of 32 native and 8 non-native trees within the valley oak woodland community are scheduled for removal – these trees shall be replaced, onsite, with approximately 104 native valley oak woodland tree species such as valley oak, coast live oak, blue oak, California black oak, interior live oak, California buckeye, and/or California bay laurel. Replacement trees shall be planted as 15-gallon trees, except that up to 50 percent of the required replacement trees may be planted as 5-gallon trees if it is determined based on an arborist report that long-term tree health and survival will be improved by starting with a smaller container size. Trees planted shall be spaced in a manner that promotes their long-term growth habits. All installed plant material shall meet the American Nurseryman's Association Standards. Welded-wire cages shall be constructed around all tree plantings to protect them from deer herbivory. A replacement tree planting plan shall be approved by the County along with landscape plans prior to issuance of building permits. **(MM Biology 2)**

Trees shall be planted prior to requesting a final inspection on the residential building permit for each lot.

Required Security to Assure Completion of Plan Improvements: Prior to removal of trees or prior to CDD stamp-approval of plans for issuance of a building permit (e.g. demolition, grading or building), whichever occurs first, the applicant shall submit a security that is acceptable to the CDD. The bond shall include the amount of the approved cost estimate, plus a 20% inflation surcharge.

Initial Deposit for Processing of Security: The County ordinance requires that the applicant pay fees to cover all staff time and material costs of staff for processing the landscape improvement security. At the time of submittal of the security, the applicant shall pay an initial deposit of $200.

Duration of Security: The security for each lot shall be retained by the County for a minimum of 12 months up to 24 months beyond the date of receipt of the security and from the time, the final inspection for the lot was approved. A prerequisite of releasing the bond between 12 and 24 months shall be to have the applicant arrange for the consulting arborist to inspect the trees and to prepare a report on the trees' health. In the event that CDD determines that the tree(s) intended to be protected has been damaged, and CDD determines that the applicant has not been diligent in providing reasonable restitution, then CDD may require that all part of the security be used to provide for mitigation of the damaged tree(s). Should one security be submitted for all lots, the security may be released upon complying with the requirements stated above and upon approval of a final inspection for the last lot constructed.

20. Prior to recordation of a final map, a Final Landscaping Plan shall be submitted for the review and approval of CDD. The Final Landscaping Plan shall include the tree restitution required by

Mitigation Measure *Biology 2*, and be consistent shall conform to the State's Model Water Efficient Landscape Ordinance or the County's Ordinance, if one is adopted.

Prior to final building inspection, a completed WELO Part II – Certificate of Completion shall be submitted to CDD staff for review and approval.

All landscaping shall comply with California Model Water Efficient Landscape Ordinance (Division 2, Title 23, California Code of Regulations, Chapter 2.7, Sections 490 through 495) and/or any applicable State mandated landscape/water related requirements applicable at the time of landscaping installation for the project. To the maximum extent feasible, landscaping plans shall use drought tolerant vegetation for the development.

21. If vegetation removal, ground disturbance, or structure removal are scheduled to commence between February 1 and September 15, a preconstruction nesting bird survey of all suitable nesting habitat on the Project site and within the zone of influence (the area immediately surrounding the Project site that supports suitable nesting habitat that could be impacted by the proposed Project due to visual or auditory disturbance associated with the removal of vegetation and construction activities scheduled to occur during the nesting season) shall be conducted by a qualified biologist within 5 days prior to commencement of vegetation removal or ground disturbance. If no nesting birds are observed during the survey, the vegetation removal and/or ground disturbance may commence as planned. If nesting birds are observed during the survey, a non-disturbance buffer based on species, nest stage, and site conditions shall be established.

    This buffer shall remain in place until such a time as the young have been determined (by a qualified Biologist) to have fledged. Nests shall be monitored daily by a qualified Biologist during project-related activities to determine the sufficiency of the buffer and whether it should be expanded to protect the nest based on disruptions to an individual bird's natural nesting behaviors. If the buffer is determined to be sufficient, monitoring shall be reduced to twice a week until fledging occurs. If any change in bird behavior is detected, active nest buffers will increase as determined by a qualified Biologist. Nesting bird surveys shall be repeated if there is a lapse in project activities of seven days or more. **(MM Biology 3)**

22. A pre-construction survey for special-status reptile species shall be performed no more than 48 hours prior to ground disturbance or vegetation removal to determine presence/absence of Alameda whipsnake and western pond turtle. Worker Environmental Awareness training discussing the potential for these species shall be conducted by the qualified Biologist or Biological Monitor for all construction personnel working within the project site prior to construction. **(MM Biology 4)**

23. Directed pre-construction surveys for the California red-legged frog (CRLF) shall be performed prior to construction activities. The creek channel and associated riparian woodland may serve as dispersal areas for CRLF. A qualified Biologist shall conduct a pre-construction survey of these habitats for CRLF preceding the commencement of construction activities to verify presence/absence of this species.

In order to mitigate for potential impacts to California red-legged frog (CRLF) and western pond turtle, wildlife exclusion fencing (ERTEC fencing) shall be installed along the grading limit of the project site to prevent dispersal into the grading and work areas of the site from the creek channel and/or the riparian corridor. Fencing should be trenched into the ground bat a minimum of 6 inches and a lip should be formed along the top of the fence line. A qualified Biologist or Biological Monitor shall be on-site during initial ground-disturbing activities to inspect the work area and fence lines daily for special-status amphibians and other wildlife. Worker Environmental Awareness training discussing the potential for these species should be conducted by the qualified Biologist or Biological Monitor for all construction personnel working within the project site. If any CRLF or other listed amphibians are found during construction activities, the United States Fish and Wildlife Service (USFWS) should be consulted to approve capture and relocation by a qualified Biologist. **(MM Biology 5)**

24. A Storm Water Pollution Prevention Plan (SWPPP) and a Storm Water Management Plan (SWMP) shall be designed to ensure that best management practices (BMPs) are implemented so there are no impacts to water quality in Grayson Creek resulting from project construction or postconstruction storm water run-off. **(MM Biology 6)**

25. Vegetation planted within on-site undeveloped areas shall be comprised of native valley oak woodland species to the greatest extent practicable. Landscape plans shall prioritize native vegetation and shall be approved by the County prior to issuance of building permits. **(MM Biology 7)**

26. For all project activities planned in or adjacent to potential bat roosting habitat, such as structures and/or involving woody vegetation modification or removal of any and all trees, a qualified Biologist shall conduct daytime and evening acoustic surveys in addition to extensive visual surveys of potential habitat for special-status bats at least 7 days prior to initiation of project activities. If bats are found on-site, a qualified Biologist shall identify the species, estimated quantity present, roost type, and roost status, but shall avoid disturbing bats during surveys. A qualified Biologist shall also create a Bat Mitigation and Monitoring Plan if special-status bat species are detected prior to the start of project activities. The Bat Mitigation and Monitoring Plan shall include: (1) an assessment of all project impacts to special-status bats, including noise disturbance during construction; (2) effective avoidance and minimization measures to protect special-status bats; (3) and compensatory mitigation for permanent impacts to special-status bats or their nesting/roosting habitat. If structures, trees, or other refugia equivalents are slated for limbing, removal, or modification, the Bat Mitigation and Monitoring Plan shall include the following measures:

    a. To ensure that special-status bats have left potential roosting refugia, work shall occur over the course of two days. On the first day, smaller limbs or items from the identified trees or structures shall be brushed back or modified in the late afternoon. This disturbance should cause any potential roosting bats to seek other roosts during their nighttime foraging. The remainder of the refugia item can then be further limbed or removed as needed on the second day as late in the afternoon as feasible. If bats are found injured, or if bat mortality occurs during the course of tree work, a qualified Biologist shall record the species impacted, and the number of individuals documented.

b. Tree limbing, modification, removal, or work on structural refugia shall not be performed under any of the following conditions: during any precipitation events, when ambient temperatures are below 4.5 degrees Celsius, when windspeeds exceed 11 miles per hour, and/or any other condition which may lead to bats seeking refuge.

c. If special-status bats are found utilizing a tree, structure, or equivalent for roosting, the Bat Mitigation and Monitoring Plan shall include permanent artificial roosting habitat installation that shall be adjacent to, and sufficient for, the species observed and associated ecology thereof. Effective buffer zones for the installation and monitoring of the artificial roosts shall be determined and established by a qualified Biologist. Artificial roosts shall follow the 2018 Acceptable Management Practices for Bat Species Inhabiting Transportation Infrastructure.
(MM Biology 8)

27. During project implementation, the applicant shall implement the following Tree Preservation Guidelines, as detailed in the Revised Arborist Report Dated May 6, 2020 prepared by Traverso Tree Service, specially

Pre- Grading Phase

a. Mulch from tree removals may be spread out under the driplines of trees that will be retained, keeping at least 12" away from the trunks.
b. Prior to construction or grading, contractor shall install protection fencing to construct a temporary Tree Protection Zone (TPZ) around each tree or grove of trees to be saved.
c. TPZ fencing shall encompass the driplines and be approved by the project arborist.
d. TPZ fencing shall remain in an upright sturdy manner from the start of grading until the completion of construction. Fencing shall not be adjusted or removed without consulting the project arborist.

Grading and Construction Phase

a. The project arborist shall be on-site during excavation/grading within driplines, especially trees: #'s 102, 137, 138, 154, 157, 159, 160, 160b, 162, 163, 173, 173c, 182, 183, 185, 186, 189.
b. Should roots > 2" be encountered, arborist shall cleanly prune roots with a handsaw or sawzall, and immediately re-cover. Irrigate as necessary.
c. If needed, canopy pruning shall be performed by personnel certified by the International Society of Arboriculture (ISA). All pruning shall adhere to ISA and American National Standards Institute (ANSI) Standards and Best Management Practices.
d. Project arborist to set guidelines prior to pruning.
e. Should Tree Protection Zone (TPZ) encroachment be necessary, the contractor shall contact the project arborist for consultation and recommendations.
f. Contractor shall keep TPZs free of all construction-related materials, debris, fill soil, equipment, etc. The only acceptable material is mulch spread out beneath the trees.
g. Should any damage to the trees occur, the contractor shall promptly notify the project Arborist to appropriately mitigate the damage.

Landscaping Phase

a. The Tree Protection Zone (TPZ) fencing shall remain in place with the same restrictions until landscape contractor notifies and meets with the project arborist.
b. Avoid all fill work, grade changes, and trenching within driplines unless it is performed by hand, and approved by the project arborist.
c. Pipes shall be threaded under or through large roots without damaging them.
d. Contractor shall avoid trenching and grade changes within driplines.
e. All planting and irrigation shall be kept a minimum of 10' away from native oaks. All irrigation within the driplines shall be targeted at specific plants, such as drip emitters or bubblers. No overhead irrigation shall occur within the driplines of native oaks.
f. All planting within oak driplines shall be compatible with oaks, consisting of plant material that requires little to no water after two years' establishment. A list of oak compatible plants can be found in a publication from the California Oak Foundation, available at: http://californiaoaks.org/wpcontent-/uploads/2016/04/CompatiblePlantsUnderAroundOaks.pdf

Cultural Resources

28. All project-related ground disturbance shall be monitored by an archaeologist who meets the Secretary of the Interior's professional qualification standards for archaeology. In the event that significant cultural resources are discovered during construction activities, the applicant/project owner or sponsor shall ensure that operations within a 100-foot radius of the find shall cease and the archaeologist will be consulted to determine whether the resource requires further study. The standard inadvertent discovery clause shall be included on the grading plans submitted to the City to inform contractors of this requirement. Potentially significant cultural resources consist of but are not limited to stone, bone, fossils, wood, or shell artifacts or features, including hearths, structural remains, or historic dumpsites. The archaeologist shall make recommendations to the City concerning appropriate measures, which shall be implemented by the applicant/project owner or sponsor to protect the discovered resources, including but not limited to recordation on appropriate California Department of Parks and Recreation (DPR) forms, evaluation, or excavation of the finds in accordance with CEQA Guidelines, Section 15064.5. **(MM Cultural Resources 1)**

29. In the event of accidental discovery or recognition of any human remains, CEQA Guidelines Section 15064.5, Health and Safety Code Section 7050.5, and Public Resources Code Sections 5097.94 and 5097.98 shall be followed. If during the course of construction activities there is accidental discovery or recognition of any human remains, the following steps shall be taken:

    a. There shall be no further excavation or disturbance within 100 feet of the remains until the County Coroner is contacted to determine if the remains are Native American and if an investigation of the cause of death is required. If the coroner determines the remains to be Native American, the coroner shall contact the Native American Heritage Commission (NAHC) within 24 hours, and the NAHC shall identify the person or persons it believes to be the Most Likely Descendant (MLD) of the deceased Native American. The MLD may make recommendations to the landowner or the person

responsible for the excavation work within 48 hours, for means of treating or disposing of, with appropriate dignity, the human remains and any associated grave goods as provided in Public Resources Code section 5097.98.

b. Where the following conditions occur, the landowner or his or her authorized representative shall rebury the Native American human remains and associated grave goods with appropriate dignity either in accordance with the recommendations of the most likely descendant or on the project site in a location not subject to further subsurface disturbance:

- The NAHC is unable to identify a most likely descendent or the most likely descendent failed to make a recommendation within 48 hours after being notified by the commission.
- The descendant identified fails to make a recommendation.
- The landowner or his authorized representative rejects the recommendation of the descendant, and mediation by the NAHC fails to provide measures acceptable to the landowner.

(MM Cultural Resources 1)

Geotechnical Report

30. Prior to issuance of grading permits, the project applicant shall incorporate all recommendations provided in the project-Geotechnical Exploration into project plans, which shall be subject to review and approval by the County Geologist, or designee, prior to permit issuance. The geotechnical recommendations shall be implemented including general earthwork recommendations for site preparation, conditioning of expansive soils, removal of buried structures, removal of fill and disturbed soil, surface and subsurface drainage, biofiltration facilities, foundations, concrete flatwork, retaining walls, spread and pier footings, pavement areas, utility trenches, project review, and construction monitoring. Additionally, these include recommendations related to structural design, foundation design, foundation systems, slabs, moisture barriers, seismic design, walls, footings, slabs and walkways, concrete design, corrosion, pavement design, as well as lot maintenance, and future plan reviews. (**MM Geology 1)**

31. The project applicant shall retain a qualified Paleontologist to conduct paleontological monitoring during all earth-disturbing construction activities. Should any significant fossils (I.e., bones, teeth, or unusually abundant and well-preserved invertebrates or plants) be unearthed, the construction crew shall not attempt to remove them, as they could be extremely fragile and prone to crumbling, and to ensure their occurrence is properly recorded; instead, all work in the immediate vicinity of the discovery shall be diverted at least 15 feet until a professional paleontologist assesses the find and, if deemed appropriate, salvages it in a timely manner. All recovered fossils shall be deposited in an appropriate repository, such as the University of California Museum of Paleontology (UCMP), where they would be properly curated and made accessible for future study. (**MM Geology 2)**

Noise

32. To reduce potential construction noise impacts, the following multi-part mitigation measure shall be implemented for the proposed project:
    a. The construction contractor shall ensure that all equipment driven by internal combustion engines shall be equipped with mufflers, which are in good condition and appropriate for the equipment.
    b. The construction contractor shall ensure that unnecessary idling of internal combustion engines (i.e., idling in excess of 5 minutes) is prohibited.
    c. The construction contractor shall utilize "quiet" models of air compressors and other stationary noise sources where such market available technology exists.
    d. At all times during project grading and construction, the construction contractor shall ensure that stationary noise-generating equipment shall be located as far as practicable from sensitive receptors and placed so that emitted noise is directed away from the nearest residential land uses.
    e. 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 would determine the cause of the noise complaints (starting too early, bad muffler, etc.) and establish reasonable measures necessary to correct the problem. The construction contractor shall visibly post a telephone number for the disturbance coordinator at the construction site.
    (MM Noise 1)

Construction Restrictions and Requirements

33. Prior to the issuance of building permits for the project, the project developer or contractor shall mail a notice to each adjacent residential property providing them with the planned hours of operation and who to contact if there are noise concerns.

34. The applicant shall comply with the following restrictions and requirements, which shall be stated on the face of the construction drawings:

    A. Unless approved otherwise via prior authorization from the Zoning Administrator for special circumstances, construction activities are limited to the hours of 8:00 A.M. to 5:00 P.M., Monday through Friday, and are prohibited on the calendar dates that the following state and federal holidays are observed:

        New Year's Day (State and Federal)
        Birthday of Martin Luther King, Jr. (State and Federal)
        Washington's Birthday (Federal)
        Lincoln's Birthday (State)
        Presidents' Day (State and Federal)
        Cesar Chavez Day (State)
        Memorial Day (State and Federal)
        Juneteenth National Independence Day (Federal)
        Independence Day (State and Federal)

Labor Day (State and Federal)
Columbus Day (State and Federal)
Veterans Day (State and Federal)
Thanksgiving Day (State and Federal)
Day after Thanksgiving (State)
Christmas Day (State and Federal)

For details on the actual date the state and federal holidays occur, please visit the following websites:

Federal holidays: http://www.opm.gov/fedhol
California holidays: http://www.edd.ca.gov/payroll_taxes/State_Holidays.htm

B. Transport of heavy equipment and trucks is limited to weekdays between the hours of 9:00 A.M. and 4:00 P.M., and is prohibited on weekends and the aforementioned state and federal holidays.

C. The applicant shall make a good faith effort to minimize project-related disruptions to adjacent properties. This shall be communicated to project-related contractors.

D. Construction equipment and materials shall be stored onsite to the maximum extent practicable.

E. The site shall be maintained in an orderly fashion. Following the cessation of construction activity, all construction debris shall be removed from the site.

F. Any debris found outside the site shall immediately be collected and deposited in appropriate receptacles.

G. The applicant shall require their contractors and subcontractors to fit all internal combustion engines with mufflers that are in good condition and shall locate stationary noise-generating equipment such as air compressors as far away from existing residences as possible.

Contingency Restitution Should Altered Trees Be Damaged

35. Trees to be Preserved but Altered – Pursuant to the conclusions of the arborist report, proposed improvements within the root zone of trees noted on the site plan to be preserved have been determined to be feasible and still allow for preservation provided that the recommendations of the arborist are followed. Pursuant to the requirements of Section 816-6.1204 of the Tree Protection and Preservation Ordinance, to address the possibility that construction activity nevertheless damages these trees, the applicant shall provide the County with a security (e.g. bond, cash deposit) to be submitted prior to CDD stamp-approval of plans for issuance of a building permit (e.g. demolition, grading or building), whichever occurs first,

whichever occurs first, to allow for replacement of trees intended to be preserved that are significantly damaged by construction activity. The security shall be based on:

A. Extent of Possible Restitution Improvements – The planting of **17, 15-gallon trees, which shall include California native species**. in the vicinity of the affected trees, or equivalent planting contribution, and subject to prior review and approval of CDD.

B. Determination of Security Amount: The security shall submitted for each lot and provide for all of the following costs:
   i. Preparation of landscape/irrigation plan by a licensed landscape architect or arborist, which shall comply with the State's Model Water Efficient Landscape Ordinance or the County Ordinance, if one is adopted;
   ii. Labor and materials estimate for planting the potential number of trees and related irrigation improvements that may be required, prepared by a licensed landscape contractor; and
   iii. An additional 20% of the total of the above amounts to address inflation costs.

C. Initial Deposit for Processing of Security – The County Ordinance requires that the applicant cover all time and material costs of staff for processing a tree protection security. The Applicant shall pay an initial fee deposit of $200 at time of submittal of a security.

D. Duration of Security: The security for each lot shall be retained by the County for a minimum of 12 months up to 24 months beyond the date of receipt of the security and from the time, the final inspection for the lot was approved. A prerequisite of releasing the bond between 12 and 24 months shall be to have the applicant arrange for the consulting arborist to inspect the trees and to prepare a report on the trees' health. In the event that CDD determines that the tree intended to be protected has been damaged by development activity, and CDD determines that the applicant has not been diligent in providing reasonable restitution of the damaged trees, then CDD may require that all part of the security be used to provide for mitigation of the damaged tree(s). Should one security be submitted for all lots, the security may be released upon complying with the requirements stated above and upon approval of a final inspection for the last lot constructed.

Debris Recovery

36. At least 15 days prior to the issuance of a grading permit or building permit the developer shall submit Construction Waste Management Plan, which identifies approved methods to comply with CalGreen requirement to recycle and/or salvage for reuse construction and demolition waste materials generated at the jobsite.

    Prior to Final Inspection, developer shall submit Final Report containing information and supporting documentation of the above-mentioned requirement.

Steet Names

37. Prior to the recordation of the Final Map, proposed name(s) shall be submitted for review by the Department of Conservation and Development, GIS/Mapping Section. Alternate street names should be submitted. The Final Map cannot be certified by CDD without the approved street names.

Will Serve Letters

38. Prior to recordation of the Final Map, a copy of a will-serve letter from East Bay Municipal Utility District shall be submitted to CDD.

39. Prior to recordation of the Final Map, a copy of a will-serve letter from Central Contra Costa Sanitary District shall be submitted to CDD.

DEPARTMENT OF CONSERVATION AND DEVELOPMENT, HOUSING AND COMMUNITY IMPROVEMENT (HCI) DIVISION, CONDITIONS OF APPROVAL FOR COUNTY FILE #CDSD21-09581

Inclusionary Housing Ordinance

40. This project is subject to County Ordinance Code, Chapter 822-4, Inclusionary Housing Ordinance. Terms and definitions regarding the Inclusionary Housing Ordinance are pursuant to this chapter. Pursuant to Section 822-4.402(b) of the County Ordinance Code, a residential development of five or more for-sale units shall require at least fifteen percent of the for-sale units to be developed and sold as affordable units. At least twenty percent of the inclusionary units shall be sold at an affordable price to lower-income households. The remaining units shall be sold to moderate-income families at an affordable price.

For-Sale Inclusionary Housing In-Lieu Fee

41. The applicant, owner, and/or developer (Applicant) is required to construct 1.35 affordable units (9 total base units x 0.15 of total = 1.35 units) for the project. The Applicant has submitted an Inclusionary Housing Plan dated March 25, 2022, and proposes constructing one for-sale moderate income inclusionary unit (affordable to households making up to 120% Area Median Income) on Lot 1 of the property. The unit on Lot 1 is an approximately 3,097 square-foot single-family detached home consisting of four bedrooms. The one moderate-income unit proposed for compliance with the Inclusionary Housing Ordinance requirements is the same moderate-income unit required for compliance with the Density Bonus request. This unit may be referenced as inclusionary unit, density bonus unit, or both in these conditions. The requirements for the one moderate-income unit must comply with both the Inclusionary Housing Ordinance and State Density Bonus law, and the most restrictive requirements would apply.

The Applicant has proposed to pay a partial in-lieu fee for the fractional 0.35 inclusionary unit, and the County has accepted this proposal. The current calculation of the partial in-lieu fee for the fractional inclusionary unit is $15,444.00. The final calculation of the in-lieu fee will be calculated upon payment. This in-lieu fee is non-refundable and non-transferable. A partial in-lieu fee of $15,444.00 will be paid for the fractional .35 unit (.35 = 26% of the fee total of $59,401. 26% of this fee = $15,444.00)

Density Bonus Request

42. The Applicant submitted a revised project description which included a density bonus request dated March 25, 2022, which proposed constructing ten percent of the total dwelling units of a housing development where all the units are offered to the public for purchase. The Applicant proposed constructing one moderate-income unit, constituting twelve percent of the total for-sale units in the development.

    Density Bonus – Concession/Incentive

    Pursuant to Government Code 65915, the Applicant may request one project concession or incentive for providing twelve percent (one unit) for moderate-income units of the total units within the for-sale housing development. The applicant requested the concession to not have to complete frontage improvements.

    The County accepted the Applicant's request to not complete frontage improvements. To fully improve the property frontage would result in significant costs that could preclude the construction of the development at its proposed density including the moderate unit.

    Density Bonus – Reduction in Development Standards

    Pursuant to Government Code 65915(e), the Applicant proposed a waiver or reduction of the following development standards:

    - Lot Area – where the County Ordinance Code requires a minimum parcel size of 15,000 square feet, proposed lot sizes ranges from 7,347 to 22,460 square feet.

    - Lot Width – where the County Ordinance Code requires a minimum parcel size of 100 feet, the proposed average lot widths range from 56.43 to 99.01 feet.

    - Lot Depth – where the County Ordinance Code requires a minimum of 120 feet in depth, the proposed lot depths range from 87.45 to 331 feet. The lot depths for all proposed lots, except Lot 1 comply with the minimum requirements as proposed.

    - Residence and Retaining Wall Structure Setbacks – where the County Ordinance Code requires all structures meet setback requirements, the proposed residence shall meet a 14 foot front setback except for the garage which shall meet a 20-foot front setback, the residence shall meet a 5-foot side yard setback with a 15-foot aggregate side yard setback, and the proposed retaining wall setbacks for walls 6 feet tall or shorter is 0 feet on all lots.

Inclusionary Housing and Density Bonus Developer Agreement

43. At least 90 days before the recordation of the Parcel Map or CDD stamp-approval of plans for issuance of building permits or grading permits for any portion of the residential development, whichever comes first, the Applicant shall execute an Inclusionary Housing and Density Bonus Housing Agreement (Agreement), form to be provided by the County, with the County pursuant to Chapter 822-4 Inclusionary Housing, Chapter 822-2 Density Bonus, and Government Code 95915 to ensure that the property will be deed restricted for one unit to be affordable and sold to a moderate income household. This 90-day period allows for the preparation, County approval, and recordation of the Agreement prior to the milestones referenced above.

    To initiate the County to prepare and execute an Agreement, the Applicant must file a condition of approval compliance review application accompanied by the appropriate fees, documents, and exhibits listed in the most recent Inclusionary Housing Plan Checklist and/or Density Bonus Plan Checklist. The Agreement must be submitted to the Board of Supervisors before execution by all parties and recordation.

    The Agreement will establish the process for determining the unit's maximum affordable sales price, buyer eligibility, and additional program details as referenced in Chapter 822-4, Inclusionary Housing Ordinance, and Government Code 65915.

    A detailed timeline for the project, including the project's construction, marketing, the Applicant accepting and reviewing applications from qualified households, and the sale of the inclusionary unit.

General

44. The following are general terms for granting a density bonus and compliance with the Inclusionary Housing Ordinance.
    a. The Applicant hereby represents warrants and covenants that will cause the Agreement to be recorded in the real property records of Contra Costa County, California, and other places the County may reasonably request. The Applicant shall pay fees incurred with any such recording. The recording of the Agreement shall occur after the acceptance of the document by the County and before the recordation of the Final Map, Parcel Map, or CDD stamp-approval of plans for issuance of building permits or grading permits for any portion of the residential development, whichever comes first.

    b. The one inclusionary unit in the project shall be available for sale to members of the general public who are income eligible. The Applicant shall not give preference to any particular class or group of persons in selling the units, except that the units must be sold to a household with income no higher than 120% of the Area Median Income for Contra Costa County as adjusted for family size as defined in Section 50093 of the California Health and Safety Code. There shall be no discrimination against or segregation of any

person or group of persons on account of race, color, creed, religion, sex, sexual orientation, marital status, national origin, source of income (e.g., SSI), age (except for lawful senior housing), ancestry, or disability, in the sale of the unit in the project nor shall the Applicant or any person claiming under or through the Applicant, establish or permit any such practice or practices of discrimination or segregation concerning the selection, location, number, use or occupancy of homeowners of any unit in connection with employment of persons for construction of the project.

c. The County will provide the Applicant with income certification forms to be completed by the potential homebuyers. The income levels of all moderate-income household applicants for the inclusionary/density bonus unit shall be pre-certified by the Applicant (or subsequent holder of the Agreement(s)) prior to submittal to the County for review and approval.

d. Upon violating any of the Agreement's provisions by the Applicant, the County may give written notice to the Applicant specifying the nature of the breach. If the violation is not corrected to the satisfaction of the County within a reasonable period, not longer than thirty (30) days after the date the notice is deemed received, or within such further time as the County determines is necessary to correct the violation, the County may declare a default under the Agreement. Upon declaration of a default or if the County determines that the Applicant has made any misrepresentation in connection with receiving any benefits under this Agreement, the County may apply to a court of competent jurisdiction for such relief at law or in equity as may be appropriate.

Terms of Affordability

45. The inclusionary unit shall be deed-restricted so that if the home is sold within forty-five (45) years, it must be sold at an affordable sales price to a moderate-income household. The inclusionary unit shall be deed-restricted upon sale to ensure the continued affordability of this unit for the required term of affordability in accordance with Government Code 65915.

    a. Affordable Sales Price – means a sales price at which a moderate-income household can qualify for the purchase of target units, taking into account available financing, number of bedrooms and therefore, assumed household size, reasonable down payment, and affordable housing costs as defined in Health & Safety Code Section 50052.5. The affordable sales price for moderate income households must not exceed a price affordable to a persons and families whose income is at or below one hundred ten percent AMI.

Development Standards

46. The inclusionary unit must be constructed and finished in compliance with the approved Inclusionary Housing Plan. The unit is subject to the standards of Section 822.4.412 of the County Ordinance.
    a. The inclusionary unit must be constructed and occupied before or concurrently with the market rate units within the same residential development. A hold will be placed on the

final inspection/occupancy for all building permits issued within the subdivision to ensure that the inclusionary/density bonus unit meets this requirement.

b. The average number of bedrooms for the inclusionary unit must be equivalent to the average number of bedrooms for market-rate units within the same residential development.

Marketing and Homebuyer Selection

47. It is anticipated that the Applicant will construct all project units and market them before construction completion. The Applicant shall submit documentation and other information to the County for review and approval at least 90 days prior to construction completion and prior to the Applicant's request for a final building inspection and final occupancy of the building. The documentation and information required for review and approval are listed in the most recent Inclusionary Housing Plan Checklist or Density Bonus Plan Checklist and include, but are not limited to, the following:
    a. Marketing Plan

    b. Homebuyer Selection Plan. The homebuyer selection plan should include a provision for a lottery process for the inclusionary/density bonus unit.

    c. Marketing Materials, including translated Marketing Materials in Spanish and Chinese.

    In addition to other marketing efforts proposed by the Applicant in the marketing plan, the inclusionary unit shall be marketed through local, non-profit, social service, faith-based, and other organizations with potential buyers as clients or constituents. Marketing materials shall be made available online for at least one month before the first sale and shared with County Housing staff to promote to its mailing lists. The Applicant shall translate marketing materials, and the marketing plan shall be submitted to the Department of Conservation and Development before marketing the inclusionary housing unit.

    Marketing may also include publicity through local television and radio stations as well as local newspapers, including the Contra Costa Times, Classified Flea Market, El Mensajero, La Opinion, Thoi Bao Magazine, Berkeley/Richmond/San Francisco Posts, Korea Times, El Mundo, Hankook Il Bo, and the Sing Tao Daily.

48. The developer shall refer all qualified homebuyers to a HUD Homebuyer Counselor prior to the sale of the inclusionary unit.

For-Sale Inclusionary/Density Bonus Unit Restrictions

49. The initial sale of a for-sale inclusionary unit shall occur only to a household that meets the following criteria:
    a. The household has not owned a residence within the previous three years; and

b. The household has no more than two hundred fifty thousand dollars in assets. The amount excludes assets reserved for a down payment and closing costs, assets in retirement savings accounts, and medical savings accounts.

c. The purchaser of the for-sale inclusionary/density bonus unit must agree to occupy the dwelling unit as their principal residence.

d. The term of affordability for the inclusionary/density bonus unit is 45 years.

The for-sale inclusionary unit may be resold after the initial sale to a moderate-income purchaser at a moderate-income sales price.

If a moderate-income purchaser cannot be found after diligently marketing the unit widely and after a period determined by DCD, the unit may be sold to an above-moderate-income purchaser at a market price, provided that the sale results in a recapture by the County of financial interest in the unit equal to the sum of:

The difference between the initial affordable sales price and the appraised market value of the unit at the time of the initial sale; and

The County's proportionate share of any appreciation since the time of the initial sale. Appreciation is the difference between the resale price to the above-moderate-income purchaser and the appraised market value at the initial sale. The County's proportionate share of appreciation is equal to the percentage by which the initial affordable sales price was less than the appraised market value at the time of the initial sale.

Prequalification of Homebuyers and Compliance Review

50. The Applicant is responsible for marketing and prequalifying potential homebuyers for income qualification. The Applicant shall submit for DCD's review and prequalification prior to the initial sale of the inclusionary/density bonus unit, and the Applicant shall submit to the Department of Conservation and Development for review and approval, all forms, and documentation demonstrating that the buyer of the unit is qualified as a moderate-income household. A hold shall be placed on the final inspection/ occupancy of all building permits associated with the construction of the residences in the project until documentation has been deemed adequate by the Department of Conservation and Development.

    To initiate this prequalification review, the applicant must file a COA Compliance Review Application if there is no open compliance review application for this project.

51. The Applicant is responsible for keeping the Department of Conservation and Development informed of the contact information of the owner or designee responsible for maintenance and compliance with this permit and how they may be contacted (i.e., mailing addresses, email addresses, and telephone numbers) at all times.
    a. Prior to the recordation of the Final Map, Parcel Map, or CDD stamp-approval of plans for issuance of building permits or grading permits for any portion of the residential

development, whichever comes first, and with filing a condition of approval compliance review, the Applicant shall provide the name of the contact representing the property owner for permit compliance and their contact information.

b. Should the contact subsequently change (e.g., new designee or owner), within 30 days of the change, the Applicant shall issue a letter to the Department of Conservation and Development with the name of the new party who has been assigned permit compliance responsibility and their contact information. Failure to satisfy this condition may result in the commencement of procedures to revoke the permit.

PUBLIC WORKS
CONDITIONS OF APPROVAL FOR SUBDIVISION CDSD20-09531

Applicant shall comply with the requirements of Title 8, Title 9, and Title 10 of the Ordinance Code. Any exception(s) must be stipulated in these Conditions of Approval. Conditions of Approval are based on the tentative map submitted to the Department of Conservation and Development on January 28, 2022.

COMPLY WITH THE FOLLOWING CONDITIONS OF APPROVAL PRIOR TO FILING OF THE PARCEL MAP.

General Requirements

52. In accordance with Section 92-2.006 of the Ordinance Code, this subdivision shall conform to all applicable provisions of the Subdivision Ordinance (Title 9). Any exceptions therefrom must be specifically listed in this conditional approval statement. The drainage, road and utility improvements outlined below shall require the review and approval of the Public Works Department and are based on the vesting tentative map received by the Department of Conservation and Development, Community Development Division, on January 28, 2022.

53. Improvement plans prepared by a registered civil engineer shall be submitted, if necessary, to the Public Works Department, Engineering Services Division, along with review and inspection fees, and secu¬rity for all improvements required by the Ordinance Code for the conditions of approval of this subdivision. Any necessary traffic signing and stripping shall be included in the improvement plans for review by the Transportation Engineering Division of the Public Works Department and the City of Pleasant Hill as applicable.

Roadway Improvements (Grayson Road)

54. The Applicant shall construct frontage improvements along Grayson Road in accordance with the recommendations of the City of Pleasant Hill. The applicant will need to demonstrate that the City of Pleasant Hill approves of the frontage improvements proposed under this project.

Access to Adjoining Property

55. The Applicant shall furnish proof to the Public Works Department of the acquisition of all necessary rights of way, rights of entry, permits and/or easements for the construction of off-site, temporary or permanent, public and private road and drainage improvements.

56. The Applicant shall obtain an encroachment permit from the City of Pleasant Hill for construction within the limits of the City of Pleasant Hill.

57. The Applicant shall only be permitted access at the locations shown on the approved site/development plan.

Abutters Rights

58. Applicant shall relinquish abutter's rights of access along Grayson Road with the exception of the proposed private road intersection.

Road Alignment/Intersection Design/Sight Distance:

59. Applicant shall provide sight distance at the private road intersection with Grayson Road for a design speed of 45 miles per hour. The applicant shall trim vegetation, as necessary, to provide sight distance at these driveways. Any new landscaping, signs, fencing, retaining walls, or other obstructions proposed at the driveways shall be setback to ensure that the sight lines are clear.

Private Road

60. Per the Vesting Tentative Map, Applicant shall construct an on-site roadway system to current County private road standards with a minimum pavement width of 28 feet, with 4.5-foot sidewalk (measured from the face of curb) within a minimum 42-foot access easement.

61. The Applicant shall construct the on-site roadways and the internal road network (serving the residential development) to current County private road standards. Although the proposed on-site roadways are shown as private, the pavement structural section shall conform to County public road standards.

62. Per the Vesting Tentative Map, applicant shall construct a paved turnaround at the end of the proposed private road subject to the review of the Fire District.

Street Lights:

63. Property owner(s) shall annex to the Community Facilities District (CFD) 2010-1 formed for Countywide Street Light Financing. Annexation into a street light service area does not include the transfer of ownership and maintenance of street lighting on private roads.

Bicycle - Pedestrian Facilities:

64. The Applicant shall design all public and private pedestrian facilities in accordance with Title 24 (for Accessibility) and the Americans with Disabilities Act. This shall include all sidewalks, paths, driveway depressions, and curb ramps. Adequate right-of-way shall be dedicated at the

curb returns to accommodate the returns and curb ramps; accommodate a minimum 4-foot landing on top of any curb ramp proposed.

Parking

65. Parking shall be prohibited on one side of on-site roadways where the curb-to-curb width is less than 36 feet and on both sides of on-site roadways where the curb-to-curb width is less than 28 feet. "No Parking" signs shall be installed along these portions of the roads subject to the review and approval of the Public Works Department.

Utilities/Undergrounding

66. The Applicant shall underground all new and existing utility distribution facilities, including those along the frontage of Grayson Road. Applicant shall provide joint trench composite plans for the underground electrical, gas, telephone, cable television and communication conduits and cables including the size, location and details of all trenches, locations of building utility service stubs and meters and placements or arrangements of junction structures as a part of the Improvement Plan submittals for the project. The composite drawings and/or utility improvement plans shall be signed by a licensed civil engineer.

Drainage Improvements:

67. Applicant shall collect and convey all stormwater entering and/or originating on this property, without diversion and within an adequate storm drainage facility, to a natural watercourse having definable bed and banks, or to an existing adequate public storm drainage system which conveys the stormwater to a natural watercourse, in accordance with Division 914 of the Ordinance Code. Applicant shall verify the adequacy at any downstream drainage facility accepting stormwater from this project prior to discharging runoff. If the downstream system(s) is inadequate to handle the existing and project condition for the required design storm event, applicant shall construct improvements to make the system adequate. Applicant shall obtain access rights to make any necessary improvements to off-site facilities.

68. The nearest public drainage facility is an existing storm drain located on Grayson Road. Applicant shall verify its adequacy prior to discharging run off.

Miscellaneous Drainage Requirements:

69. Applicant shall design and construct all storm drainage facilities in compliance with the Ordinance Code and Public Works Department design standards.

70. Applicant shall prevent storm drainage from draining across the sidewalk(s) and driveway(s) in a concentrated manner.

Floodplain Management:

71. A portion of the project property lies within a Special Flood Hazard Area (100 year flood boundary) as designated on the Federal Emergency Management Agency's Flood Insurance

Rate Maps. The applicant shall be aware of and comply with the requirements of the National Flood Insurance Program (Federal) and the County Floodplain Management Ordinance as they pertain to development and future construction of any structures on this property.

Creek Banks and Creek Structure Setbacks:

72. The Property owner shall relinquish "development rights" over that portion of the site that is within the structure setback area of Grayson Creek. The structure setback area shall be determined by using the criteria outlined in Chapter 914 14, "Rights of Way and Setbacks," of the Subdivision Ordinance. "Development rights" shall be conveyed to the County by grant deed.

73. The property owner shall be aware that the creek banks on the site are potentially unstable. The property owner shall execute a recordable agreement with the County which states that the developer and the property owner and the future property owner(s) will hold harmless Contra Costa County and the Contra Costa County Flood Control and Water Conservation District in the event of damage to the on-site and off-site improvements as a result of creek-bank failure or erosion.

National Pollutant Discharge Elimination System (NPDES):

74. The applicant shall be required to comply with all rules, regulations and procedures of the National Pollutant Discharge Elimination System (NPDES) for municipal, construction and industrial activities as promulgated by the California State Water Resources Control Board, or any of its Regional Water Quality Control Boards San Francisco Bay - Region II.

    Compliance shall include developing long-term best management practices (BMPs) for the reduction or elimination of stormwater pollutants. The project design shall incorporate, wherever feasible, the following long-term BMPs in accordance with the Contra Costa Clean Water Program for the site's stormwater drainage.

    - Minimize the amount of directly connected impervious surface area.
    - Install approved full trash capture devices on all catch basins (excluding catch basins within bioretention basins) as reviewed and approved by Public Works Department. Trash capture devices shall meet the requirements of the County's NPDES Permit.
    - Place advisory warnings on all catch basins and storm drains using current storm drain markers.
    - Construct concrete driveway weakened plane joints at angles to assist in directing run-off to landscaped/pervious areas prior to entering the street curb and gutter.
    - Distribute public information items regarding the Clean Water Program and lot specific IMPs to buyers.
    - Other alternatives comparable to the above as approved by Public Works.

Stormwater Management and Discharge Control Ordinance

75. The applicant shall submit a final Storm Water Control Plan (SWCP) and a Stormwater Control Operation and Maintenance Plan (O+M Plan) to the Public Works Department, which shall be reviewed for compliance with the County's National Pollutant Discharge Elimination System (NPDES) Permit and shall be deemed consistent with the County's Stormwater Management and Discharge Control Ordinance (§1014) prior to filing of the Final Map. All time and materials costs for review and preparation of the SWCP and the O+M Plan shall be borne by the applicant.

76. Improvement plans shall be reviewed to verify consistency with the final SWCP and compliance with Provision C.3 of the County's NPDES Permit and the County's Stormwater Management and Discharge Control Ordinance (§1014).

77. Stormwater management facilities shall be subject to inspection by the Public Works Department; all time and materials costs for inspection of stormwater management facilities shall be borne by the applicant.

78. Prior to filing of the Final Map, the property owner(s) shall enter into a Stormwater Management Facility Operation and Maintenance Agreement with Contra Costa County, in which the property owner(s) shall accept responsibility for and related to the operation and maintenance of the stormwater facilities, and grant access to relevant public agencies for inspection of stormwater management facilities.

79. Prior to filing of the Final Map, the property owner(s) shall annex the subject property into Community Facilities District (CFD) No. 2007-1 (Stormwater Management Facilities), which funds responsibilities of Contra Costa County under its NPDES Permit to oversee the ongoing operation and maintenance of stormwater facilities by property owners.

80. Any proposed water quality features that are designed to retain water for longer than 72 hours shall be subject to the review of the Contra Costa Mosquito & Vector Control District.

Drainage Area Fee Ordinance:

81. The Applicant shall comply with the drainage fee requirements for Drainage Area 62 as adopted by the Board of Supervisors prior to initiation of the use requested with this application. This fee shall be paid prior to filing of the Final Map.

ADVISORY NOTES

ADVISORY NOTES ARE NOT CONDITIONS OF APPROVAL; THEY ARE PROVIDED TO ALERT THE APPLICANT TO ADDITIONAL ORDINANCES, STATUTES, AND LEGAL REQUIREMENTS OF THE COUNTY AND OTHER PUBLIC AGENCIES THAT MAY BE APPLICABLE TO THIS PROJECT.

A. NOTICE OF OPPORTUNITY TO PROTEST FEES, ASSESSMENTS, DEDICATIONS, RESERVATIONS OR OTHER EXACTIONS PERTAINING TO THE APPROVAL OF THIS PERMIT.

Pursuant to California Government Code Section 66000, et seq., the applicant has the opportunity to protest fees, dedications, reservations or exactions required as part of this project approval. To be valid, a protest must be in writing pursuant to Government Code Section 66020 and must be delivered to the Community Development Division within a 90-day period that begins on the date that this project is approved. If the 90th day falls on a day that the Community Development Division is closed, then the protest must be submitted by the end of the next business day.

B. Applicant will be required to comply with the requirements of the Bridge/Thoroughfare Fee Ordinance for the Central Contra Costa Areas of Benefit, as adopted by the Board of Supervisors. Payment is required prior to issuance of a building permit.

C. This project may be subject to the requirements of the Department of Fish and Wildlife. It is the applicant's responsibility to notify the Department of Fish and Wildlife of any proposed construction within this development that may affect any fish and wildlife resources, per the Fish and Wildlife Code.

D. This project may be subject to the requirements of the Army Corps of Engineers. It is the applicant's responsibility to notify the appropriate district of the Corps of Engineers to determine if a permit is required, and if it can be obtained.

E. Further development of the parcel may need to comply with the latest Stormwater Management and Discharge Control Ordinance (§1014) and Municipal Separate Storm Sewer System (MS4) National Pollutant Discharge Elimination System (NPDES) Permit. This compliance may require a Stormwater Control Plan and an Operations and Maintenance Plan prepared in accordance with the latest edition of the Stormwater C.3 Guidebook. Compliance may also require annexation of the subject property into the Community Facilities District 2007-1 (Stormwater Management Facilities) and entering into a standard Stormwater Management Facilities Operation and Maintenance Agreement with Contra Costa County.

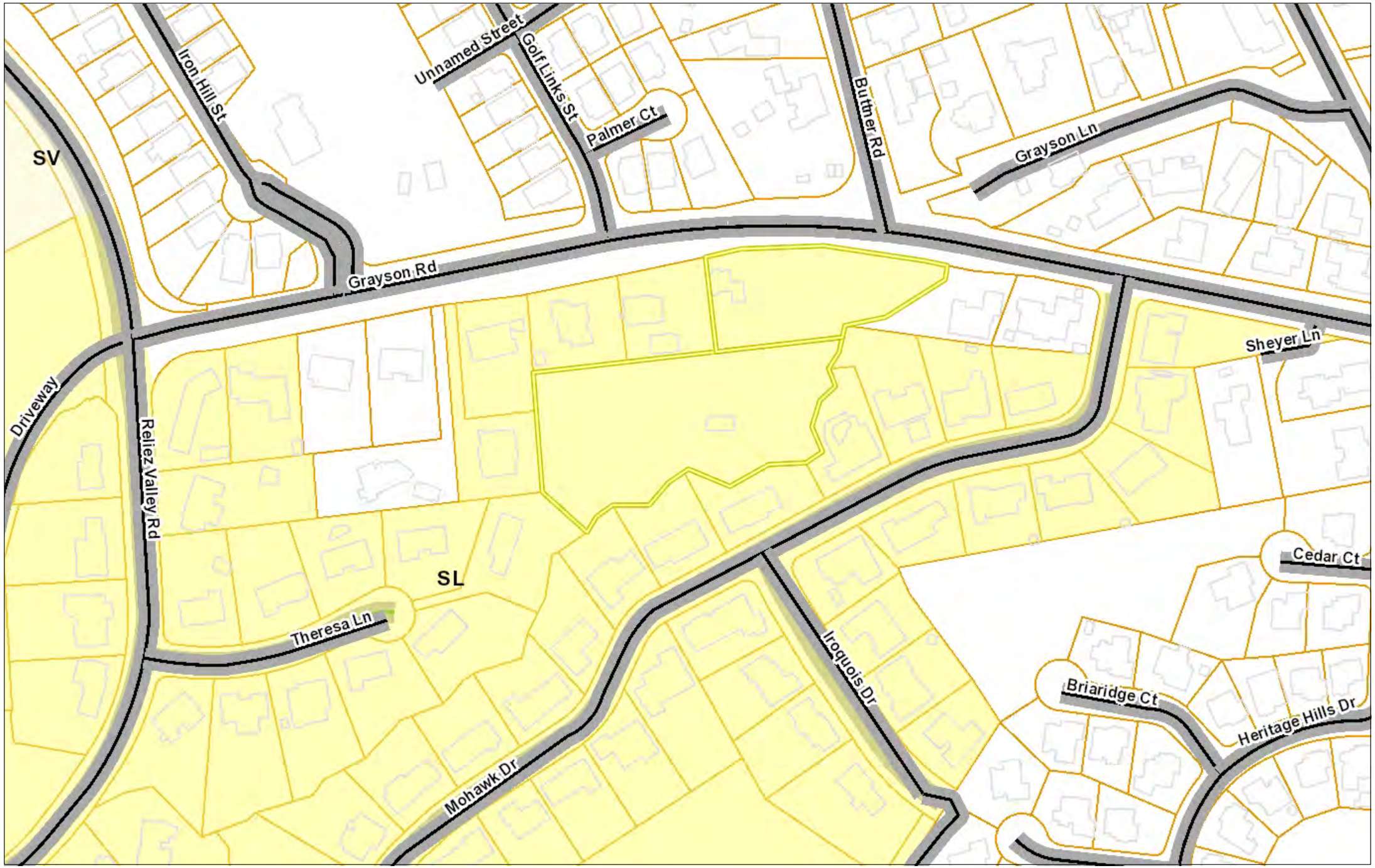
F. This project is subject to the development fees in effect under County Ordinance as December 17, 2020, the date the vesting tentative map application was accepted as complete by the Department of Conservation and Development. These fees are in addition to any other development fees, which may specified in the conditions of approval.

G. Additional requirements may be imposed by the following agencies and departments:

- Public Works Department
- Building Inspection Division
- Contra Costa Consolidated Fire Protection District
- Health Services Department
- Central Contra Costa Sanitary District
- East Bay Municipal Utility District

The Applicant is strongly encouraged to review these agencies' requirements prior to continuing with the project.

SL General Plan



Legend

- Building Outlines
- Highways
- Highways Bay Area
- Streets
- General Plan
  - SV (Single Family Residential - Ver
  - SL (Single Family Residential - Low
  - SM (Single Family Residential - Me
  - SH (Single Family Residential - Hig
  - ML (Multiple Family Residential - Lo
  - MM (Multiple Family Residential - M
  - MH (Multiple Family Residential - H
  - MV (Multiple Family Residential - V
  - MS (Multiple Family Residential - V
  - CC (Congregate Care/Senior Housi
  - MO (Mobile Home)
  - M-1 (Parker Avenue Mixed Use)
  - M-2 (Downtown/Waterfront Rodeo I
  - M-3 (Pleasant Hill BART Mixed Use
  - M-4 (Willow Pass Road Mixed Use)
  - M-5 (Willow Pass Road Commercia
  - M-6 (Bay Point Residential Mixed U
  - M-7 (Pittsburg/Bay Point BART Sta
  - M-8 (Dougherty Valley Village Cent
  - M-9 (Montalvin Manor Mixed Use)
  - M-10 (Willow Pass Business Park M
  - M-11 (Appian Way Mixed Use)
  - M-12 (Triangle Area Mixed Use)
  - M-13 (San Pablo Dam Road Mixed
  - M-14 (Heritage Mixed Use)
  - CO (Commercial)
  - OF (Office)
  - BP (Business Park)
  - LI (Light Industry)
  - HI (Heavy Industry)
  - AL, OIBA (Agricultural Lands & Off
  - CR (Commercial Recreation)
  - ACO (Airport Commercial)
  - LF (Landfill)

1: 2,257

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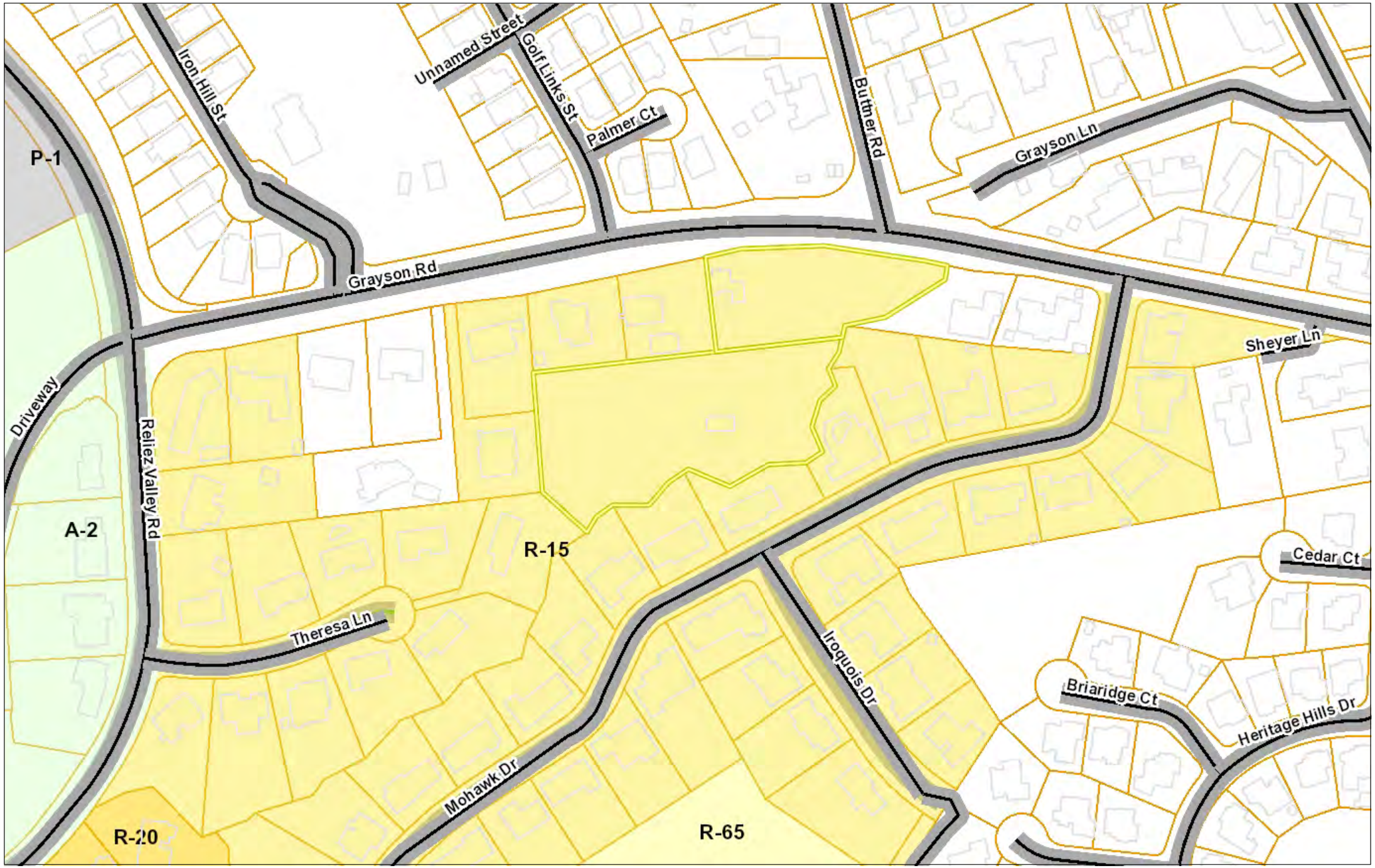
WGS_1984_Web_Mercator_Auxiliary_Sphere

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THIS MAP IS NOT TO BE USED FOR NAVIGATION

Notes

Contra Costa County -DOIT GIS

R-15 Zoning



0.1 0 0.04 0.1 Miles

WGS_1984_Web_Mercator_Auxiliary_Sphere

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THIS MAP IS NOT TO BE USED FOR NAVIGATION

Legend

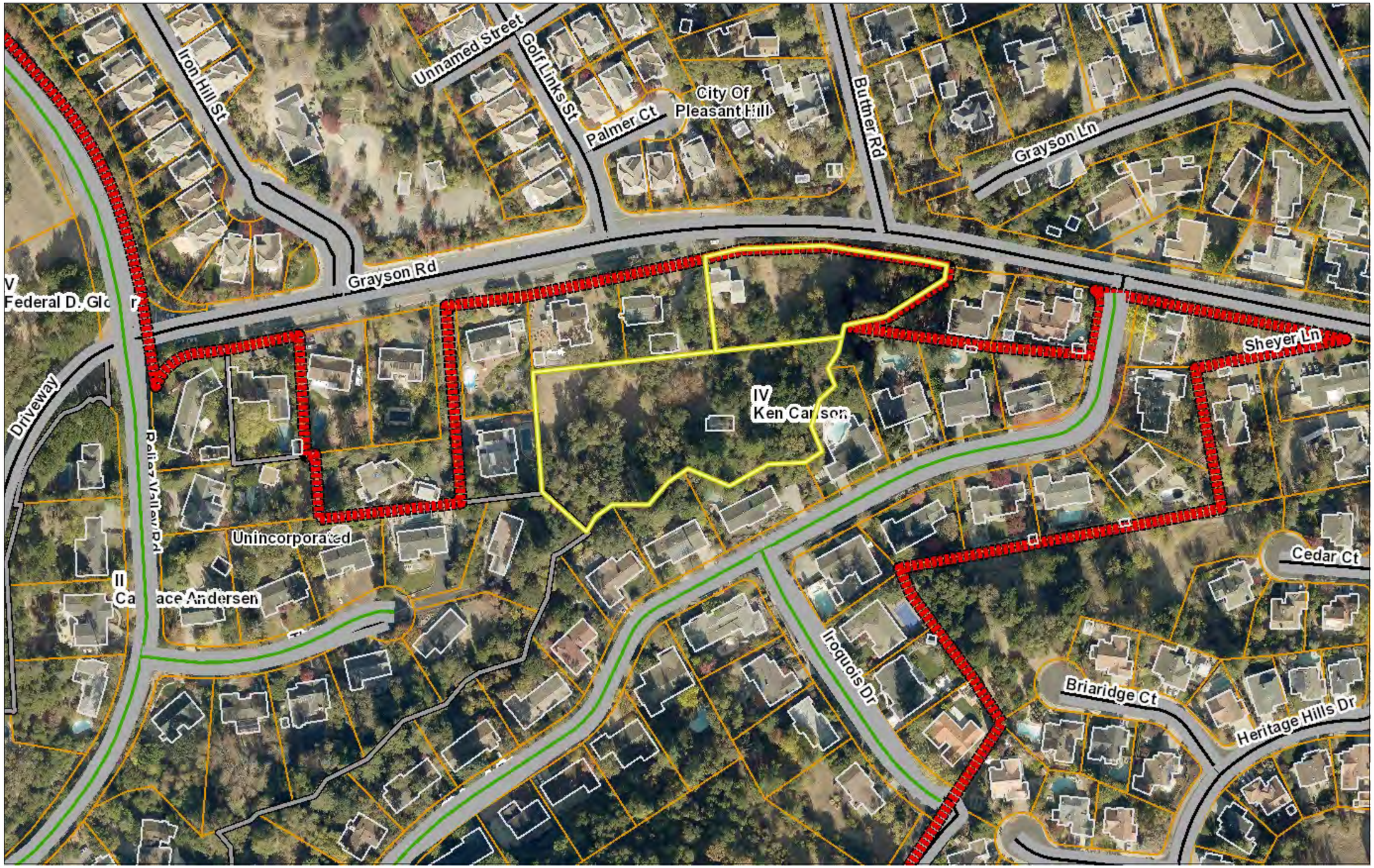
- Building Outlines
- Highways
- Highways Bay Area
- Streets
- Zoning
  - R-6 (Single Family Residential)
  - R-6, -FH -UE (Flood Hazard and A
  - R-6 -SD-1 (Slope Density Hillside D
  - R-6 -TOV -K (Tree Obstruction and
  - R-6, -UE (Urban Farm Animal Exclu
  - R-6 -X (Railroad Corridor Combinin
  - R-7 (Single Family Residential)
  - R-7 -X (Railroad Corridor Combinin
  - R-10 (Single Family Residential)
  - R-10, -UE (Urban Farm Animal Exc
  - R-12 (Single Family Residential)
  - R-15 (Single Family Residential)
  - R-20 (Single Family Residential)
  - R-20, -UE (Urban Farm Animal Exc
  - R-40 (Single Family Residential)
  - R-40, -FH -UE (Flood Hazard and A
  - R-40, -UE (Urban Farm Animal Exc
  - R-65 (Single Family Residential)
  - R-100 (Single Family Residential)
  - D-1 (Two Family Residential)
  - D-1 -T (Transitional Combining Dist
  - D-1, -UE (Urban Farm Animal Exclu
  - M-12 (Multiple Family Residential)
  - M-12 -FH (Flood Hazard Combining
  - M-17 (Multiple Family Residential)
  - M-29 (Multiple Family Residential)
  - F-R (Forestry Recreational)
  - F-R -FH (Flood Hazard Combining
  - F-1 (Water Recreational)
  - F-1 -FH (Flood Hazard Combining D
  - A-2 (General Agriculture)
  - A-2, -BS (Boat Storage Combining
  - A-2, -BS -SG (Boat Storage and So
  - A-2 -FH (Flood Hazard Combining D

1: 2,257

Notes

Contra Costa County -DOIT GIS

Aerial



0.1 0 0.04 0.1 Miles

WGS_1984_Web_Mercator_Auxiliary_Sphere

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.
THIS MAP IS NOT TO BE USED FOR NAVIGATION

Legend

- Building Outlines
- Maintained Roads
- City Limits
- Unincorporated
- Highways
- Highways Bay Area
- Streets
- Maintained Roads
- Board of Supervisors' Districts
- Water Bodies
- County Boundary
- Bay Area Counties
- Assessment Parcels
- Aerials 2019
  - Red: Band_1
  - Green: Band_2
  - Blue: Band_3
- World Imagery
- Low Resolution 15m Imagery
- High Resolution 60cm Imagery
- High Resolution 30cm Imagery
- Citations

1: 2,257

Notes

Contra Costa County -DOIT GIS

CEQA IS/MND AND MMRP (LINK)



1. Photo taken facing south showing the two-story residential home and surrounding woodland habitat at northwestern boundary of Property. Photo taken April 6, 2021.



2. Photo taken facing west showing mixed woodland habitat within the northeastern portion of the Property. Photo taken April 6, 2021.



3. Photo taken facing west showing riparian woodland habitat within the eastern portion of the Property. Photo taken April 6, 2021.



4. Photo taken facing northeast showing mixed woodland habitat in the western portion of the Property. Photo taken April 6, 2021.



5. Photo taken facing southeast showing mixed woodland and riparian woodland habitat within the western portion of the Property. Photo taken April 6, 2021.



6. Photo taken facing south showing the single-story residential home and surrounding woodland habitat located near the southern boundary of the Property. Photo taken April 6, 2021.



7. Photo taken facing west showing mixed woodland habitat in the western portion of the Property. Photo taken April 6, 2021.



8. Photo taken facing south showing mixed woodland and riparian woodland habitat in the western portion of the Property. Photo taken April 6, 2021.



9. Photo taken facing southeast showing portion of Grayson Creek. Photo taken April 6, 2021.



10. Photo taken facing southeast showing Grayson Creek and associated riparian woodland corridor. Photo taken April 6, 2021.



11. Photo taken facing northwest showing mixed woodland with existing residential structure in the background. Photo taken April 6, 2021.



12. Photo taken facing northwest showing mixed woodland habitat in the eastern portion of the Property. Photo taken April 6, 2021.



Plan 2 | Modern Farmhouse (R)

Plan 2 | Modern Prairie

Plan 1 | Modern Farmhouse

Plan 3 | Modern Prairie (R)

Conceptual Streetscene

1024 & 1026 GRAYSON ROAD

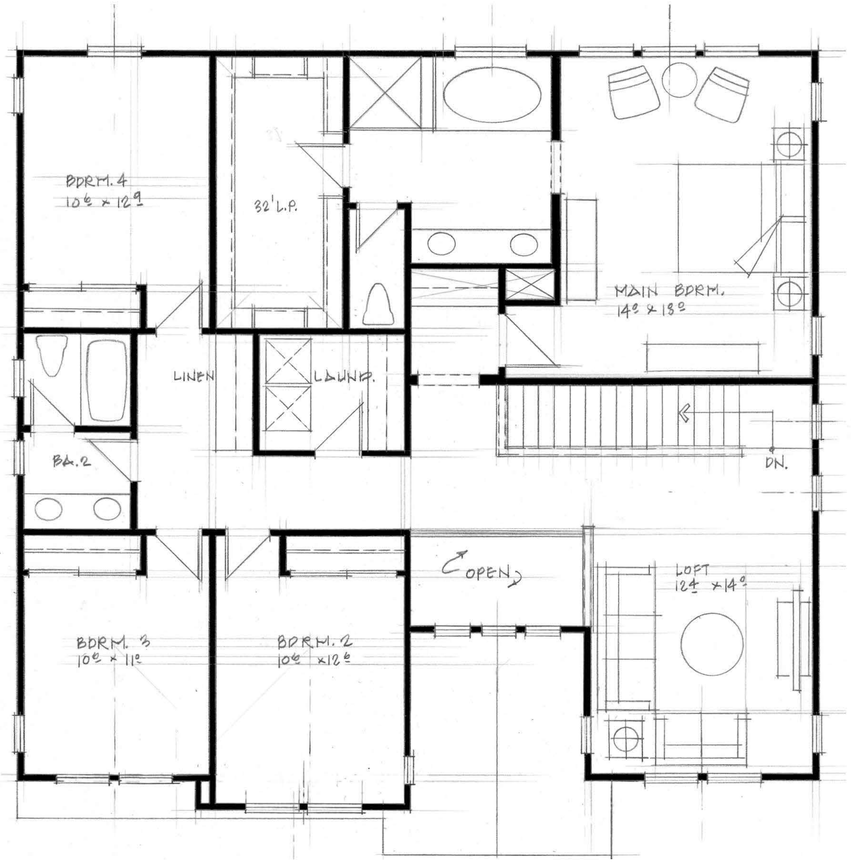
PLEASANT HILL, CA

CALIBR VENTURES

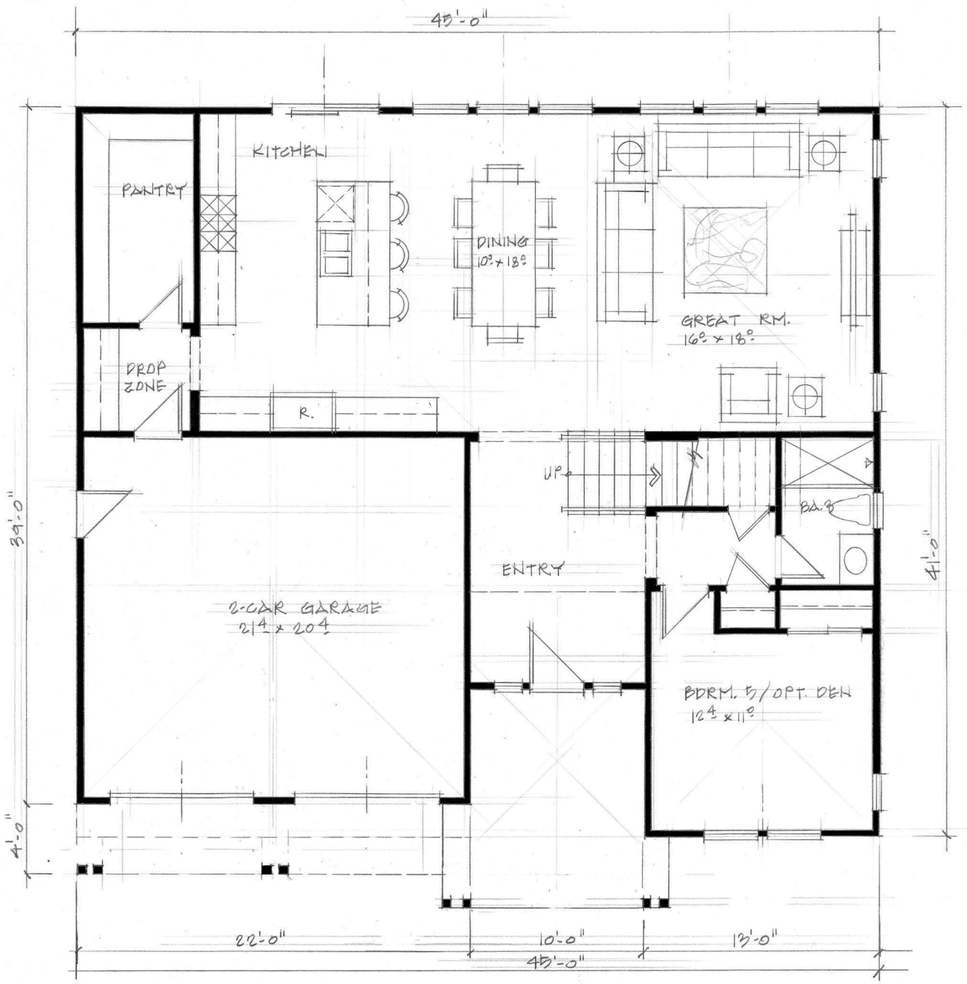
A1
NTS

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ORANGE COUNTY . LOS ANGELES . BAY AREA



Second Floor 1,667 SF



First Floor 1,262 SF

PLAN 1

2,929 SF
5 Bdrm | 3 Bath | Loft | Opt. Den
2-Car Garage

CALIBR VENTURES

1024 & 1026 Grayson Road

PLEASANT HILL, CA

A1.01

0 2 4 8

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Modern Prairie Elevation



Modern Farmhouse Elevation

PLAN 1
Front Elevations

CALIBR VENTURES

1024 & 1026 Grayson Road

PLEASANT HILL, CA

A1.03

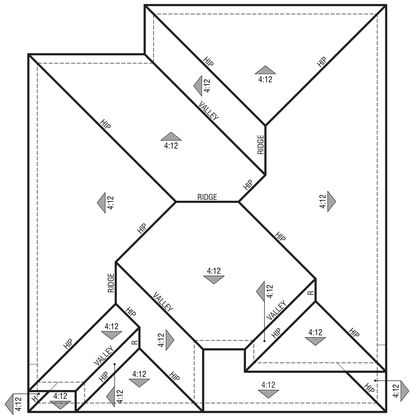
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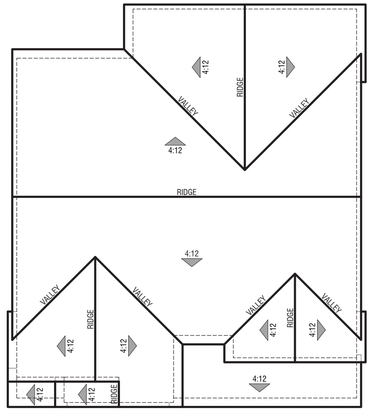
ARCHITECTS . PLANNERS . DESIGNERS

WHA.

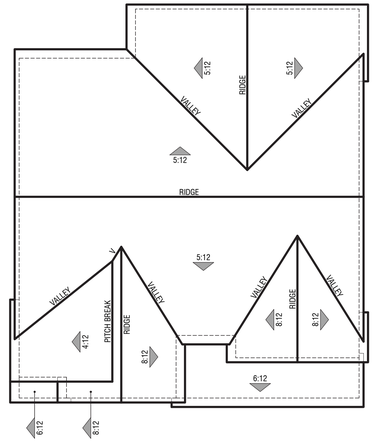
ORANGE COUNTY . LOS ANGELES . BAY AREA



Elevation C
Modern Prairie



Elevation B
Spanish Colonial



Elevation A
Modern Farmhouse

PLAN 2
Roof Plan

CALIBR VENTURES

1024-1026 Grayson Rd

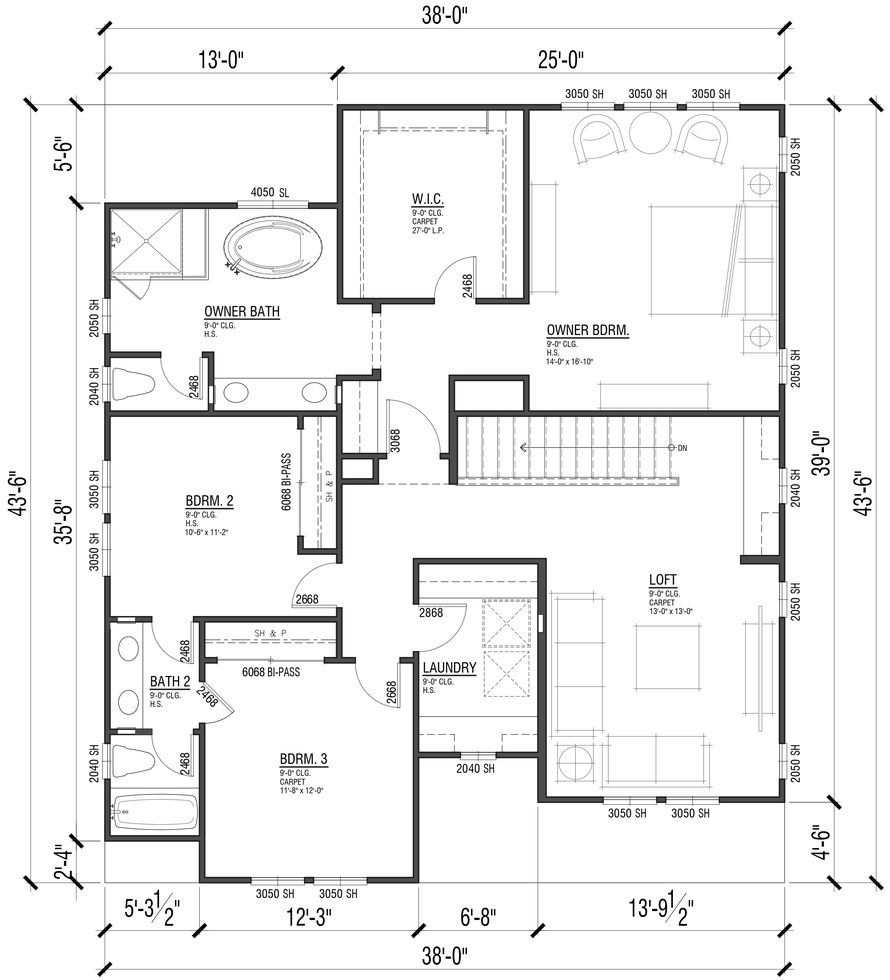
PLEASANT HILL, CA

A9

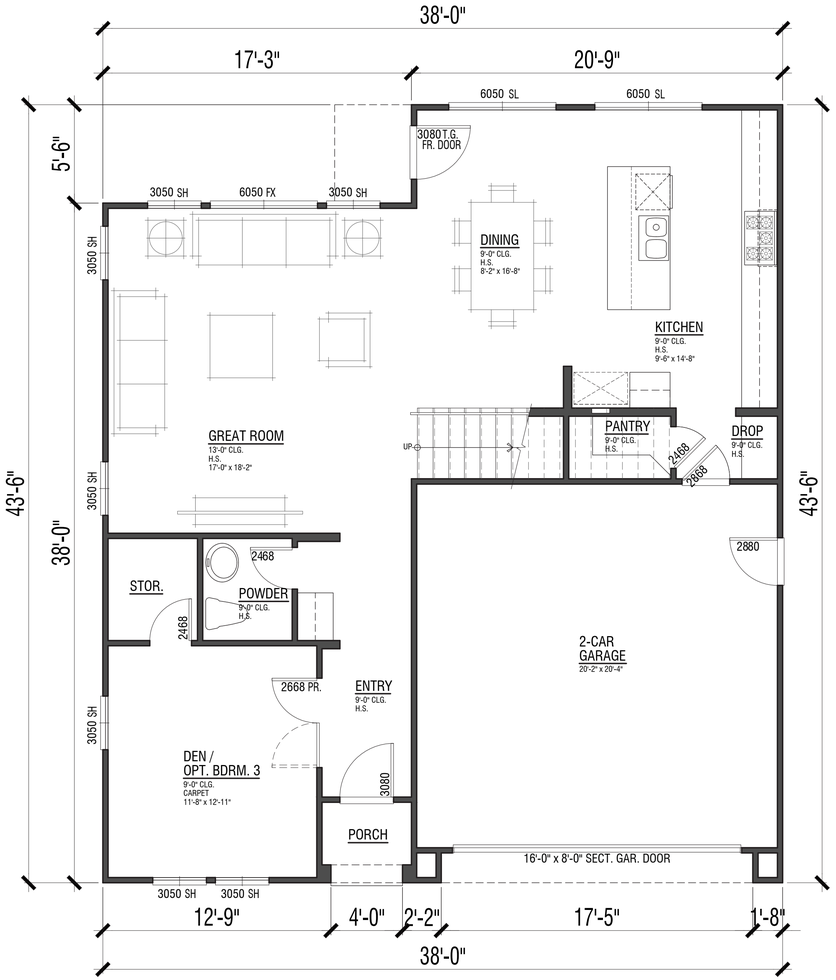
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Second Floor 1,420 SF



First Floor 1,078 SF

PLAN 2

2,498 SF

3 Bdrm | 3 Bath | Loft | Den

2-Car Garage

CALIBR VENTURES

1024-1026 Grayson Rd

PLEASANT HILL, CA

A8

0 2 4 8

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ORANGE COUNTY . LOS ANGELES . BAY AREA



Elevation A
Modern Farmhouse
Color Scheme 1



Elevation C
Modern Prairie
Color Scheme 6



Elevation B
Spanish Colonial
Color Scheme 3

PLAN 2
Front Elevations

CALIBR VENTURES

1024-1026 Grayson Rd

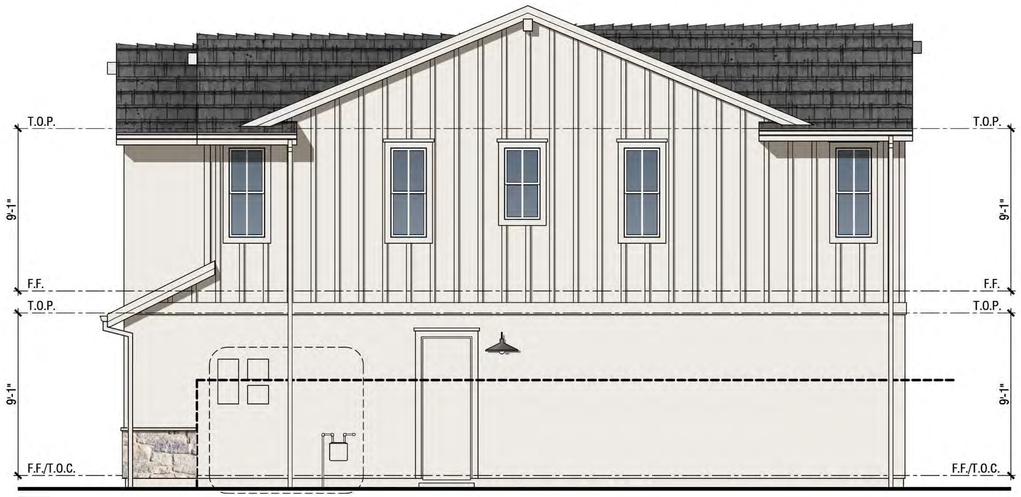
PLEASANT HILL, CA

A10

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Right Elevation



Rear Elevation

Left Elevation



Front Elevation

EXTERIOR MATERIALS:

Elevation A - Color Scheme 1

1. CONCRETE SLATE TILE ROOFING
2. INSULATED VINYL WINDOWS
3. FIBERGLASS FRONT DOOR
4. STUCCO
5. STUCCO OVER FOAM TRIM
6. FIBER CEMENT BOARD AND BATTEN SIDING
7. FIBER CEMENT TRIM
8. MANUFACTURED STONE VENEER
9. MANUFACTURED STONE CAP
10. FASCIA
11. SECTIONAL ROLL-UP GARAGE DOOR
12. LIGHT FIXTURE

PLAN 2

Elevation A - Modern Farmhouse

CALIBR VENTURES

1024-1026 Grayson Rd

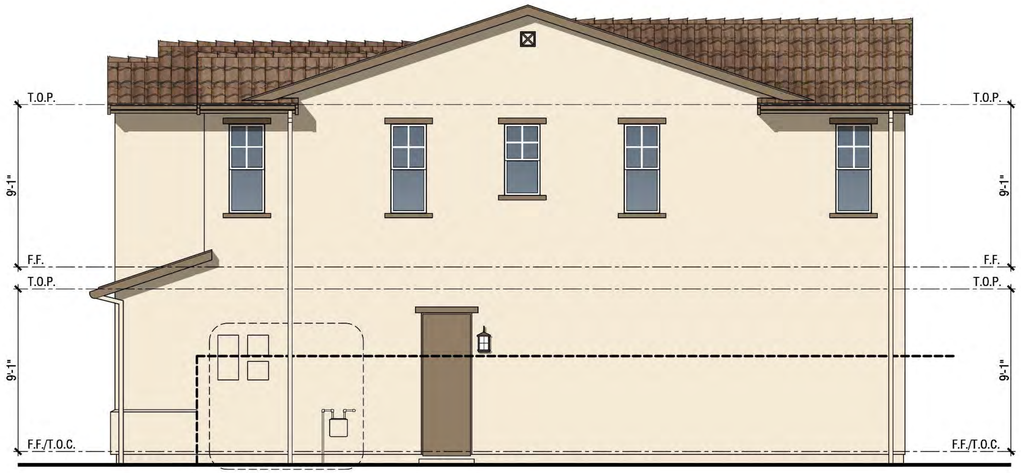
PLEASANT HILL, CA

A11

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Right Elevation



Rear Elevation



Left Elevation



Front Elevation

EXTERIOR MATERIALS:

Elevation B - Color Scheme 3

1. CONCRETE 'S' TILE ROOFING
2. INSULATED VINYL WINDOWS
3. FIBERGLASS FRONT DOOR
4. STUCCO
5. STUCCO OVER FOAM TRIM
6. DECORATIVE CERAMIC TILE
7. FASCIA
8. SECTIONAL ROLL-UP GARAGE DOOR
9. DECORATIVE METAL
10. LIGHT FIXTURE

PLAN 2

Elevation B - Spanish Colonial

CALIBR VENTURES

1024-1026 Grayson Rd

PLEASANT HILL, CA

A12

0 2 4 8

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ORANGE COUNTY . LOS ANGELES . BAY AREA



Right Elevation



Rear Elevation



Left Elevation



Front Elevation

EXTERIOR MATERIALS:

Elevation C - Color Scheme 6

1. CONCRETE SHAKE TILE ROOFING
2. INSULATED VINYL WINDOWS
3. FIBERGLASS FRONT DOOR
4. STUCCO
5. STUCCO OVER FOAM TRIM
6. MANUFACTURED BRICK VENEER & CAP
7. FASCIA
8. SECTIONAL ROLL-UP GARAGE DOOR
9. LIGHT FIXTURE

PLAN 2

Elevation C - Modern Prairie

CALIBR VENTURES

1024-1026 Grayson Rd

PLEASANT HILL, CA

A13

0 2 4 8

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WHA.

ORANGE COUNTY . LOS ANGELES . BAY AREA



Modern Prairie Elevation



Modern Farmhouse Elevation

PLAN 3
Front Elevations

CALIBR VENTURES

1024 & 1026 Grayson Road

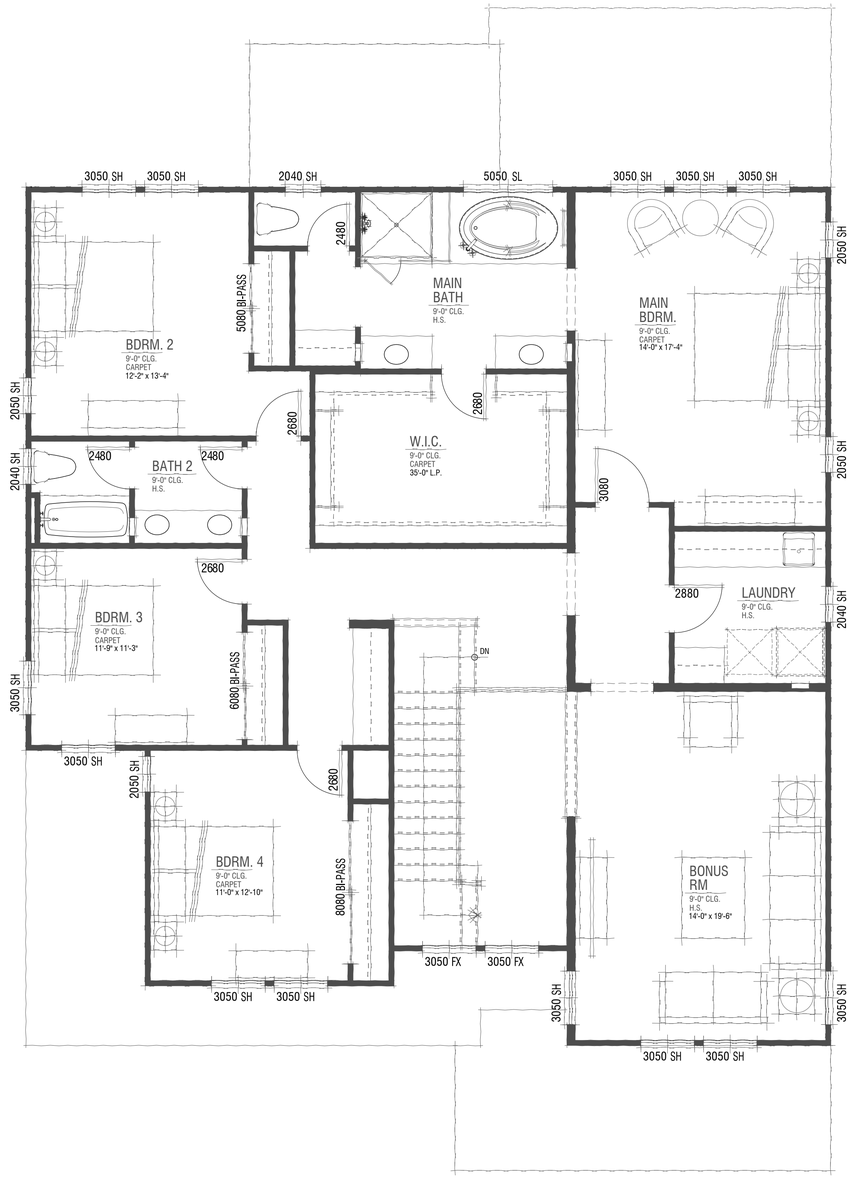
PLEASANT HILL, CA

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0 2 4 8

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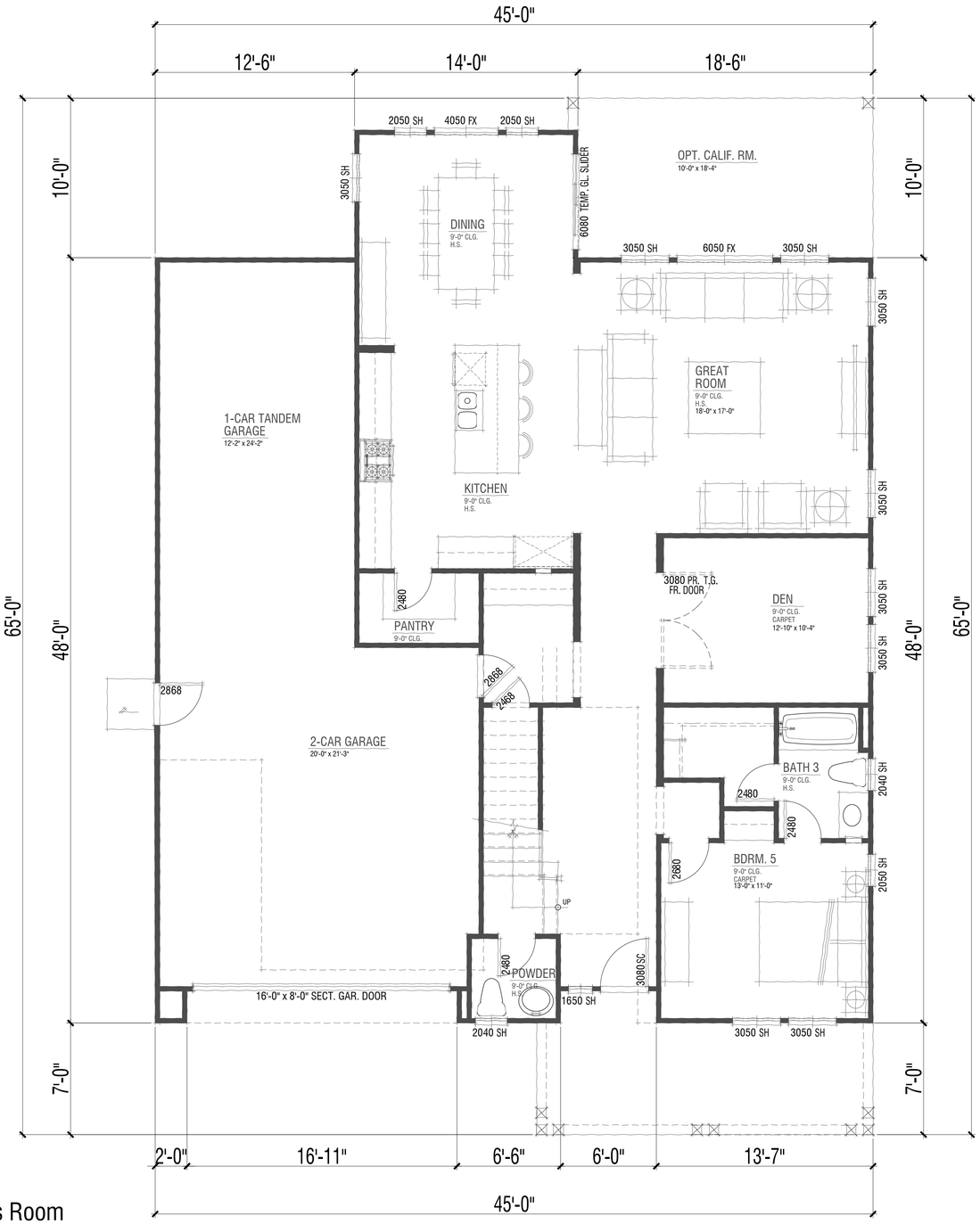
Second Floor 1,678 SF

PLAN 3

3,277 SF

5 Bdrm | 3.5 Bath | Den | Bonus Room

3-Car Tandem Garage



First Floor 1,481 SF

CALIBR VENTURES

1024 & 1026 Grayson Road

PLEASANT HILL, CA

A3.01

0 2 4 8

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ARCHITECTS . PLANNERS . DESIGNERS

WHA.

ORANGE COUNTY . LOS ANGELES . BAY AREA

VESTING TENTATIVE MAP
SUBDIVISION SD20-9531
1024 & 1026 GRAYSON ROAD

CITY OF PLEASANT HILL, CONTRA COSTA COUNTY, CALIFORNIA

TOTAL UNITS: 10 RESIDENTIAL

RECEIVED
By Joseph Lawlor on 01/28/2022

LEGEND:

BLDG	BUILDING
CONC	CONCRETE
(E)/EX	EXISTING
ESMT	EASEMENT
FNC	FENCE
INV.	INVERT
P.U.E	PRIVATE UTILITY EASEMENT
REBAR	REBAR
( )	RECORD DATA
R/W	RIGHT OF WAY
SSCO	SANITARY SEWER CLEANOUT
SSMH	SANITARY SEWER MANHOLE
SDOI	STORM DRAIN DRAIN INLET
(T)	TOTAL
WM	WATER METER
WV	WATER VALVE
	SANITARY SEWER MANHOLE
	WATER VALVE
	FOUND MONUMENT AS NOTED
	STANDARD STREET MONUMENT
	EASEMENT LINE
	ADJACENT PROPERTY LINE
	BOUNDARY LINE
	TIE LINE
	CENTERLINE
	EXISTING WATER LINE
	EXISTING STORM DRAIN PIPE
	EXISTING ELECTRIC CABLE
	EXISTING SANITARY SEWER LINE
	EXISTING EDGE OF PAVEMENT
	EXISTING BUILDING
	EXISTING BRICK PATH
	EXISTING CONCRETE
	EXISTING AC PAVEMENT
	EXISTING TREE





VICINITY MAP
N.T.S.

PROJECT SUMMARY

PROPERTY ADDRESS:	1024 & 1026 GRAYSON ROAD, PLEASANT HILL, CA 94523
PROPERTY OWNER:	ANDY BYDE CALIBR VENTURES 925-683-5493
SUBDIVIDER:	ANDY BYDE CALIBR VENTURES 925-683-5493
CIVIL ENGINEER:	DEBOLT CIVIL ENGINEERING 611 SAN RAMON VALLEY BLVD DANVILLE, CA 94526 (925) 837-3780
SURVEYOR:	DEBOLT CIVIL ENGINEERING 611 SAN RAMON VALLEY BLVD DANVILLE, CA 94526 (925) 837-3780
ASSESSOR'S PARCEL NO:	169-050-001 & 002
TOTAL AREA:	3.05± AC GROSS (2.78± AC NET)
EXISTING ZONING:	R-15
PROPOSED ZONING:	PLANNED DEVELOPMENT
EXISTING LAND USE:	SINGLE-FAMILY RESIDENTIAL
PROPOSED LAND USE:	SINGLE-FAMILY RESIDENTIAL
UTILITIES:	
WATER SUPPLY:	CONTRA COSTA WATER DISTRICT
FIRE PROTECTION:	CONTRA COSTA COUNTY FPD
SEWAGE DISPOSAL:	CENTRAL CONTRA COSTA SANITARY DISTRICT
STORM DRAIN:	CITY OF PLEASANT HILL
GAS & ELECTRIC:	PACIFIC GAS & ELECTRIC
TELEPHONE:	AT&T
CABLE TELEVISION:	COMCAST

SHEET INDEX

NUMBER	DESCRIPTION
1	TENTATIVE PARCEL MAP
2	PRELIMINARY GRADING, DRAINAGE AND UTILITY PLAN
3	HYDROLOGY AND STORM WATER CONTROL PLAN
4	CREEK STRUCTURE SETBACK EXHIBIT
5	TREE INVENTORY SHEET
6	TREE INVENTORY SHEET
7	CONCEPTUAL BUILDING LAYOUT

EXISTING UTILITY NOTE:

THE UTILITY LINES SHOWN ON THIS DRAWING ARE DERIVED FROM SURFACE OBSERVATION AND ARE APPROXIMATE ONLY. ACTUAL LOCATION AND SIZE, TOGETHER WITH PRESENCE OF ANY ADDITIONAL UTILITY LINES NOT SHOWN ON THIS DRAWING SHALL BE VERIFIED IN THE FIELD BY THE CONTRACTOR PRIOR TO ANY EXCAVATION.

FLOOD ZONE

ZONE A: SPECIAL FLOOD AREA WITHOUT BASE FLOOD ELEVATION (BFE)

ZONE X: AREAS OF 0.2% CHANCE FLOOD; AREAS OF 1% ANNUAL CHANCE FLOOD WITH AVERAGE DEPTHS OF LESS THAN 1 FOOT OR WITH DRAINAGE AREAS LESS THAN 1 SQUARE MILE; AND AREAS PROTECTED BY LEVEES FROM 1% CHANCE FLOOD. FLOOD INSURANCE RATE MAP: PANEL NUMBER 06013C0280G; DATED 03/21/2017.

*BUILDING SETBACKS

MINIMUM SIDE YARD WIDTH SHALL BE 5'. MINIMUM 15' AGGREGATE FOR LOTS 31 FEET OR LESS IN WIDTH. 6' MINIMUM, 15' AGGREGATE FOR LOTS BETWEEN 31' AND 60' WIDTH. (COUNTY ORDINANCE SECTION 82-14.004)

FRONT SETBACK: 14' TO LIVING AREA
20' TO GARAGE

GRAPHIC SCALE
(IN FEET)
1 inch = 40 ft.

ENGINEER'S STATEMENT

CIVIL ENGINEERING WORK ON THIS TENTATIVE PARCEL MAP HAS BEEN PREPARED BY ME, OR UNDER MY DIRECTION IN ACCORDANCE WITH STANDARD CIVIL ENGINEERING PRACTICE.

01/28/22
EASTON C. MCALLISTER, PE — DATE
P.E. #81148 - EXP 12/31/23

ALL PLANS ARE PRELIMINARY AND NOT FOR CONSTRUCTION UNLESS DATED AND STAMPED BY THE ENGINEER AND REVIEWING AGENCY

VESTING TENTATIVE MAP

1024 & 1026 GRAYSON ROAD
SUBDIVISION SD20-9531
VICINITY OF PLEASANT HILL — CONTRA COSTA COUNTY — CALIFORNIA

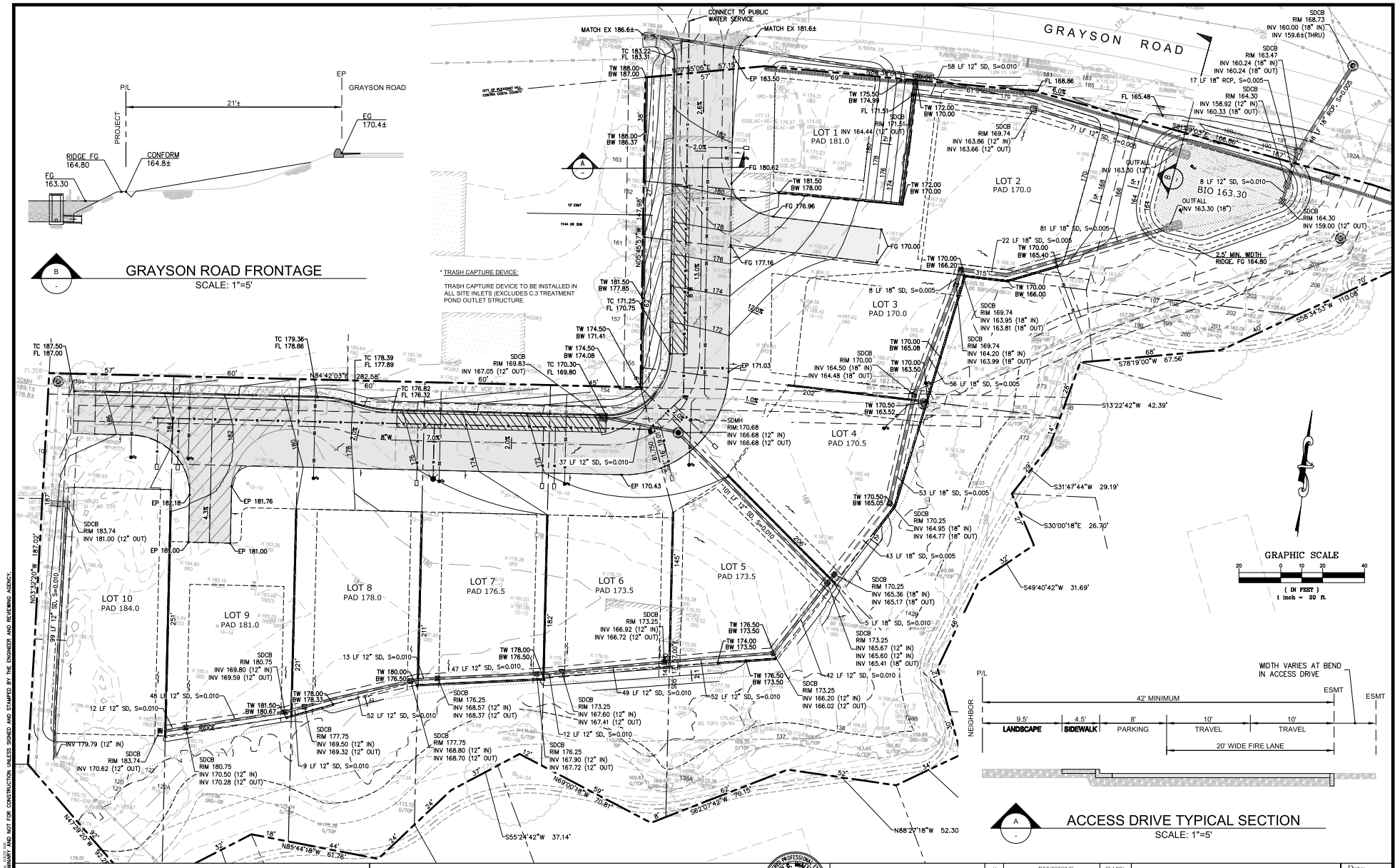
REGISTERED PROFESSIONAL ENGINEER — No. 81148 — EXP. 12/31/23 — CIVIL — STATE OF CALIFORNIA

EASTON C McALLISTER - PE#81148 - PLS 9583
RENEWAL DATE: 12/31/22 (PE) 09/01/23 (PLS)

#	REVISIONS	DATE

DEBOLT CIVIL ENGINEERING
45+ YEARS
611 SAN RAMON VALLEY BLVD #201
DANVILLE, CALIFORNIA 94526
(925) 837-3780 | DEBOLTCIVIL.COM

Date: 01/28/22
Scale: 1" = 40'
By: EMcAllister
Job No: 1004



PRELIMINARY GRADING, DRAINAGE AND UTILITY PLAN

1024 & 1026 GRAYSON ROAD
SUBDIVISION SD20-9531

VICINITY OF PLEASANT HILL CONTRA COSTA COUNTY CALIFORNIA

REGISTERED PROFESSIONAL ENGINEER — EASTON C. McALLISTER — No. 61148 — EXP. 12/31/22 — CIVIL — STATE OF CALIFORNIA

EASTON C McALLISTER - PE 61148 / PLS 9583
RENEWAL DATE: 12/31/22 (PE) 03/31/23 (PLS)

#	REVISIONS	DATE

DEBOLT CIVIL ENGINEERING
45+ YEARS
811 SAN RAMON VALLEY BLVD #201
DANVILLE, CALIFORNIA 94526
(925) 837-3780 | DEBOLTCIVIL.COM

Date: 01/28/22
Scale: 1" = 20'
By: EM/mm
Job No.: 19300

VTM-2

ALL PLANS ARE PRELIMINARY AND NOT FOR CONSTRUCTION UNLESS SIGNED AND STAMPED BY THE ENGINEER AND REVIEWING AGENCY.

Project Name: Grayson Road
Project Type: Treatment Only
APN:
Drainage Area: 137,690
Mean Annual Precipitation: 20.0

Self-Treating DMAs

DMA Name	Area (sq ft)
DMA-13	41,288

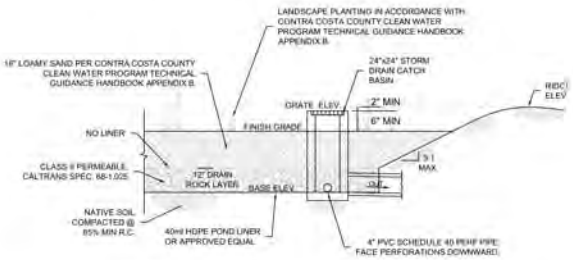
IV. Areas Draining to IMPs

IMP Name: IMP1
IMP Type: Flow-Through Planter
Soil Group: IMP1

DMA Name	Area (sq ft)	Post Project Surface Type	DMA Runoff Factor	DMA Area x Runoff Factor	IMP Sizing Factor	Rain Adjustment Factor	Minimum Area or Volume	Proposed Area or Volume
DMA-1D	420	Pervious Concrete	0.10	42	IMP Sizing Factor	Rain Adjustment Factor	Minimum Area or Volume	Proposed Area or Volume
DMA-1H	1,859	Conventional Roof	1.00	1,859				
DMA-2D	1,912	Pervious Concrete	0.10	191				
DMA-2H	2,606	Conventional Roof	1.00	2,606				
DMA-3D	539	Pervious Concrete	0.10	54				
DMA-3H	2,606	Conventional Roof	1.00	2,606				
DMA-4D	1,554	Pervious Concrete	0.10	155				
DMA-4H	2,138	Conventional Roof	1.00	2,138				
DMA-5D	769	Pervious Concrete	0.10	77				
DMA-5H	1,859	Conventional Roof	1.00	1,859				
DMA-6D	541	Pervious Concrete	0.10	54				
DMA-6H	2,606	Conventional Roof	1.00	2,606				
DMA-7D	541	Pervious Concrete	0.10	54				
DMA-7H	2,606	Conventional Roof	1.00	2,606				
DMA-8D	541	Pervious Concrete	0.10	54				
DMA-8H	2,606	Conventional Roof	1.00	2,606				
DMA-9D	419	Pervious Concrete	0.10	42				
DMA-9H	2,606	Conventional Roof	1.00	2,606				
DMA-10D	473	Pervious Concrete	0.10	47				
DMA-10H	1,859	Conventional Roof	1.00	1,859				
DMA-11	15,913	Concrete or Asphalt	1.00	15,913				
DMA-12	47,408	Landscape	0.10	4,741				
			Total	64,776				
			Area		0.040	1.000	1,791	2,021

Report generated on 1/25/2022 12:00:00 AM by the Contra Costa Clean Water Program IMP Sizing Tool software (version 1.3.1.1).

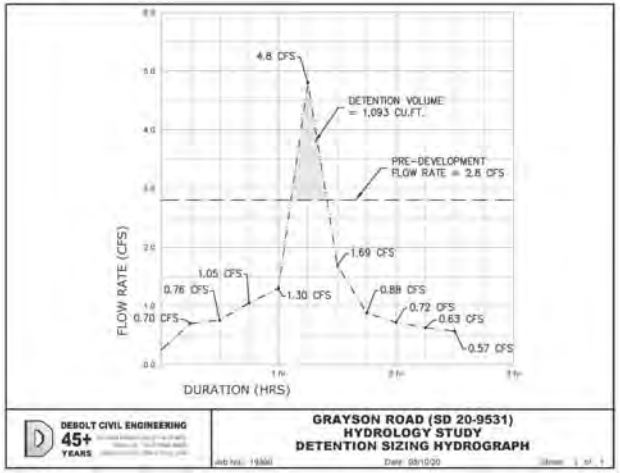
C.3 TREATMENT SIZING CALCULATIONS



NOTE:
REFER TO CONTRA COSTA COUNTY CLEAN WATER PROGRAM TECHNICAL GUIDANCE HANDBOOK CHAPTER 4 FOR ADDITIONAL INFORMATION ON FLOW-THROUGH PLANTERS.

1 - C.3 FLOW-THROUGH PLANTER
N.T.S.





DEBOLT CIVIL ENGINEERING 45+ YEARS

GRAYSON ROAD (SD 20-9531)
HYDROLOGY STUDY
DETENTION SIZING HYDROGRAPH

Job No.: 19360 Date: 08/10/20 Sheet 1 of 1

DETENTION SIZING CALCULATIONS

HYDROLOGY AND STORM WATER CONTROL PLAN

1024 & 1026 GRAYSON ROAD
SUBDIVISION SD20-9531

VICINITY OF PLEASANT HILL CONTRA COSTA COUNTY

REGISTERED PROFESSIONAL ENGINEER No. 81148 EXP. 12/31/22 CIVIL STATE OF CALIFORNIA

EASTON C McALLISTER - PE #81148 / PLS 9683
RENEWAL DATE: 12/31/22 (PE) 03/31/23 (PLS)

#	REVISIONS	DATE

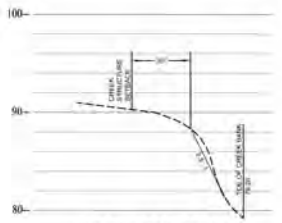
DEBOLT CIVIL ENGINEERING
45+ YEARS
911 SAN RAMON VALLEY BLVD #201
DANVILLE, CALIFORNIA 94526
(925) 837-3780 | DEBOLTCIVIL.COM

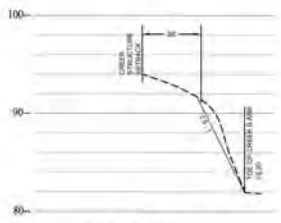
Date: 01/25/22
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By: EM/mm
Job No.: 19360

VTM-3

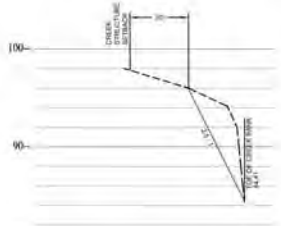
ALL PLANS ARE PRELIMINARY AND NOT FOR CONSTRUCTION UNLESS SIGNED AND STAMPED BY THE ENGINEER AND REVIEWING AGENCY

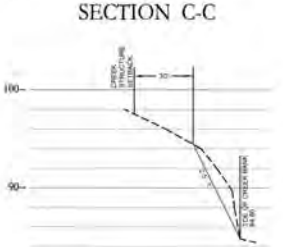


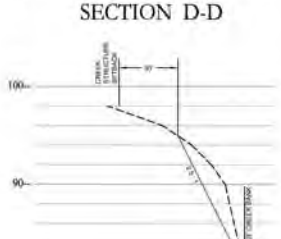

SECTION A-A

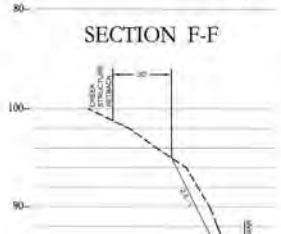

SECTION B-B


SECTION C-C


SECTION D-D


SECTION E-E


SECTION F-F


SECTION G-G

CREEK STRUCTURE SETBACK EXHIBIT

1024 & 1026 GRAYSON ROAD
SUBDIVISION SD20-9531

VICINITY OF PLEASANT HILL CONTRA COSTA COUNTY

REGISTERED PROFESSIONAL ENGINEER No. 61148 EXP. 12/31/22 CIVIL STATE OF CALIFORNIA

EASTON C McALLISTER - PE #61148 / PLS 9583
RENEWAL DATE: 12/31/22 (PE) 03/31/23 (PLS)

#	REVISIONS	DATE

DEBOLT CIVIL ENGINEERING
45+ YEARS
811 SAN RAMON VALLEY BLVD #201
DANVILLE, CALIFORNIA 94526
(925) 837-3780 | DEBOLTCIVIL.COM

Date: 11/29/22
Scale: 1" = 40'
By: KM/mm
Job No: 19060

ALL PLANS ARE PRELIMINARY AND NOT FOR CONSTRUCTION UNLESS SIGNED AND STAMPED BY THE ENGINEER AND REVIEWING AGENCY

#	Species	DBH	Health	Structure	Dripline N	E	S	W	Age	DE	CI	Comments	Action
101	Coast live oak											Tree tree no longer exists. Old report stated it as a "5" tree. No evidence of a stump was found.	N/A
102	Valley oak	18	G-F	G	20	25	30	25	Y	S	M	Epicormic sprouts along scaffold branches. Within wash pit wet back, some grading will likely occur within dripline.	Save Set protection fencing at dripline (at), and have arborist on site for any SF encroachment.
103	Fruiting pear	10, 8, 5, 4, 4	F	P	10	0	10	10	OM	X	H	Declining tree. In proposed driveway.	Remove
104	Valley oak	19, 19, 20, 12	G	G	30	30	30	30	M	X	H	Co-dominant stems at 3'. In proposed driveway.	Remove
105	Coast live oak	11, 7, 6	F-P	F	15	15	10	0	M	X	H	Co-dominant stems. Unisensory tree. Within building footprint.	Remove
106	Valley oak	11, 12	G	F	25NW-W				M	X	H	Co-dominant stems. Within building footprint.	Remove
107	Valley oak	4, 3, 12, 11, 5, 7, 5	G	F	25	0	15	25	M	X	H	Basal shoot from old stump. In proposed driveway. Within building footprint.	Remove
107 B	Coast live oak	11, 5, 8	F	P	15	0	0	25	M	X	H	Growing out from base of #107. Co-dominant trunks. Within building footprint.	Remove
108	Coast live oak	17	F	F	25NW-W				M	X	H	Girdled trunk. Within building footprint.	Remove
109	Valley oak	12, 11, 7, 9	F	F	30N				M	X	H	Tree aged tree to the NW. Dieback & epicormic sprouting. Within building footprint.	Remove
110	Valley oak	20, 11, 11, 10	G	F	35	25	0	25	M	X	H	Co-dominant trunks. Within building footprint.	Remove

#	Species	DBH	Health	Structure	Dripline N	E	S	W	Age	DE	CI	Comments	Action
111	Coast live oak	19	F-P	F	20	25	20	20	M	X	H	Bark inclusion on all 3 attachments. Sparse with stunted growth. Within building footprint.	Remove
112	Coast live oak	11	F	P	0	0	10	10	V	X	H	Top broken at 12' with sprouting. Within building footprint.	Remove
113	Valley oak	7	E	P	8W				Y	X	H	Sparse canopy, 2 trunks removed. Within building footprint.	Remove
114	Valley oak	7, 4	F	F	8	8	8	8	V	X	H	Crowded. Within building footprint.	Remove
115	Coast live oak	13	G	G	12	0	8	10	V	X	H	3" from base of #116; crowded. Within building footprint.	Remove
116	Valley oak	7, 6	F	F	8W				Y	X	H	Very crowded. Co-dominant trunks; sweeping lean to N. Within building footprint.	Remove
117	Coast live oak	17	E-P	F-P	10NE				M		L	Sparse understory tree. Outside of grading limits.	Save
118	Valley oak	14, 18	F	F	15	15	20	20	M		L	Co-dominant stem blends to N. Outside of grading limits.	Save
119	Coast live oak	17	Dead										Remove
120	Coast live oak	17	F-P	F	10	10	10	10	M		L	Ivy covering trunk. In decline, sycamore borer damage. Treat for borer. Outside of grading limits in creek setback.	Save
121	Valley oak	10	F	F	20S				Y		L	Ivy covering trunk. Outside of grading limits in creek setback.	Save
122	Valley oak	22	F	F	25N				M		L	Ivy covering trunk. Declining canopy, sweeping lean to N. Outside of grading limits in creek setback.	Save
122 A	Coast live oak	30	F	F	50N				M		L	In creek structure setback. Significant scar in N, ivy covering trunk. Outside of grading limits in creek setback.	Save
123	Valley oak	14, 7, 7, 10, 10	F	F	0	25	0	15	M	X	H	Sparse canopy. Co-dominant stems at 8'. Within grading limits.	Remove
124	Valley oak	16	F	G	15	25	15	0	M	X	H	Tag embedded in trunk. Epicormic sprouts. Within grading limits.	Remove

#	Species	DBH	Health	Structure	Dripline N	E	S	W	Age	DE	CI	Comments	Action
124 B	Coast live oak	7	F	P	0	15	4	0	Y	S	H	60° correcting bend in trunk. Within grading limits.	Remove
125	Chinese pistache	27	G	G	25	25	25	25	OM	X	H	Dieback, slightly drought stressed. Within grading limits.	Remove
126	Chinese pistache	17, 17, 10, 8	F	G	25	25	25	8	OM	X	H	Within grading limit.	Remove
127	Coast live oak	17	G	G	15	0	0	20	M	X	H	Within grading limits.	Remove
128	Valley oak	19	G	F	20	25	0	25	M	X	H	Within grading limits.	Remove
129	Valley oak	14	G	F	0	20	20	20	Y	S	H	Within grading limits.	Remove
130	Coast live oak	16	E	G	15	15	15	0	Y	X	H	Sparse lower canopy. Within grading limits.	Remove
131	Calif. Buckeye	11, 8	F	F	15	20	25	20	M	X	H	Dead lower/interior canopy. Within grading limits.	Remove
131 B	Valley oak	16	F	F	25N				M	X	H	Not surveyed. 35" lean to N. Ivy and poison oak covering trunk. Within grading limits.	Remove
132	Coast live oak	11	F	F	40N				Y	X	H	10" lean to N. Tag engulfed by trunk. Within grading limits.	Remove
133	Coast live oak	14	G	F	40N-20NW				Y	X	H	10" lean to N. Within grading limits.	Remove
134	Monterey pine	50	F	F	50	50	50	50	OM	X	M	Over mature tree, in declining years. Sparse canopy. Recommend removal. Less than 5 years of anticipated lifespan.	Remove
135	Coast redwood	18, 15, 10	F	G	20	20	20	20	M	X	H	Drought stressed, needs irrigation. Within grading limits.	Remove
135 A	Calif. Buckeye	6, 6, 11, 7, 7, 9, 11, 8	G	G	20	20	20	20	M		L	Within creek structure set back. ~3 trunk clusters treated as one.	Save
136	Silver dollar eucalyptus (Eucalyptus cinerea)	13, 16	F	F	25	15	15	0	M	X	H	Failed trunk. Within grading limits.	Remove

#	Species	DBH	Health	Structure	Dripline N	E	S	W	Age	DE	CI	Comments	Action
137	Coast live oak	40	G-F	P	35	35	35	35	M	S	M-H	Ivy covering trunk. Co-dominant stems at 4' with included bark. Grading just north of trunk proposed. Full grade limits at least 15' from trunk in order to save tree.	Save If grading can be adjusted.
138	Valley oak	19	F	F	15	15	5	0	M	X	M-H	Ivy covering trunk. Grading just north of trunk. Recommend pulling grade limits at least 10' from trunk.	Save If grading can be adjusted
138 B	Buckeye	17, 12, 13, 14, 15, 13, 12, 10, 10, 13	F-P/F	F	20	20	20	20	M		L	In creek structure setback. Top dieback.	Save
139	Mimosa		Dead									Within grading limits.	Remove
140	Coast live oak	17	G	G	15	15	15	15	M	X	H	Within grading limits.	Remove
141	Coast live oak	9	G	G	10	10	10	10	Y	X	H	Tag embedded in trunk but readable. Within grading limits.	Remove
142	Coast live oak	19, 20	G	F	30	30	10	10	M	X	H	Co-dominant trunks. Within grading limits.	Remove
142 B	Coast live oak	20	G	F	30	0	0	20	M	X	H	In creek structure setback. Within grading limits.	Remove
142 C	Coast live oak	14	G	G	20	15	5	0	Y	X	H	Not surveyed.	
143	Valley oak	15	G-F	G	12	15	12	12	V	X	H	Ivy on trunk. Within grading limits.	Remove
144	Valley oak	11	G	F	15NE				Y	S	H	Ivy on trunk. Understory tree. Within grading limits.	Remove
145	Coast live oak	22	G-F	G	25	20	15	20	M	S	H	Ivy on trunk. Within grading limits.	Remove
146	Coast live oak	16, 13	G	F	25	0	20	25	M	S	H	Co-dominant trunks. Within grading limits.	Remove
147	Fruiting plum		Dead							X	H	Within grading limits.	Remove
148	Persimmon	8, 7	G	P	8	15NE			M	X	H	Leaders poorly attached, breaking apart. Within grading limits.	Remove
149	Black Walnut	7, 6	G	F	8	10	15	0	Y	X	H	Within grading limits.	Remove

#	Species	DBH	Health	Structure	Dripline N	E	S	W	Age	DE	CI	Comments	Action
149 B	Valley oak	7	G	F	35NE				Y	X	H	Not surveyed. Within grading limits.	Remove
150	Coast live oak	16	G	F	0	25	20	20	M	X	H	Tree stem topped by PG&E. Prior location. Within grading limits.	Remove
151	Coast live oak	15	F-P	F	25N-NE		0	20	Y	X	H	Topped by PG&E. Sparse canopy and deadwood. Within proposed driveway.	Remove
152	Coast live oak	15	G	F	10	15	0	0	Y	S	H	Sided by PG&E. Within proposed driveway.	Remove
153	Valley oak	20, 15	G	F	10	25	20	30	M	X	H	Somewhat form failed, branches elongated to S. Within grading and sewer easement.	Remove
154	Valley oak	19	G	G-F	10	0	25	20	Y	X-H	MA-H	1' from existing gravel driveway. Trunk buried. All edge grading limits. Arborist on-site for grading.	Save Arborist to pull fill back from base of tree.
155	Coast live oak	11	G	F	8	12	15	0	Y	X	H	Topped by PG&E. Within proposed driveway.	Remove
156	Coast live oak	9	G	F	8	8	8	8				Growing up under PG&E wires. Within proposed driveway.	Remove
157	Coast live oak	10	G	F	10	0	10	10	Y	S	L	Off-site. Trunk buried, 1.5' from existing gravel driveway. Grading at edge of dripline.	Save Arborist to pull fill back from base of tree.
158	Chinese pistache	12	F	F	15	15	0	15	M	X	H	Partially topped. Within grading for road.	Remove
159	Coast live oak	8	G	F-P	12NW				Y	X	L	Off-site. Trunk buried. Sided by PG&E. Grading at edge of dripline.	Save
160	Valley oak	7	G	F	8	8	0	0	Y	X	L	Off-site. Co-dominant stems at 7'. Topped by PG&E. Trunk buried. Grading at edge of dripline.	Save
160 B	Coast live oak	7	G	F	15N-NE				Y	S	L	Off-site; not surveyed. Lean to NE. 8" NW of #160. Grading at edge of dripline.	Save
161	Non-fork fruit	11, 7										Previously removed. Sucked by PG&E (winter weeks)	N/A
162	Coast live oak	15, 11	G	F	15	15	15	15	M	S	L	Topped by PG&E, co-dominant stems. Grading for road at edge of dripline.	Save

#	Species	DBH	Health	Structure	Dripline N	E	S	W	Age	DE	CI	Comments	Action
163	Coast live oak	11	G	G	8	8	8	8	Y	X	L	Reduced by PG&E. Grading at edge of dripline	Save
164	Incense cedar	10	F	F	7	7	7	7	M	X	H	Sweeping S shaped trunk. Within proposed road.	Remove
165	Incense cedar											Removed.	N/A
166	Coast live oak	19, 20	G-F	F	30	30	30	0	M	X	H	Co-dominant stems. Moderate sycamore borer. Within grading limits.	Remove
166 B	Siberian elm	7, 11	F-P	F	10	0	0	10	M	X	H	Not surveyed. Co-dominant stems at 2'. Within grading limits.	Remove
166 C	Siberian elm	9, 9, 7	F	F	20	0	0	20	M	X	H	Not surveyed. Basal sprouts, decay. Within grading limits.	Remove
167	Black walnut	9, 4, 4	F	F	20	0	0	20	M	X	H	Within grading limits.	Remove
168	Black walnut	8	F	F	20NW				Y	X	H	Unisensory tree, no growth in past 14 years. Within grading limits.	Remove
169	Coast live oak	26	G	F	35	20	20	25	M	X	H	Within grading limits.	Remove
169 B	Coast live oak	8	G	F	30NW				Y	X	H	Not surveyed. Unisensory tree. 40° phototropic lean to NW. Within grading limits.	Remove
170	Coast live oak	14	G	G	8	8	8	8	Y	X	H	Trunk buried. Within grading limits.	Remove
171	Coast live oak	14	F-P	F	15N-NW				Y	X	H	Ivy around base, upper branches are damaged by a fungal canker at 15'. On creek bank wall. Within grading limits.	Remove
171 B	Coast live oak	14	G	G	35NW				Y	X	H	In creek structure setback, 45° lean to NW. Within grading limits.	Remove
172	Monterey pine	48	F-P	F-P	50	50	50	50	OM	X	M-H	5° lean at NW. Grading up to base of tree. Only 3-5 years of anticipated lifespan left	Remove
173	Calif. Buckeye	14, 14, 9, 8, 8, 7, 5	G	F	35	20	0	20	M	X	M-H	Low branching (trunks laying on ground). Grading limits well within N/W dripline. Pull grade limits back ~5' from trunk.	Save Assuming grade limits can be adjusted
173 B	Calif. Buckeye	11, 12	G	F	10	10	10	10	M		L	In creek structure setback. Ivy covering tree	Save

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ARBORIST REPORT
TREE INVENTORY

1024 & 1026 GRAYSON ROAD
SUBDIVISION SD20-9531

VICINITY OF PLEASANT HILL CONTRA COSTA COUNTY

REGISTERED PROFESSIONAL ENGINEER — No. 81148 — EXP. 12/31/22 — CIVIL — STATE OF CALIFORNIA

CALIFORNIA

EASTON C McALLISTER - PE 81148 / PLS 9583
RENEWAL DATE: 12/31/22 (PE) 03/31/23 (PLS)

#	REVISIONS	DATE

DEBOLT CIVIL ENGINEERING
45+ YEARS
911 SAN RAMON VALLEY BLVD #201
DANVILLE, CALIFORNIA 94526
(925) 837-3780 | DEBOLTCIVIL.COM

Date: 01/20/23
Scale: N.T.S.
By: CM/mlc
Job No.: 1906

#	Species	DBH	Health	Structure	Dripline N	Dripline E	Dripline S	Dripline W	Age	DE	CI	Comments	Action
173 C	Coast live oak	8	T	P	25N				Y	X	L-M	Understory tree with heavy lean (trunk horizontal before corrected) to NW. Young tree with some dripline grading encroachment.	Save
174	Black walnut	23	F-P	F	20	20	20	25	M	X	H	Low branching, old mistletoe in canopy; deback. Within grade limits.	Remove
175	Siberian elm	17, 17, 15	P	P	20	20	20	20	M	X	H	Tree in bedline, poorly structured. Within grade limits.	Remove
176	Coast redwood	30	F-P	G	15	15	15	15	M	X	H	Drought-stressed. Within grade limits.	Remove
177	Coast redwood	26	F-P	G	15	15	15	15	M	X	H	Drought-stressed. Within grade limits.	Remove
177 B	Valley oak	11	G	G	8	8	8	8	Y	X	H	Not surveyed. Chain on trunk. Within grade limits.	Remove
178	Valley oak	14, 8	G	F	15	15	20	20	Y	X	H	Lean to SW. Within grade limits.	Remove
179 B	Valley oak	9	G	F	10	12	0	0	Y			Not surveyed. Within grade limits.	Remove
179	Calif. Buckeye	8, 7, 6	G	G	12	12	12	12	M	X	H	Within grade limits.	Remove
180	Mulberry	18	P	P	0	15	10	0	OM	X	H	Previously topped. Within grade limits.	Remove
181	Valley oak	11	F	F	15NE-NW				Y		L	Grading just outside dripline	Save
182	Valley oak	11	F	F	15S				Y	X	L-M	Grading at edge of dripline.	Save
183	Valley oak	13	F	F	20 N E	15	0	0	Y	X	L-M	Grading at edge of dripline.	Save
184	Black walnut	8, 8, 7	P	P	8	8	8	8	M	X	H	Declining health. Within grade limits.	Remove
185	Valley oak	11	F	P	15 N E	10	0	0	Y	X	L-M	S-shaped trunk. Grading at edge of dripline.	Save

#	Species	DBH	Health	Structure	Dripline N	Dripline E	Dripline S	Dripline W	Age	DE	CI	Comments	Action
187	Calif. Buckeye	7, 7, 6, 6, 5, 5, 5	G	G	15	15	15	15	M	X	H	Tangled with mulberry and walnut. Grading within dripline.	Save. Arborist on site during grading.
187	Mulberry	18	F	F	15	15	15	15	M	X	H	Drought stressed, tangled with buckeye. Within grading limits.	Remove
188	Black walnut	9	F	F	20S				Y	X	H	Competing with buckeye, recommend removal. Within grade limits.	Remove
188 b	Coast live oak	11	F	G	12	12	12	12	Y	X	H	Not surveyed. Within storm treatment area.	Remove
188 C	Coast live oak	11	G	G	8	8	10	10	Y	X	H	Not surveyed. Within storm treatment area.	Remove
189	Calif. Buckeye	9, 9, 8, 7, 7, 6, 5, 5, 3, 3, 3	G	G	15	20	25	20	M	X	L-M	Grading limits at edge of dripline	Save
190	Mulberry	15	Dead										Remove
191	Coast live oak	14	G	G	10	10	10	10	Y		L	Dripline limits just outside dripline.	Save
191 B	Coast live oak	11, 9	F	F	18NE-NW				M		L	Not surveyed. Lean over road.	Save
192	Mulberry	18	P	P	8	8	8	8	OM	X	H	Drought stressed. In decline. Within grade limits.	Remove
192 A	Coast live oak	17	G	F	15 W E	10	10	15 N W	M		L	In creek structure setback. Reduced by PG&E, dry shred, lifting asphalt curb.	Save
192 B	Willow	20, 20	P	P	15	0	0	0	OM		L	Outside northeast property corner along Grayson. Topped by PG&E, sparse canopy. Recommend removal	Remove
192 C	Willow	24	F	P	0	0	25	35 S W	OM		L	Outside northeast property corner along Grayson. Uprooted to S. Fallen tree.	Remove
193	Siberian elm	12, 12, 10, 5, 5, 4	P	P	8	8	8	8	M	X	H	Dying tree. Within grading limits.	Remove

#	Species	DBH	Health	Structure	Dripline N	Dripline E	Dripline S	Dripline W	Age	DE	CI	Comments	Action
194	Siberian elm	12, 9, 4	P	P	0	15	15	15	M	X	H	Dying tree. Within grade limits.	Remove
194 B	Coast live oak	8	G	F	15N				Y	X	H	Not surveyed. Up against elm	Remove
195	Siberian elm	13, 4	P	P	20N				M	X	H	Declining health. Within grade limits.	Remove
196	Coast live oak	18	G	F	20 N W	0	20	20	M		L	Sweeping trunk	Save
197	Bush eucalyptus	10, 8, 6	Dead						M		L	Deadfoliet. Fire hazard	Remove
198	Bush eucalyptus	15, 15	P	P	10N				M		L	Dying, fire hazard.	Remove
199	Blue gum euc.	60	F	F-P	25	20	20	20	M		L	10' branch failure to N in 2006; minor sprouting from failure. Prune for safety if targets within 50ft.	Save
200	Bush eucalyptus	18, 5, 5	F	P	15S				M		L	Declining health. Recent failures. Prune for safety.	Save
201	Monterey pine	24	F	P	20	20	20	20	OM		L	Over mature tree, badly included co-dominant stems. Anticipate short life span, recommend removal.	Remove
202	Monterey pine	20	F	P	0	20	20	0	OM		L	Over mature tree, declining health. Recommend removal.	Remove
203	Monterey pine											Removed.	N/A
204	Monterey pine	18	F	P	25E				M		L	Poorly spaced trunk; lean to E. Recommend removal	Remove
205	Monterey pine											Removed.	N/A
206	Calif. Buckeye	15, 15, 10, 10	G	G	25	25	25	25	M		L	Healthy tree.	Save

PLOTTED ON 2020-05-06 AT 3:50:02 PM
ALL PLANS ARE PRELIMINARY AND NOT FOR CONSTRUCTION UNLESS SIGNED AND STAMPED BY THE ENGINEER AND REVIEWING AGENCY.

ARBORIST REPORT
TREE INVENTORY

1024 & 1026 GRAYSON ROAD
SUBDIVISION SD20-9531

VICINITY OF PLEASANT HILL CONTRA COSTA COUNTY CALIFORNIA

REGISTERED PROFESSIONAL ENGINEER — EASTON C. McALLISTER — No. 61148 — EXP. 12/31/22 — CIVIL — STATE OF CALIFORNIA

EASTON C McALLISTER - PE 61148 / PLS 9583
RENEWAL DATE: 12/31/22 (PE) 03/31/23 (PLS)

#	REVISIONS	DATE

DEBOLT CIVIL ENGINEERING
45+ YEARS
811 SAN RAMON VALLEY BLVD #201
DANVILLE, CALIFORNIA 94526
(925) 837-3780 | DEBOLTCIVIL.COM

Date: 01/28/22
Scale: N.T.S.
By: EM/mm
Job No.: 1930

VTM-6



CONCEPTUAL BUILDING LAYOUT

1024 & 1026 GRAYSON ROAD
SUBDIVISION SD20-9531

VICINITY OF PLEASANT HILL CONTRA COSTA COUNTY

REGISTERED PROFESSIONAL ENGINEER No. 81148 EXP. 12/31/22 CIVIL STATE OF CALIFORNIA

EASTON C McALLISTER - R.C.E. 81148
RENEWAL DATE 12/31/22

#	REVISIONS	DATE

DEBOLT CIVIL ENGINEERING
45+ YEARS
811 SAN RAMON VALLEY BLVD #201
DANVILLE, CALIFORNIA 94526
(925) 837-3780 | DEBOLTCIVIL.COM

Date: 10/20/22
Scale: 1" = 20'
By: EM
Job No.: 19304

VTM-7

ALL PLANS ARE PRELIMINARY AND NOT FOR CONSTRUCTION UNLESS SIGNED AND STAMPED BY THE ENGINEER AND REVIEWING AGENCY

CONTRA COSTA COUNTY
2023 OCT 26 AM 11:43
APPLICATION & PERMIT CENTER

October 25, 2023

Contra Costa County
Department of Conservation and Development
30 Muir Road
Martinez, CA 94553

RE: Grayson Road 10-Lot Subdivision, County File #CDSD20-09531

Dear Department of Conservation and Development:

The Mohawk/Iroquois Neighborhood (hereinafter "Neighborhood"), as represented by the signatories at the end of this letter, is filing an appeal of the Zoning Administrator's decision to approve the Grayson Road 10-Lot Subdivision, County File #CDSD20-09531 (hereinafter "Project"). This appeal is based on the issues provided in this letter and supported by the previously submitted written and oral public comments on the Project, including the MND. The requisite $250 fee is included with this filing. A more detailed analysis of many of these issues can be found in written comments submitted to the County throughout the processing of this Project, as well as in oral comments and testimony provided at public hearings, all provided by the letter signatories as well as others in the Neighborhood, and all of which are in the County's possession and are incorporated by reference as part of this filing.

In general, this Project as approved will have significant unmitigated impacts to the environment pursuant to the California Environmental Quality Act (CEQA), and to the public health and safety. The mitigated negative declaration (MND) adopted by the County violates CEQA due to inadequate impact analysis and inadequate mitigation which results in unmitigated environmental impacts, a circumstance that cannot occur with an MND and which results in an illegal project approval. Further, CEQA violations constitute a violation of state law, making this project ineligible for the requested concession and waivers that are primarily responsible for the signifiant impacts of this project. We are requesting this project, as currently proposed, be denied.

BIOLOGICAL IMPACTS

Impacts to oak woodland and riparian woodland are are not fully analyzed, inadequately mitigated, and remain significant. Mitigation for impacts to sensitive plants is similarly inadequate.

The MND does not fully analyze nor mitigate impacts to the onsite oak and riparian woodlands as described in the MND comment letter from the California Department of Fish and Wildlife (CDFW) and in Neighborhood comments. Mitigation Measure Biology 2 lacks performance standards (location of planting, timing for planting, survival milestones, monitoring requirements, planting methodology, bonding requirements, etc.) sufficient to demonstrate that the loss of

almost 2 acres of oak and mixed woodland and some additional trees in the riparian woodland will be mitigated below a threshold of significance, an issue also raised by CDFW. All of CDFW's recommendations for additional oak woodland impact analysis were not implemented, and recommended mitigation for the loss of oak woodland habitat was completely dismissed by the County.

Without adequate performance standards, the determination of adequate mitigation for oak and riparian woodland and other destroyed trees (158 in total, 97 of which are code protected) has been deferred to a future unknown planting plan, which is illegal pursuant to CEQA. The inadequacy of this mitigation measure is demonstrated by the applicant's proposal to inappropriately reestablish 1.8 acres of destroyed oak and mixed woodland within the existing 1-acre riparian woodland, and by planting isolated trees throughout the site, because project density and waivers leave no other undeveloped area available for planting. Not only has the impact of installing mitigation in the riparian woodland not been been analyzed, this proposal represents an unmitigated net loss of oak woodland. Almost two acres of oak woodland cannot be reestablished in a one-acre existing riparian woodland or by scattered trees. Furthermore, this measure requires the trees that will be destroyed in the riparian woodland to be replaced onsite and in-kind "to the greatest extent practicable," meaning if it is not practicable, no mitigation will occur, further contributing to the fact that destruction of oak and riparian woodland is an unmitigated impact. This mitigation measure as written represents inadequate deferred mitigation, is illegal pursuant to CEQA, and leaves the loss of oak and riparian woodland a signifiant environmental impact. Further, the density and waivers granted to this project foreclose any ability to mitigate these impacts, supporting a denial of the density bonus and waivers.

A resident of the Neighborhood adjacent to Grayson Creek had to do work near several code protected trees. To mitigate any potential harm, the County required that he post a bond and replant any lost trees with a minimum 24 gallon tree. This is in contrast to the maximum required 15 gallon trees, which can be reduced to 5 gallons as determined by an arborist. While it may be advisable to plant smaller trees in areas where the roots of other trees could be disturbed, this does not explain why the applicant can plant 15 gallon trees rather than being required to plant larger trees as the Neighborhood resident was required to do.

The same situation exists for sensitive plants and Mitigation Measure Biology 1 as provided in Neighborhood MND comments. This measure does not provide any hint of how sensitive plants are to be reestablished once seed or root stock is harvested, and considering that every square foot of the Project site outside the riparian woodland will be disturbed, as will portions of the riparian woodland, and virtually everything outside the creek setback and riparian woodland will be developed, there is no clear way to minimize or avoid impacts to rare plants as called for in the mitigation measure, and no location to replant them. The MND states no rare plants were found at the time the fieldwork was conducted. If sensitive plants were not evident at the time of the fieldwork but had the potential to exist on the site, the site clearing and filling that occurred while the project was under consideration, a circumstance that should have been revealed in the MND, would have had an impact on these plants and could impact future

preconstruction surveys. Site alteration during project consideration should not have occurred, and should be revealed in the MND. Impacts to sensitive plants remain unmitigated and significant without adequate analysis and mitigation.

Another key aspect of minimizing impacts pursuant to CEQA is avoidance. The MND makes no mention of avoidance as a first approach for minimizing impacts, which could be achieved with a lesser density. Neighborhood MND comments discuss how General Plan policies 8-6 and 8-12 require preservation of the habitats and wildlife impacted by the project. This Project makes absolutely no attempt to preserve any oak woodland habitat and in fact, some of the habitat was removed after project application, but hopefully not before the initial fieldwork for biological assessment was conducted; the timing must be confirmed. It's likely the habitat was removed before the biological assessment was updated in 2022, a circumstance not revealed in the biological assessment, MND or staff report, and should have been.

In addition, the County can allow protected tree removal if "reasonable development of the property would require the alteration or removal of the tree and this development could not be reasonably accommodated on another area of the lot." Reasonable development is not synonymous with maximum development. This issue is discussed in the Neighborhood MND comments. The extraordinary number of code protected trees being destroyed violates the above cited General Plan policies, a circumstance that could be avoided with a reasonable Project density. This project should be redesigned with impact avoidance being a primary consideration. A lesser density would result in environmental impact avoidance. At the current density, impacts cannot be avoided or adequately mitigated, requiring the denial of this project pursuant to state housing law and pursuant to CEQA when utilizing an MND.

<u>Wildlife and sensitive plant impacts are not adequately analyzed or mitigated, and remain significant.</u>

Impacts to wildlife have been an ongoing concern for the Neighborhood. The applicant installed orange construction fencing along the upper portion of the riparian corridor, we believe in the fall of 2020, after which significant brush/understory removal and unpermitted fill occurred, as well as the removal of a tree that left debris in Grayson Creek that the Neighborhood removed. Since the site clearing (i.e. habitat removal) and the installation of the construction fencing, the quantity and type of wildlife observed in the Neighborhood has diminished. The work conducted thus far by the applicant, we assume without wildlife or botanical surveys, has already negatively impacted wildlife and potentially sensitive plant species, and the impacts will be heightened once the Project is built. The destruction of habitat with, at this point, no remediation is unacceptable. The loss of wildlife habitat diminishes quality of life certainly for the animals that rely on it, but for the community residents as well. The MND does not fully analyze these impacts and further, relies on the inadequate non-CEQA compliant Mitigation Measure Biology 2 to mitigate impacts to wildlife. As adopted, the mitigation measure does not mitigate the loss of 2 acres of wildlife habitat and therefore does not mitigate wildlife impacts longterm after Project development. Also, if the mitigation measure is ultimately implemented, it will have additional wildlife and creek impacts that are unanalyzed in the MND.

The MND erroneously assumes all wildlife movement occurs within the riparian corridor. However, Neighborhood observation of wildlife impacts caused by the construction fencing installed by the applicant across an existing wildlife trail, blocking this trail used by wildlife for Grayson Creek and Project site ingress/egress, would point to this not being the case. The Neighborhood, particularly those residents living along the creek who observe wildlife movement in and along the creek and on the Project site, were never contacted as part of the biological assessment for this project, and should have been. As the Neighborhood has observed, the installation of the orange fencing has prevented the natural and historic movement of wildlife through the Project site and along Grayson Creek, a circumstance that will be exacerbated by the Project. Project impacts to wildlife remain significant.

As mentioned above, construction fencing is believed to have been installed in 2020. This fencing looks to be located within the riparian woodland, and may have required authorization from CDFW; no record of any CDFW authorization exists. Site clearing, fill import and grading on the Project site appears to have occurred in 2021, during the permitting and CEQA review process for the subdivision and without permits to our knowledge. This work would appear to have occurred after the initial fieldwork was done for the biological assessment, but before the biological assessment was updated. This timeline must be confirmed, as it could significantly impact the biological impact assessment based on the timing. The baseline circumstances were certainly changed, at least when the biological assessment was updated. This circumstance must be addressed in the MND to clarify what site work was completed and when, and particularly when it was completed relative to the preparation of the initial as well as the updated biological assessment. Also, the MND must identify what, if any, impacts occurred as a result of the site work during the Project review period, and any required mitigation for those impacts.

<u>Impacts to Grayson Creek are not fully analyzed, the creek setback is not clearly part of the project and is too small, a finding of a less than significant impact is not adequately supported, and impacts to Grayson Creek remain significant.</u>

The health of the creek is of utmost concern to the Neighborhood, and is regionally critical. Inadequate set-backs from the creek are a significant issue. While the policy analysis in the MND states there will be a 50-ft. setback as shown on the plans, that setback is not clear on the plans made available to the public and there is no mention of a 50-ft. setback in the project description as claimed in the County's response to a Neighborhood comment in the initial staff report. Further, there was no analysis in the MND that demonstrates how a 50-ft. setback will sufficiently protect the creek. Comments were made by the County that the lots on the south side of the creek were much closer to the creek, and this was used as justification for a 50-ft. setback as being sufficient. This comparison is not adequate analysis of the sufficiency of the proposed setback. Two wrongs do not make a right and further, the fact that there may be lots that are close to the creek on the south side makes it even more important to have larger creek setbacks on the north side, preferably at least 100 feet from the centerline of the creek. Also, the houses on the south side of Grayson Creek were constructed decades ago. Longtime residents of the Neighborhood who live adjacent to the creek have observed creek erosion and

flooding that over the years have resulted in the widening of the channel, reducing setbacks of the existing homes from the creek.

The Creek Structure Setback should have been increased where significant riparian vegetation exists beyond the setback approved for the Project. The reason provided for not increasing the setback along this clearly important stretch of creek is because of the Density Bonus being granted for this project. In other words, the Density Bonus is directly responsible for signifiant impacts to Grayson Creek that will result from the lack of an adequate setback from the creek for the future homes, which due to their density will have light, noise, and activity disturbance to the creek far beyond the impacts associated with other less dense development along the creek. Sacrificing Grayson Creek for the dubious "public benefit" of one moderate income home is unacceptable. Development setbacks from the creek should be increased to at least 100 feet.

There was significant information regarding biological resources submitted by the Neighborhood (Mr. Patrick King, May 31, 2022) during the MND comment period as well as during the public hearing, that would support providing a setback larger than 50 feet from Grayson Creek. These comments revealed that salmon entered Grayson Creek in 2022, with hope they will return to their natural spawning ground in Briones. Grayson Creek provides the only viable route to Briones, and salmon will someday pass along the subject section of Grayson Creek. This section of Grayson Creek is a key, essential habitat area because it creates the only continuous water path that links eastern Briones to the Contra Costa Canal and out to the Sacramento River Delta. There is a wood duck restoration project on this creek as the creek habitat is perfect for the return of wood ducks to Pleasant Hill. There are wood duck boxes directly across the creek and directly adjacent to the Project site. None of this information was incorporated into the MND as it should have been, nor even acknowledged as having been received by the County. The information submitted to the County includes an extensive list of nesting and migrant bird species that utilize the Project area, noting that almost 100 bird species have been documented along Grayson Creek since 2018 https://ebird.org/hotspot/L9110333?yr=all&m=. The impact analysis for Grayson Creek must consider this information, which should result in the need for a larger creek setback to ensure protection of Grayson Creek.

The mitigation to restrict lighting to "within the project site" does not mitigate impacts from lighting entering the riparian corridor and creek. Grayson Creek is part of the project site, and it can be successfully argued that lighting the riparian corridor would therefore be allowed. Requests to clarify this mitigation measure were dismissed by the County. Therefore, lighting impacts to wildlife and the riparian corridor remain unmitigated below a threshold of significance unless lighting is restricted to only the developed portions of the Project and specifically restricted from entering the riparian woodland and creek.

The claim is made in the staff report that no direct impacts (fill or modification) to Grayson Creek will occur. Herein lies an example of the issue with the inadequate and illegal Mitigation Measure Biology 2, which does not provide any details about how or where replanting of removed trees proposed as mitigation will occur. In fact, the applicant is proposing to

inappropriately plant the majority of mitigation trees along the creek in the existing riparian woodland, a direct impact that is not analyzed in the MND. The mitigation planting plan not only does not reestablish 2 acres of oak and mixed woodland, but it constitutes unidentified unmitigated impacts to Grayson Creek and the riparian woodland it supports, as well as fill and modification to the creek. Thus, impacts to Grayson Creek remain unanalyzed, unmitigated, and significant.

Neighborhood comments questioned the impact of the Project on the amount of stormwater entering Grayson Creek due to a change in drainage patterns. While the staff report responded with information about volume, no response was provided regarding the impact to the creek from what will likely be redirected and therefore reduced stormwater flows into the creek. Strong winter flows in creeks help keep sediment from building up. The impact of lessened stormwater flows in Grayson Creek was not addressed in the MND as a potentially significant impact.

The Regional Water Quality Control Board requested the opportunity to comment on the Project, a request that was received by the County on the day of the continued public hearing. The Board would likely have had input regarding water quality and Grayson Creek Project impacts. The Zoning Administrator chose to proceed with project approval without input from the Board after asking the applicant for his thoughts. The applicant agreed with the Zoning Administrator, and opined that he did not need permission from the Board for his project, which is not true. The Project is subject to the Board's Construction Stormwater Program. The applicant will need to seek Board approval for his required Stormwater Pollution Prevention Plan required as mitigation, as well as any work the applicant will be undertaking in Grayson Creek. The County should seek the necessary input from the Board as part of this appeal.

<u>Environmental and CEQA impacts associated with unpermitted fill import and brush removal.</u>

The Neighborhood has been commenting regarding the tree cutting near the creek that occurred, we believe without a permit. Sawdust was deposited and left in the creek, necessitating the neighbors to clean up the mess to restore the creek. We have come to find out that fill was imported into the property in 2021 without a permit, for which a code enforcement case was started in August of 2021; the outcome of the enforcement action is unknown. This occurred after the applicant submitted an application to the County for the subdivision in January of 2020. In addition, it appears that "brush" and likely smaller trees were cleared throughout the property, leaving several very large piles of chips up to 6 feet tall. This raises the question of exactly how large was the brush, what exactly was removed, and whether this work needed a permit for more than just the fill, including permits from CDFW and the RWQCB, as well as from the County.

In addition, this raises the question of CEQA baseline. The applicant had already submitted a subdivision application when the "brush" and tree removal occurred and when the fill was imported, without permits and presumably without proper wildlife and plant surveys. The initial biological report fieldwork conducted in early 2021 according to the report, presumably before

the site work was conducted; this should be confirmed by the County. The report was updated in 2022, well after all this unpermitted site work was completed, thereby altering the biological baseline after submittal of the project application and biological assessment. This was not a homeowner removing a little brush in the process of maintaining his property. This work occurred during a subdivision permitting process and constitutes unauthorized site work. Neither the initial study/MND, biological report or staff report makes any mention of the unauthorized work, enforcement case, or the altered CEQA baseline, which is unacceptable. This circumstance needs to be addressed. A forensic biological assessment needs to be conducted to determine what habitat was removed from the property. Mitigation for this removal, and appropriate citations, fines or other appropriate remediation for any illegal work, must be completed prior to approval of this project, or at least prior to commencement of any site work.

Lack of enforcement to obtain CDFW and RWQCB permits results in unmitigated significant impacts to wildlife and Grayson Creek.

Based on information provided by the applicant at the public hearing, it would appear he is unaware of the permits or authorizations that will be required in order to carry out this project. For example, he did not believe he needed any authorization from the Regional Water Quality Control Board, yet the Project requires a permit pursuant to the Board's Construction Stormwater Program, including the requirement to prepare and submit a Storm Water Pollution and Prevention Plan (SWPPP). This requirement is actually a condition of approval. The Project will also require a Lake and Streambed Alteration Agreement (LSSA) from the California Department of Fish and Wildlife (CDFW). In fact, biological impact mitigation relies on the applicant obtaining an LSSA to help reduce significant impacts to wildlife, and to Grayson Creek and its associated habitat, yet obtaining the LSSA it is not included as a condition of approval.

The conditions of approval do nothing to ensure either of these authorizations will be obtained prior to any work beginning. While mitigation for biological impacts relies on obtaining an LSSA, the need for the applicant to actually obtain this agreement is listed only as an advisory note rather than a requirement. Relying on a permit to mitigate impacts, and then not requiring the applicant to obtain the permit, does not constitute adequate mitigation. There is nothing in any of the mitigation measures or conditions of approval that requires obtaining an LSSA. The requirement for a SWPPP is included as Mitigation Measure Biology 6, which according to the MMRP, will be verified during initial review of construction plan sets and throughout project. However, this may not preclude the applicant from moving forward with removing trees and conducting pre-construction grading and fill as he apparently did previously.

It is vital that both of these authorizations be obtained prior to any site work occurring, including but not limited to tree removal or ground disturbing work occurring on the Project site. Mitigation as adopted by the County relies on these authorizations, so the County must be responsible for documenting that the authorizations are received, are on file with the County, and in fact adequately mitigate the impacts they were cited as mitigating in the MND. Therefore, in order to ensure impacts to biological resources and water quality are reduced below a

threshold of significance, a condition of approval or mitigation measure must be added requiring the applicant to obtain these authorizations and provide copies to the County prior to any site work being done on the Project site, including but not limited to tree or any other vegetation removal and any work that disturbs the ground.

LAND USE, AESTHETICS, COMMUNITY CHARACTER

The Project is inconsistent with its surroundings, resulting in significant aesthetic, land use and community character impacts.

The size, scale and density of the Project is inconsistent with the County neighborhoods surrounding the project on the south side of Grayson Road. Aesthetic and land use impacts, and the inconsistency of this project with its surrounding community character, cannot be found to be mitigated below a threshold of significance. The extraordinary extent of the development standards waivers being granted to the applicant is a clear indication of these incompatibilities, as no other development in the surrounding area of the project utilizes these reduced standards.

Those of us who live in the neighborhood, many of us for decades, chose to live here because it is a peaceful, beautiful suburban/rural hybrid neighborhood that is also close to downtown, with large lots and room between neighbors, rolling hills, open space, privacy, natural habitat and lots of wildlife. The proposed development is completely contrary to these qualities. The development size and density is inappropriate for the surrounding community, with too many homes on too small of lots, and with the majority of the mature natural habitat on the Project site destroyed and wildlife displaced. Fewer homes would be in keeping with the "flavor" of the surrounding community.

Aesthetic, land use and community character impacts remain unmitigated and significant due to the density bonus and waivers granted for this Project. The Neighborhood has submitted numerous comments providing factual information that demonstrates this project is completely inconsistent with its surroundings when considering usable lot size, development scale, development density, and aesthetics. Any reasonable person can look at this area of Contra Costa County to see this project will look nothing like anything else surrounding it in the County; rather, it will stand out in a very negative way. The project is too dense and the homes are too large and too close together. The small lots in the area of Pleasant Hill across the street or near Taylor Blvd. cannot be used to determine consistency, as they are in urban Pleasant Hill, and were created as a PUD with significant open space. The Project site is located in a relatively rural, low density area of the County, not high density urban Pleasant Hill.

The County claims that the aesthetic, community character and land use (density, etc.) impacts associated of this development, including the removal of 158 mature trees that have taken decades to mature (97 of which are code protected) and the installation of an almost solid wall of giant two-story boxy homes, will be mitigated by a landscaping plan that will supposedly "enhance the aesthetic character to maintain adequate screening and privacy." This is a false

claim that cannot be substantiated. There is no mitigation included for the Project that requires a landscaping plan with adequate performance standards sufficient to support this claim. This means determining adequate mitigation for screening and privacy is being deferred to some future plan, contrary to CEQA requirements. Further, trees to be planted as mitigation for the complete destruction of almost two acres of oak woodland will take decades to grow to a point that they would provide the screening and privacy (and habitat) provided by the mature trees currently existing on the site, if the trees to be planted even survive, keeping in mind there is no place to plant these trees that constitutes restoration of the oak woodland. The County has misrepresented and downplayed this impact issue in an attempt to find neighborhood/ community character consistency and as a consequence, formed erroneous consistency conclusions that leaves aesthetic, community character and land use impacts significant.

The Neighborhood has continually commented about the excessive density of the Project resulting from the use of the density bonus allowance and inappropriate waivers granted that are supposedly allowed by state housing law, all of which result in unmitigated significant impacts as discussed throughout this letter and previous Neighborhood comments. A reduction in density to what should be no more than four lots would contribute significantly toward mitigating the significant impacts of this project that are discussed in this letter and have been commented on throughout the Project permitting process. This lesser density would allow avoidance of impacts to existing habitat and the wildlife it supports, and would result in a development in keeping with the aesthetics, character, and land use of the surrounding community.

To summarize our understanding of the housing law situation for the Project, the applicant is using the inclusion of a single moderate income home (one of the two smallest homes, and located on the smallest lot in the worst location in the subdivision) as a tool to allow him to claim a density bonus and increase the reasonable density that would otherwise be allowed on this property by 150%; and to allow him to claim financial infeasibility of the project without the requested waivers and concession that together with the increased density are primarily responsible for the signifiant environmental impacts of this project, and that will result in financial benefits to the applicant in the neighborhood of what is likely hundreds of thousands of dollars while shifting his waived financial development responsibilities and environmental costs of project impacts to the community and taxpayers, all without being required to provide any evidence of his financial feasibility claims. While the County has explained state housing law as justification for their decisions regarding the Project, the resulting extraordinary benefits to the applicant and the extraordinary environmental, financial, health and safety, and community impacts and costs have not been adequately acknowledged and characterized. The community is entitled to this information, and the County should provide a discussion that explains it.

State housing law defines "density bonus" as a density increase over the otherwise maximum allowable gross residential density. A reasonable interpretation of maximum allowable gross residential density would be the maximum density allowed under all County development regulations, that is, density based on acreage that can actually be developed with residential uses. However, the state apparently calculates maximum allowable gross residential density using gross acreage, regardless of whether or not the acreage can be developed. For this

project, this means the Grayson Creek setback for which development rights will be conveyed to the County, and the access road, are included in the Project density calculations.

This property should have been divided into no more than 4 lots considering net acreage to accommodate the creek setback area and access road, leaving a substantial protective creek buffer and likely the majority of the existing oak woodland. Instead, the applicant is utilizing state housing laws by providing a single moderate income home as a tool to increase the density allowed on this property by 150%, from 4 lots that would have been consistent with the neighboring area, to 10 lots consistent with development in urban downtown Pleasant Hill. Calculations to support this are provided in Neighborhood 2023 MND comments. The excessive density of this project is primarily responsible for the unmitigated environmental, community, and public health and safety impacts of this Project. The density must be reduced to avoid unmitigated impacts to Grayson Creek, the valuable oak woodland and riparian habitat on the Project site, and the community character of this part of the County. Without the excessive density, the waivers that add to the impacts would not be needed. Due to the density of the Project and the resulting impacts, it should be denied.

<u>The granting of numerous waivers to the County's development regulations significantly contributes to the unmitigated significant impacts of this project, and in some cases is not required to physically develop the Project.</u>

The staff report contains the following: *Density Bonus Law (Gov. Code § 65915(e)(1)) states "In no case may a city, county, or city and county apply any development standard that will have the effect of physically precluding the construction of a development meeting the criteria of subdivision (b) at the densities or with the concessions or incentives permitted by this section."* (emphasis added). The staff report further notes that the applicant has requested waivers of development standards for lot size and setbacks, and has stated that application of these development standards would physically preclude the construction of the project at its proposed density, as well as the proposed moderate-income unit.

The moderate income home is not responsible for creating the need for waivers of lot size or setbacks. Even at nine lots, a reduction in lot size would be required, evidence of the excessive density proposed by this Project. Thus, the tenth lot awarded to the Project as a Density Bonus, is not responsible for the need for a reduced lot size. Further, the need for reduced setbacks for the future homes is unjustified pursuant to state housing law. The lots can clearly be physically developed with reasonably sized homes, homes consistent in size with the surrounding neighborhood that would not require setback waivers. The applicant stated that the County's development standards would physically preclude construction of the project, which is clearly not the case. The applicant is choosing to construct giant homes, a choice that should be refused by the County by denying unnecessary setback waivers. If there is some other reason these large homes are being proposed and waivers are being granted to accommodate them, this should clearly be explained to the public in the MND and staff report. For example, if the applicant is justifying the size of these homes and the need for waivers because of an unsubstantiated claim of the financial feasibility of the project, the public should be informed of

this claim. Regardless, the waivers should be denied as they are not physically required. Applying standard setbacks would help somewhat in reducing the impacts of this giant wall of two-story boxy homes that will be built almost on top of each other, although aesthetic, community character and biological impacts, will never be reduced below a threshold of significance at the proposed density of the Project.

The inclusion of Accessory Dwelling Units (ADUs) in the Project is unclear.

Project plans indicate 6 lots will contain homes with ADUs. Despite the County and the applicant insisting that no ADUs are included in the Project, the project plans that were approved (the plans included in the staff report) included ADUs. We asked to have language added to the Project description that excluded ADUs in the Project, or to have the plans revised to eliminate the ADUs, but we are not aware that either occurred. Therefore, we presume that ADUs are included in the project without any analysis of these ADUs in the MND. The inclusion of these 6 ADUs in a project that is already far too dense increases the environmental and health and safety impacts of the project with more traffic, more lighting, more noise, and simply more activity. Given the lenient stance of the state when it comes to adding ADUs, the Project could increase even further the number of ADUs that could be added in the future.

As this appeal has argued, this project as proposed should not be approved. If the County continues to recommend approval, that approval should include a restriction that disallows any ADUs on these ten lots, considering the already excessive size, scale and density of the Project and the sensitivity of Grayson Creek and remaining associated habitat.

Noncompliance with state law and unmitigated impacts to the environment and public health and safety.

Following is an excerpt from the staff report:

The Density Bonus Law puts the burden of rejecting any proposed incentives or concessions on the County and requires the County to grant the concession or incentive requested by the applicant unless the County makes a written finding, based upon substantial evidence, of any of the following:

(A) The concession or incentive does not result in identifiable and actual cost reductions;

(B) The concession or incentive would have a specific, adverse impact upon public health and safety or the physical environment or on any real property that is listed in the California Register of Historical Resources and for which there is no feasible method to satisfactorily mitigate or avoid the specific, adverse impact without rendering the development unaffordable to low-income and moderate-income households;

(C) The concession or incentive would be contrary to state or federal law.

It is clear that the applicant's and County's interpretation of housing law is resulting in a Project with significant unmitigated impacts to public health and safety and to the environment, including biological and public trust resource impacts; and aesthetic, community character land use, and traffic impacts, all due to the Project's excessively high density and numerous concessions and waivers. The project as proposed violates CEQA, a state law, due to mitigation not compliant with CEQA as well due to unmitigated significant environmental Project impacts, a circumstance which is not allowed for an MND. The project also has unmitigated public health and safety impacts. Signifiant Project impacts are directly associated with the density bonus, concession and waivers which create a Project with a size, scale and density that does not allow for adequate mitigation, such as reestablishment of lost oak woodland and a creek setback that would sufficiently protect Grayson Creek from residential activity associated with the excessively large homes that are proposed. This project should therefore be denied, and redesigned at a lower density.

NOISE

Noise is inappropriately noted as less than significant, and conflicts in conditions of approval could result in significant noise impacts.

Construction noise has the potential to disturb surrounding neighbors for a significant period of time, given the number and size of the proposed homes together with the construction of streets and utilities and the destruction of trees and understory that attenuate noise. Mitigation Measure Noise 1 is proposed to reduce construction noise, yet the initial study shows temporary or permanent noise as less than significant without mitigation. This is conflicting, and needs to be corrected, although noise impacts may require additional mitigation due to insufficient MND analysis.

The MND inappropriately found per Noise 1 that it was acceptable to disturb the Neighborhood with construction noise from 7:00 AM until 7:00 PM weekdays, and from 8:00 AM until 7:00 PM on Saturdays. The County adopted these hours of operation in the Mitigation, Monitoring and Reporting Program (MMRP) as Mitigation Measure Noise 1. Mitigation measures adopted in an MMRP are conditions of approval for a project. The County also adopted a more restrictive condition of approval that requires that, unless approved otherwise via prior authorization from the Zoning Administrator for special circumstances, construction activities are limited to the hours of 8:00 A.M. to 5:00 P.M., Monday through Friday, and on specific holidays. Both these sets of requirements are conditions of approval, yet are clearly inconsistent. This creates confusion, potential vulnerability on the part of the County to challenges regarding which condition applies, and could ultimately impact the Neighborhood whose residents will suffer from all the noise resulting from the Project if Mitigation Measure Noise 1 is enforced in lieu of the more restrictive County condition of approval. The MMRP must be modified to be consistent with the County's more restrictive condition of approval, or the MND must find that noise has not been mitigated below a threshold of significance since the MMRP hours of

operation are clearly unacceptable for a currently quiet neighborhood and do not mitigate construction noise impacts below a threshold of significance.

The Project site is zoned for residential use, and although there are two existing homes, the homes have not been occupied for years. Therefore, the baseline for residential noise being generated by this property is zero. A subdivision creating a reasonable number of homes (i.e. 4 homes) would generate residential noise that would presumably be at a level that would be expected and acceptable, as this number of homes would mean noise consistent with noise generated by surrounding homes that exist at a similar density, size and scale, and noise that would be attenuated by the retention of significantly more mature trees and other vegetation.

The street noise from Grayson Road has audibly increased into our Neighborhood since the pre-construction site clearing occurred. Our neighborhood's peace and enjoyment have already been negatively impacted by this vegetation removal. This increase in noise will be significantly exacerbated by removal of 158 mature trees, and the addition of ten very large homes within a concentrated area that constitute more than twice the number of homes then could reasonably be constructed on the property absent the applicant's and County's reliance on state housing regulations to justify the unacceptable density of this Project. The analysis of the noise that will impact our neighborhood and surrounding neighborhoods did not address or analyze any of these circumstances. The analysis needs to be amended, and potentially additional mitigation added, in order to find that noise impacts are mitigated below a threshold of significance.

TRANSPORATION

<u>The Project substantially increases traffic hazards due to noncompliance with County standards and poses an unmitigated significant impact to the public health and safety.</u>

The applicant is using the inclusion of one moderate income home as a tool to avoid his obligation to construct Grayson Road frontage improvements. This includes two key issues as proposed by the applicant - the elimination of a sidewalk, and the construction of an asphalt curb rather than the normally required concrete curb.

Elimination of a sidewalk in light of the number and size of homes the applicant is proposing that will likely house a significant number of children, coupled with the excessive speed of the cars traveling up and down Grayson as witnessed and acknowledged by the Zoning Administrator, creates an unmitigated traffic hazard to pedestrians as well as drivers, and an unmitigated impact to pubic health and safety as the Neighborhood has argued in written and oral comments. To address this impact, the Zoning Administrator at the October 16, 2023 public hearing, added a condition of approval to the Project that requires the applicant to construct a 150-ft. infill section of sidewalk on the north side of Grayson, requiring a minor amount of effort and expense on the part of the applicant as compared to what he should actually be required to construct, or at the very least bond for so the County can construct any

necessary improvements in the future. When asked if the applicant was agreeable to constructing this infill section of sidewalk, he answered that he was not.

The addition of this short section of sidewalk across Grayson raises questions as to whether this is adequate mitigation for the impacts generated by the Project. Normally, MNDs cannot be circulated unless the applicant has agreed to proposed mitigation. In this case, the requirement was added at a public hearing and the applicant said he would not agree to it. Further, the public had no opportunity to provide input or ask questions about the proposed mitigation since it was added after the public hearing was closed. The applicant must agree to the construction of this section of sidewalk in order to utilize an MND to mitigate the public safety transportation hazard created by the applicant's proposal of no sidewalk.

However, even if the applicant agrees to the mitigation, constructing a sidewalk across Grayson from the Project does not fully mitigate the significant traffic and public health and safety impact because there is no safe way to access the sidewalk. Considering the speed of the traffic on Grayson, crossing Grayson can be challenging and unsafe, particularly at certain times of the day such as peak traffic times. Therefore, the applicant must be required to provide amenities that will create a safe way for the residents of the Project to cross Grayson to the north side in order to utilize the sidewalk. This could include a crosswalk with flashing lights that are activated when someone wants to cross, or a stop sign near the new access road intersection. A stop sign would also serve to stop traffic near the curve in Grayson that limits traffic visibility from Mohawk, and will also slow down traffic on Grayson, all of which would help mitigate the already challenging task of turning out of Mohawk onto Grayson that will be made more difficult by the additional traffic that will result from this Project. Without a safe way to cross Grayson, traffic and public health and safety impacts remain significant.

<u>Asphalt concrete curb on Grayson is not sufficient.</u>

The applicant is proposing to install an asphalt concrete curb along the Project's Grayson frontage in lieu of the normally required concrete curb, gutter and sidewalk. The existing curb and gutter on the south side of Grayson from Taylor Blvd. to Release Valley Road are concrete except at this one property. Therefore, the Project should be conditioned to require a concrete curb and gutter along the entire Grayson frontage. An asphalt curb will not last, and as it deteriorates, will result in drainage issues. With the number and size of the proposed homes coupled with the limited parking on the access road, parking will undoubtedly occur on Grayson, further contributing to the deterioration of an asphalt curb due to cars running over it. The applicant should be required to construct a concrete curb and gutter to be consistent with other curb and gutter on the south side of Grayson, and to minimize drainage impacts that would result from the deterioration of an asphalt curb.

Granting of an exception to private road standards constitutes yet another waiver of County standards, and results in diminished accessibility and loss of landscaping area in the right of way.

Confusion remains regarding the private road access for this Project. The MND and staff report identify the road as being 28 feet wide, with conflicting sidewalk widths of 4.5 and 5 feet identified in the staff report and Project information, and a 42-ft. right of way. The Project condition of approval included in the staff report stated that *per the Vesting Tentative Map, Applicant shall construct an on-site roadway system to current County private road standards with a minimum pavement width of 28 feet, with 4.5-foot sidewalk (measured from the face of curb) within a minimum 42-foot access easement.* However, as part of the Project approval, the Zoning Administrator, after the close of the public hearing, agreed to the applicant's request to narrow the right of way to 33 feet. When asked after the meeting what exactly was involved with this change, the County has yet to provide us with a clear answer.

We were last told that as a result of the change made at the hearing, the road width had been increased to 30 feet, the sidewalk was decreased to 3 feet, and the right of way was reduced to 33 feet, but we were referred to Public Works for clarification, which after sending two emails requesting clarification, we have yet to receive. With a right of way reduced to 33 feet, there would be no room for landscaping within the right of way as proposed by the Project description. The Project description states the Project would be accessible, yet is now proposing a 3-ft. sidewalk along the access road where a 4-ft. sidewalk would be required for accessibility. Further, this change represents yet another waiver of standard County requirements that was not advertised to the public, and was made after the close of the public hearing which foreclosed any ability of the public to understand the change, question it, or object to it. This is unacceptable, and requires the County to clearly address this change and allow public input prior to approval of the project.

We hope you have come to understand how much the Neighborhood values our homes, our neighborhood, and our beautiful and peaceful environs that include wildlife, sensitive habitats, and Grayson Creek, all of which contribute to the health of our local and regional environment and community. Is it really worth destroying these assets for the sake of one moderate income home? We do not believe it is. We also hope you understand we are not opposed to development of the Project site in a reasonable manner that respects the environment, the neighborhood, and the community. We are asking the County to have the same respect when considering approval of this damaging Project, and deny the Project.

We encourage you to contact us if you have any questions. Please keep us informed regarding the progress and status of this appeal. Thank you for your consideration of this appeal.

Sincerely,

The Mohawk/Iroquois Neighborhood

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Department of Conservation and Development

County Zoning Administrator

Monday, October 16, 2023 – 1:30 P.M.

STAFF REPORT **Agenda Item #____**

Project Title:	Grayson Road 10-Lot Subdivision
County File Number:	#CDSD20-09531
Applicant:	Calibr Ventures c/o Andy Byde
Owner:	Grayson Road LLC
Zoning/General Plan:	R-15 Single-Family Residential (R-15) District / Single-Family Residential Low Density (SL)
Site Address/Location:	1024 and 1026 Grayson Road, Pleasant Hill, CA 94523 (APNs: 166-030-001 and 166-030-002)
California Environmental Quality Act (CEQA) Status:	A Mitigated Negative Declaration (MND) has been prepared which indicates that there will be no significant environmental impact as a result of the project.
Project Planner:	Joseph W. Lawlor Jr, AICP, (925) 655-2872
Staff Recommendation:	Approve (See Section II for Full Recommendation)

I. PROJECT SUMMARY

The applicant is requesting approval of a vesting tentative map for a subdivision which proposes to subdivide the 3.05-acre project site into 10 lots ranging in size from 7,347 to 22,460 square feet. On each new lot, a 4- to 5-bedroom single-family residence ranging in size from approximately 2,900 to 3,500 square feet, is expected to be constructed. The residence on Lot 1 would be restricted for sale to a moderate-income household, therefore the project is eligible for a Density Bonus, waivers or reductions in development standards, incentives and concessions, and parking reductions pursuant to the California Density Bonus Law, Gov. Code Section 65915. The project is seeking waivers of development standards pertaining to: (a) a reduction in minimum lot size for Lots 1 and 4-10; (b) a reduction in the minimum lot width for Lots 1-10 to allow average lot widths as low as 56 feet; (c) a reduction

in minimum lot depth for Lot 1; and (d) reduced structure setback requirements. The project is also seeking a concession to allow the installation of the complete frontage improvements be omitted in lieu of a reconstructed asphalt-concrete curb along the edge of pavement of Grayson Road along the project frontage as well as bicycle lane striping. Implementation of the project could include more than 1,000 cubic yards of grading. To accommodate improvements, a tree permit would be included for the removal of 97 code-protected trees.

II. RECOMMENDATION

Staff recommends that the Zoning Administrator:

A. FIND that on the basis of the whole record before the County (Department of Conservation and Development, 30 Muir Road, Martinez, CA 94553), that there is no substantial evidence the project will have a significant effect on the environment and that the March 24, 2023, Mitigated Negative Declaration prepared for this project reflects the County's independent judgment and analysis;

B. ADOPT the March 24, 2023, Mitigated Negative Declaration (MND), and Mitigation Monitoring and Reporting Program (MMRP) prepared for the project;

C. APPROVE the Vesting Tentative Map received January 28, 2022, by the Department of Conservation and Development, Current Planning Division;

D. APPROVE the attached findings and conditions of approval prepared for this project; and

E. DIRECT Staff to file a Notice of Determination with the County Clerk.

III. GENERAL INFORMATION

A. General Plan: The subject property is located within the Single-Family Residential Low Density (SL) General Plan land use designation.

B. Zoning: The subject property is located within the R-15 Single-Family Residential (R-15) District.

C. California Environmental Quality Act (CEQA) Compliance: On March 24, 2023, an Initial Study was prepared for the project, and posted and circulated for public review. Upon completion of the Initial Study, it was found that the project would not result in any significant environmental impacts. Comments regarding the adequacy of the review were received within the comment period and are discussion of the issues raised is provided in Section VIII below.

IV. BACKGROUND

The Zoning Administrator heard the project at their October 2, 2023, meeting. Following a presentation by the applicant and comments from the public, the Zoning Administrator continued the item to an open hearing on October 16, 2023, to allow for additional time to review the submitted comments and project details. At the hearing, the applicant requested multiple modifications to the recommended Conditions of Approval. Staff has modified Condition of Approval #3 and #42 to clarify that the approved waivers include reduced side yard setback requirements for the residence. Conditions of Approval 54, 59, 60 and 66 are Public Works conditions of approval and are under review by that department.

V. PROJECT DESCRIPTION

The applicant is requesting approval of a vesting tentative map for a subdivision which proposes to subdivide the 3.05-acre project site into 10 lots ranging in size from 7,347 to 22,460 square feet. On each new lot, a 4- to 5-bedroom single-family residence ranging in size from approximately 2,900 to 3,500 square feet, is expected to be constructed. Two existing, vacant, residences would be demolished to accommodate the project. Implementation of the project could include more than 1,000 cubic yards of grading.

Associated access, drainage, and utility facilities would be constructed throughout the site. For access, a 28-foot roadway and 4.5-foot sidewalk would connect the lots to Grayson Road. Stormwater flows would be directed to a 2,021-square-foot bioretention basin located at the northeast corner of Lot 2. Treated stormwater will be discharged from the basin into a Contra Costa County maintained stormwater drainage system that currently exists under Grayson Road.

Running southwest to northwest along the southern boundary of the project site is Grayson Creek, a perennial creek. The proposed project does not anticipate placing any development or infrastructure in Grayson Creek or the associated riparian corridor. A riparian setback between the project's grading limits and Grayson Creek would be included as part of the project. To accommodate improvements, a tree permit would be included for the removal of 97 code-protected trees and work within the dripline of 17 code-protected trees.

The home on Lot 1 would be restricted for-sale to a moderate-income household, therefore the project is eligible for a Density Bonus, waivers or reductions in development standards, incentives and concessions, and parking reductions under the California Density Bonus Law, Gov. Code Section 65915. By providing one lot of the nine base units for sale to a moderate income household, the Project qualifies for a 7% density bonus, resulting in one additional unit. In addition to the increased density of one unit (10 units total), the project is seeking waivers of development standards pertaining to: (a) a reduction in minimum lot size for Lots 1 and 4-10; (b) a reduction in the minimum lot width for Lots 1-10 to allow lot average widths as low as 56 feet; (c) a reduction in minimum lot depth for Lot 1; and (d) reduced structure setback requirements to allow 14-foot front setback, 5-foot side yard setback for

residences, and 0-foot setbacks for retaining walls. The project is seeking these reductions and waivers because application of the required standard would physically preclude the development of the project at the proposed density with the proposed one moderate income unit. Finally, the project is seeking a concession to allow the installation of the complete frontage improvements be omitted in lieu of a reconstructed asphalt-concrete curb along the edge of pavement of Grayson Road along the project frontage as well as bicycle lane striping.

VI. CONCLUSION

Staff recommends the Zoning Administrator approve County File #CDSD20-09531, based on the attached findings, and subject to the attached conditions of approval.

Attachments:

- Findings and Conditions of Approval

FINDINGS AND CONDITIONS OF APPROVAL FOR COUNTY FILE #CDSD21-09531: ANDY BYDE, CALIBR VENTURES (APPLICANT) GRAYSON ROAD LLC (OWNER)

FINDINGS

I. Growth Management Performance Standards

1. Traffic: Traffic engineers and planners use the concepts of Level of Service (LOS) and Vehicle Miles Traveled (VMT) to qualitatively describe traffic conditions. Additionally, the Contra Costa Transportation Authority (CCTA) Growth Management Plan, the West Contra Costa Transportation Advisory Committee (WCCTAC) Action Plan, and the County of Contra Costa (County) General Plan establish measures of effectiveness and requirements for the analysis and disclosure of circulation impacts associated with new land developments. Potential circulation impacts may be expected, and traffic impact analyses are required for projects that generate more than 100 net new peak-hour trips. A project generating less than 100 peak-hour trips generally will not create or exacerbate any current traffic patterns. Using standard Institute of Transportation Engineers (ITE) trip generation trip rates, the eight additional housing unit project will generate eight AM and eight PM gross peak-hour trips. At this expected rate, the cumulative effect to local roadways is negligible.

   Senate Bill (SB) 743 established a change in the metric to be applied for determining traffic impacts associated with development projects. Rather than the delay-based criteria associated with a Level of Service (LOS) analysis, the increase in Vehicle Miles Traveled (VMT) associated with a project is now the basis for determining impacts. Contra Costa County adopted the Transportation Analysis Guidelines, which includes a VMT policy on June 23, 2020.

   Pursuant to the County guidelines, projects of 20 residential units or less should be expected to cause a less-than-significant impact under CEQA and do not require a project specific traffic impact analysis. The project proposes eight additional residential units which is under the County guidelines VMT screening criteria threshold. Therefore, the impacts from the project are expected to be inconsequential.

1. Water: The GMP requires new development to demonstrate that adequate water quantity can be provided. The subject property is within the East Bay Municipal Utility District (EBMUD) service area. In an agency comment letter for the project, EBMUD stated that water service for the project could be accommodated. Thus, adequate water quantity is available to the project.

2. Sanitary Sewer: The GMP requires that new development demonstrate that adequate sanitary sewer service is available. The subject property is within the H. Central Contra Costa Sanitary District (CCCSD) service area. In an agency comment letter received from CCCSD, the district stated sanitary sewer service is available for the project and that the proposed project would not be expected to produce an unmanageable added capacity.

3. Fire Protection: The fire protection standards under the GMP require that a fire station be within one and one-half miles of development in urban, suburban and central business

district areas, or requires that automatic fire sprinkler systems be installed to satisfy this standard. The project site is within the Contra Costa Consolidated Fire Protection District jurisdiction, and the project requires the Fire District's review and approval prior to building permits being issued to ensure compliance with all fire codes and regulations. Compliance with all requirements suggests that the project will satisfy the GMP fire protection standards. CCCFPD, has 36 stations serving the County, including two stations within two miles of the project site. The nearest station to the project site is Station 5 at 205 Boyd Road in the City of Pleasant Hill, approximately 1.72 miles from the project site. Thus, sprinklers would be required for the residences on the property.

4. Public Protection: As the project will add to the County's population, the conditions of approval will requires that prior to the recording of the parcel map, the owner of the property shall participate in establishing a special tax for the parcel created by this subdivision. The collected tax money will be used to augment existing police services to accommodate for the incremental increase in population as a result of this subdivision project.

5. Parks and Recreation: As the project will add to the County's population, the conditions fo approval will requires the project proponent to pay applicable Park Impact in-lieu fees for the new residences. These fees, in conjunction with all other Park Dedication fees collected for development within the County, will be used in part to purchase new park land and upgrade existing community parks as determined appropriate by the Board of Supervisors.

6. Flood Control and Drainage: The project is required to meet collect and convey requirements of the County Subdivision Ordinance Title 9, by constructing the necessary drainage improvements, or obtaining necessary exceptions to the code. The applicant must also comply with the County's National Pollutant Discharge Elimination System (NPDES) Permit and Stormwater Management and Discharge Control Ordinance, Title 10, for stormwater treatment. The new drainage improvements will both meet stormwater discharge requirements for stormwater treatment, while also accommodating all rainwater runoff generated by the project, as required by Title 9. Exemptions to allow private maintenance of drainage facilities is appropriate given the necessity of onsite detention.

II. Tentative Map Findings

1. *Required Finding: The County Planning Agency shall not approve a tentative map unless it finds that the proposed subdivision, together with the provisions for its design and improvement, is consistent with the applicable general plan required by law.*

   Project Finding: The proposed project will conform to the applicable General Plan land use designation of SL, Single-Family Low Density, 1.0-2.9 units per acre. The project proposes to utilize a Density Bonus pursuant to the State Density Bonus Law, under Government Code Section 65915. Government Code Sections 65915(j)(1) and 65915(C)(5) state that either granting a density bonus, concession, incentive, or waiver, "Shall not require or be interpreted, in and of itself, to require a general plan amendment, local coastal plan amendment, zoning change, study, or other discretionary approval." This language means

that the applicant's requests made pursuant to the Density Bonus Law do not require a General Plan Amendment to accommodate the additional density in the proposed project.

Each of the following factors has also been evaluated and found to be consistent: the extent to which the project is consistent with General Plan policies pertaining to compatibility of land uses; compliance with principles of the Urban Limit Line and Measure C-1990, protection of open spaces; and protection of water quality; and found no evidence of inconsistencies. Additionally, the projected related traffic is not anticipated to negatively affect local traffic patterns or significantly diminish the Level of Service of key intersections in the area or exceed VMT thresholds. The tentative parcel map for this subdivision is consistent with the applicable goals and policies as found in the County 2005-2020 General Plan. Therefore, based on the entire record and as summarized herein, the tentative map is consistent with the County General Plan.

2. *Required Finding: The County Planning Agency shall not approve a tentative map unless it shall find that the proposed subdivision fulfills construction requirements.*

   Project Finding: As required by the conditions of approval, the project does not pose any significant traffic impacts and must comply with the "collect and convey" requirements and design standards for construction of public roads. Prior to issuance of building permits, the applicant is required to contribute fees for parks and recreation, school districts, child care and police services. Payment of these fees along with compliance with the applicable California Building Code will fulfill all obligations related to construction of the project. Therefore, based on the proposal, no physical circumstances would restrict the developer from completing the project.

III. Tree Permit Findings

Required Finding: The Zoning Administrator is satisfied that necessary factors as provided by County Code Section 816-6.8010 for granting a tree permit have been satisfied.

Project Finding: An Arborist Report dated May 6, 2020 prepared by Traverso Tree Service, identified 117 code-protected trees in the project work area. The report recommended removal of 97 trees to accommodate the proposed development and called for the protection of 17 trees with work within their dripline. The Tree Protection and Preservation Ordinance states that the director of the department may attach conditions to ensure compliance with the chapter and code. These conditions may include a requirement to replace any or all trees on a comparable ratio of either size or quantity. To meet this requirement the applicant would be required to submit and implement a landscaping and irrigation plan that includes replacement of the trees that have been removed. Trees planted will be spaced in a manner that promotes their long-term growth habits and will be replaced at a ratio of 3:1 ratio for native trees, or out-of-kind at 1:1 ratio for non-native trees, or the maximum that can be practicably accommodated on the site.

IV. California Environmental Quality Act (CEQA) Findings

In accordance with the state Guidelines for Implementation of the California Environmental Quality Act (CEQA), an initial study was prepared to determine the potential environmental impacts of the proposed development project. The initial study identified potential impacts in the areas of Air Quality, Biological Resources, Cultural Resources, Geological Resources, and Tribal Cultural Resources. Upon completion of the Initial Study, it was determined that mitigation measures could be incorporated into the project description that would reduce these project impacts to a less than significant level. These mitigation measures have been incorporated into the project as recommended conditions of approval.

The Initial Study, Notice of Public Review, and Notice of Intent to Adopt a Mitigated Negative Declaration were first posted with the County Recorder and circulated for public and agency review on April 22, 2022. In response to extensive comments from the California Department of Fish and Wildlife, the applicant revised the project and updated multiple studies, including the Biological Resources Analysis and associated mitigation measures. The revised MND was then prepared and circulated for public and agency review on March 24, 2023. The final day for providing comments on the adequacy of the Initial Study was April 24, 2023. Two agency comments were received during the comment period: California Department of Fish Wildlife and EBMUD. Additionally, seven comment letters were received from individuals. No additional impacts were identified in these comments and all comments are summarized and responded to in the project staff report.

Notice of the proposed project was sent to Native American tribes, as applicable for consultation with Native American tribes under Public Resources Code Sections 21080.3.1. A Tribal Consultation List from the Native American Heritage Commission, dated October 28, 2015, was used to identify tribes traditionally and culturally affiliated with the project area. No requests for consultation were received.

CONDITIONS OF APPROVAL FOR COUNTY FILE #CDSD20-09531

1. Approval of the Vesting Tentative Map for a 10 Residential-Lot Subdivision; is generally based on the following documents:

    - Application and materials received on January 13, 2020;
    - Revised Project Description Dated March 25, 2022;
    - Revised Vesting Tentative Map for Subdivision CDSD20-09531, received January 28, 2022;
    - Architectural Plans received December 15, 2021;
    - Hydrology And Storm Water Detention Report prepared by Debolt Civil Engineering Inc., dated February 22 2022;
    - Storm Water Control Plan prepared by Debolt Civil Engineering Inc., dated February 22 2022;

- Grayson Road Inclusionary Housing Plan submitted September 18, 2023;
- Grayson Road Density Bonus Proposal submitted September 18, 2023;
- Geotechnical Report prepared by ENGEO Incorporated dated October 4, 2019;
- Archeological Survey and Historical Resources Evaluation Report prepared by Archaeological/Historical Consultants, dated February 2007;
- Arborist Report by Traverso Tree Services, dated May 6, 2020;
- Biological Resource Analysis Addendum prepared by Johnson Marigot Consulting, LLC., dated December 2022;

2. The concession to allow the installation of the complete frontage improvements be omitted in lieu of a reconstructed asphalt-concrete curb along the edge of pavement of Grayson Road along the project frontage as well as bicycle lane striping, is approved, as shown in the Vesting Tentative Map received on January 28, 2022.

3. The waivers to development standards is Approved, as shown on the Vesting Tentative Parcel Map received January 28, 2022 to allow:

    a. A reduction in minimum lot size for Lots 1 and 4-10;
    b. A reduction in the minimum lot width for Lots 1-10 to allow lot average widths as low as 56 feet;
    c. A reduction in minimum lot depth for Lot 1; and
    d. Reduced residential setback requirement to allow 14-foot front setbacks to residences (20 feet to garages), 5-foot side yard setback for residences (with 15-foot aggregate setback), and 0-foot setbacks for retaining walls 6 feet tall or less.

4. This permit authorizes the development of ten lots on the subject property as generally identified in the CDSD20-09531 vesting tentative map and documents referenced above.

5. A Tree Permit to allow removal of 97 code-protected trees, and work within the dripline of 17 code-protected trees, as shown in the Arborist Report by Traverso Tree Services, dated May 6, 2020, is Approved.

Indemnification

6. Pursuant to Government Code Section 66474.9, the applicant (including the subdivider or any agent thereof) shall defend, indemnify, and hold harmless the County and its agents, officers, and employees from any claim, action, or proceeding against the Agency (the County) or its agents, officers, or employees, to attack, set aside, void, or annul, the Agency's approval concerning this subdivision map application, which action is brought within the time period provided for in Section 66499.37. The County will promptly notify the subdivider of any such claim, action, or proceeding and cooperate fully in the defense.

Application Costs

7. The Major Subdivision application was subject to an initial deposit of $7,525.00 that was paid with the application submittal, plus time and material costs if the application review expenses exceed the initial deposit. Any additional fee due must be paid prior to issuance of a building permit, or 60 days of the effective date of this permit, whichever occurs first. The fees include costs through permit issuance and final file preparation. Pursuant to Contra Costa County Board of Supervisors Resolution Number 2013/340, where a fee payment is over 60 days past due, the application shall be charged interest at a rate of ten percent (10%) from the date of approval. The applicant may obtain current costs by contacting the project planner. A bill will be mailed to the applicant shortly after permit issuance.

Compliance Report Prior to Filing the Parcel Map

8. At least 45 days prior to filing of the Parcel Map or issuance of a grading or building permit, whichever occurs first, the applicant shall provide a permit compliance report to the Department of Conservation and Development, Community Development Division (CDD) for review and approval. The report shall identify all conditions of approval that are administered by the CDD. The report shall document the measures taken by the applicant to satisfy all relevant conditions. Copies of the permit conditions may be obtained from the CDD. Unless otherwise indicated, the applicant will be required to demonstrate compliance with the applicable conditions of this report prior to filing the Final Map.

   The permit compliance review is subject to staff time and materials charges, with an initial deposit of $2,000 which shall be paid at the time of submittal of the compliance report.

Fencing

9. Prior to planning approval of a grading or building permit, a fencing plan program shall be submitted to CDD for the review and approval. The approved program shall be attached to the CC&Rs.

CC&Rs

10. Prior to recording the Final Map, Covenants, Conditions and Restrictions (CC&R's) shall be submitted to CDD for review and approval. This document shall include the maintenance obligation requirements of Public Works condition(s) of approval.

Park Dedication Fees

11. Prior to CDD stamp-approval of plans for issuance of a building permit for a new residence, the project sponsor shall demonstrate to the satisfaction of Community Development Division (CDD) that all Park Dedication fees have been paid for the subdivision.

Child Care Fees

12. Prior to CDD stamp-approval of plans for issuance of a building permit for a new residence, the project sponsor shall demonstrate to the satisfaction of CDD that all child care facility fees have been paid for the subdivision.

Police Services Fees

13. Election for Establishment of a Police Services District to Augment Police Services: Prior to the recordation of the Final Map, the owner of the property shall participate in the provision of funding to maintain and augment police services by voting to approve a special tax for the parcels created by this subdivision approval. The tax shall be per parcel annual amount (with appropriate future CPI adjustment) established at the time of voting by the Board of Supervisors. The election to provide for the tax shall be completed prior to filing the Final Map. The property owner shall be responsible for paying the cost of holding the election, payable at the time the election is requested by the owner. Allow a minimum of three to four months for processing.

Water Efficient Landscape Ordinance

14. The applicant shall comply with California Model Water Efficient Landscape Ordinance (Division 2, Title 23, California Code of Regulations, Chapter 2.7, Sections 490 through 495) and/or any applicable State mandated landscape/water related requirements applicable at the time of landscaping installation for the project. To the maximum extent feasible, the project proponent shall use drought tolerant vegetation for the development.

Aesthetics

15. Thirty days prior to applying for a building permit for new residence, the applicant shall submit a Lighting Plan for review and approval by the CDD. At a minimum, the plan shall include the following measures:

    - All outdoor lighting, including façade, yard, security, and street lights, shall be oriented down, onto the subject property or road.

    - Back shields or functionally similar design elements shall be installed on every lighting pole to reduce lighting from spilling off site, and to ensure that lighting remains within the subject property. **(Mitigation Monitoring (MM) Aesthetics 1)**

Air Quality

16. The following Bay Area Air Quality Management District, Basic Construction Mitigation Measures shall be implemented during the project and shall be included on all construction plans:

    - All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day.

- All haul trucks transporting soil, sand, or other loose material to and from the site shall be covered.
- All visible mud or dirt tracked-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.
- All vehicle speeds on unpaved roads shall be limited to 15 mph.
- All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.
- Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations [CCR]).
- All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications.
- Post a publicly visible sign with the telephone number and person to contact at the lead agency regarding dust complaints. This person shall respond and take corrective action within 48 hours. The Air District's phone number shall also be visible to ensure compliance with applicable regulations **(MM Air Quality 1)**

Biological Resources

17. If it is determined that additional native trees can be protected in place while still achieving project objectives (as determined by the project Arborist in coordination with the Construction Manager and the project proponent), the project proponent will determine if additional trees can be saved based upon the potential impacts from the grading to the root structure of the trees by "field-fit" grading activities to the greatest extent practicable to conduct such avoidance.

18. In the spring immediately prior to project implementation, protocol-level rare plant surveys shall be conducted on the project site. Rare plant surveys shall be conducted by a qualified botanist, in accordance with all applicable survey guidelines including those published by the United States Fish and Wildlife Service (USFWS), California Department of Fish and Wildlife (CDFW), and the California Native Plant Society (CNPS). If determined to be necessary by the qualified Botanist, reference site surveys shall be conducted to confirm plant phenology (flowering periods).

    If State or federally listed plants are observed on-site during protocol-level rare plant surveys, all compensatory mitigation requirements and additional avoidance and minimization measures identified by CDFW and/or USFWS shall be implemented. If CNPS-Ranked species are observed on-site during protocol-level rare plant surveys, salvage of seed and/or root stock shall be conducted under the direction a qualified Botanist and in coordination with a qualified plant conservation institution or native nursery. **(MM Biology 1)**

19. All trees removed from the on-site riparian woodland shall be replaced in-kind and on-site to the greatest extent practicable at a 3:1 ratio for native trees, or out-of-kind at 1:1 ratio for non-native trees, to be replaced with native trees. A total of 18 native trees within the riparian woodland community are scheduled for removal – these trees would be replaced with approximately 54 native riparian woodland tree species including valley oak, coast live oak,

California buckeye, and black walnut. A replacement tree planting plan shall be approved by the County along with landscape plans prior to issuance of building permits.

All trees removed from the onsite valley oak woodland shall be replaced in-kind and onsite at a 3:1 ratio for native trees, or out-of-kind at 1:1 ratio for non-native trees, to be replaced with native trees. A total of 32 native and 8 non-native trees within the valley oak woodland community are scheduled for removal – these trees shall be replaced, onsite, with approximately 104 native valley oak woodland tree species such as valley oak, coast live oak, blue oak, California black oak, interior live oak, California buckeye, and/or California bay laurel. Replacement trees shall be planted as 15-gallon trees, except that up to 50 percent of the required replacement trees may be planted as 5-gallon trees if it is determined based on an arborist report that long-term tree health and survival will be improved by starting with a smaller container size. Trees planted shall be spaced in a manner that promotes their long-term growth habits. All installed plant material shall meet the American Nurseryman's Association Standards. Welded-wire cages shall be constructed around all tree plantings to protect them from deer herbivory. A replacement tree planting plan shall be approved by the County along with landscape plans prior to issuance of building permits. **(MM Biology 2)**

Trees shall be planted prior to requesting a final inspection on the residential building permit for each lot.

Required Security to Assure Completion of Plan Improvements: Prior to removal of trees or prior to CDD stamp-approval of plans for issuance of a building permit (e.g. demolition, grading or building), whichever occurs first, the applicant shall submit a security that is acceptable to the CDD. The bond shall include the amount of the approved cost estimate, plus a 20% inflation surcharge.

Initial Deposit for Processing of Security: The County ordinance requires that the applicant pay fees to cover all staff time and material costs of staff for processing the landscape improvement security. At the time of submittal of the security, the applicant shall pay an initial deposit of $200.

Duration of Security: The security for each lot shall be retained by the County for a minimum of 12 months up to 24 months beyond the date of receipt of the security and from the time, the final inspection for the lot was approved. A prerequisite of releasing the bond between 12 and 24 months shall be to have the applicant arrange for the consulting arborist to inspect the trees and to prepare a report on the trees' health. In the event that CDD determines that the tree(s) intended to be protected has been damaged, and CDD determines that the applicant has not been diligent in providing reasonable restitution, then CDD may require that all part of the security be used to provide for mitigation of the damaged tree(s). Should one security be submitted for all lots, the security may be released upon complying with the requirements stated above and upon approval of a final inspection for the last lot constructed.

20. Prior to recordation of a final map, a Final Landscaping Plan shall be submitted for the review and approval of CDD. The Final Landscaping Plan shall include the tree restitution required by

Mitigation Measure *Biology 2*, and be consistent shall conform to the State's Model Water Efficient Landscape Ordinance or the County's Ordinance, if one is adopted.

Prior to final building inspection, a completed WELO Part II – Certificate of Completion shall be submitted to CDD staff for review and approval.

All landscaping shall comply with California Model Water Efficient Landscape Ordinance (Division 2, Title 23, California Code of Regulations, Chapter 2.7, Sections 490 through 495) and/or any applicable State mandated landscape/water related requirements applicable at the time of landscaping installation for the project. To the maximum extent feasible, landscaping plans shall use drought tolerant vegetation for the development.

21. If vegetation removal, ground disturbance, or structure removal are scheduled to commence between February 1 and September 15, a preconstruction nesting bird survey of all suitable nesting habitat on the Project site and within the zone of influence (the area immediately surrounding the Project site that supports suitable nesting habitat that could be impacted by the proposed Project due to visual or auditory disturbance associated with the removal of vegetation and construction activities scheduled to occur during the nesting season) shall be conducted by a qualified biologist within 5 days prior to commencement of vegetation removal or ground disturbance. If no nesting birds are observed during the survey, the vegetation removal and/or ground disturbance may commence as planned. If nesting birds are observed during the survey, a non-disturbance buffer based on species, nest stage, and site conditions shall be established.

    This buffer shall remain in place until such a time as the young have been determined (by a qualified Biologist) to have fledged. Nests shall be monitored daily by a qualified Biologist during project-related activities to determine the sufficiency of the buffer and whether it should be expanded to protect the nest based on disruptions to an individual bird's natural nesting behaviors. If the buffer is determined to be sufficient, monitoring shall be reduced to twice a week until fledging occurs. If any change in bird behavior is detected, active nest buffers will increase as determined by a qualified Biologist. Nesting bird surveys shall be repeated if there is a lapse in project activities of seven days or more. **(MM Biology 3)**

22. A pre-construction survey for special-status reptile species shall be performed no more than 48 hours prior to ground disturbance or vegetation removal to determine presence/absence of Alameda whipsnake and western pond turtle. Worker Environmental Awareness training discussing the potential for these species shall be conducted by the qualified Biologist or Biological Monitor for all construction personnel working within the project site prior to construction. **(MM Biology 4)**

23. Directed pre-construction surveys for the California red-legged frog (CRLF) shall be performed prior to construction activities. The creek channel and associated riparian woodland may serve as dispersal areas for CRLF. A qualified Biologist shall conduct a pre-construction survey of these habitats for CRLF preceding the commencement of construction activities to verify presence/absence of this species.

In order to mitigate for potential impacts to California red-legged frog (CRLF) and western pond turtle, wildlife exclusion fencing (ERTEC fencing) shall be installed along the grading limit of the project site to prevent dispersal into the grading and work areas of the site from the creek channel and/or the riparian corridor. Fencing should be trenched into the ground bat a minimum of 6 inches and a lip should be formed along the top of the fence line. A qualified Biologist or Biological Monitor shall be on-site during initial ground-disturbing activities to inspect the work area and fence lines daily for special-status amphibians and other wildlife. Worker Environmental Awareness training discussing the potential for these species should be conducted by the qualified Biologist or Biological Monitor for all construction personnel working within the project site. If any CRLF or other listed amphibians are found during construction activities, the United States Fish and Wildlife Service (USFWS) should be consulted to approve capture and relocation by a qualified Biologist. **(MM Biology 5)**

24. A Storm Water Pollution Prevention Plan (SWPPP) and a Storm Water Management Plan (SWMP) shall be designed to ensure that best management practices (BMPs) are implemented so there are no impacts to water quality in Grayson Creek resulting from project construction or postconstruction storm water run-off. **(MM Biology 6)**

25. Vegetation planted within on-site undeveloped areas shall be comprised of native valley oak woodland species to the greatest extent practicable. Landscape plans shall prioritize native vegetation and shall be approved by the County prior to issuance of building permits. **(MM Biology 7)**

26. For all project activities planned in or adjacent to potential bat roosting habitat, such as structures and/or involving woody vegetation modification or removal of any and all trees, a qualified Biologist shall conduct daytime and evening acoustic surveys in addition to extensive visual surveys of potential habitat for special-status bats at least 7 days prior to initiation of project activities. If bats are found on-site, a qualified Biologist shall identify the species, estimated quantity present, roost type, and roost status, but shall avoid disturbing bats during surveys. A qualified Biologist shall also create a Bat Mitigation and Monitoring Plan if special-status bat species are detected prior to the start of project activities. The Bat Mitigation and Monitoring Plan shall include: (1) an assessment of all project impacts to special-status bats, including noise disturbance during construction; (2) effective avoidance and minimization measures to protect special-status bats; (3) and compensatory mitigation for permanent impacts to special-status bats or their nesting/roosting habitat. If structures, trees, or other refugia equivalents are slated for limbing, removal, or modification, the Bat Mitigation and Monitoring Plan shall include the following measures:

    a. To ensure that special-status bats have left potential roosting refugia, work shall occur over the course of two days. On the first day, smaller limbs or items from the identified trees or structures shall be brushed back or modified in the late afternoon. This disturbance should cause any potential roosting bats to seek other roosts during their nighttime foraging. The remainder of the refugia item can then be further limbed or removed as needed on the second day as late in the afternoon as feasible. If bats are found injured, or if bat mortality occurs during the course of tree work, a qualified Biologist shall record the species impacted, and the number of individuals documented.

b. Tree limbing, modification, removal, or work on structural refugia shall not be performed under any of the following conditions: during any precipitation events, when ambient temperatures are below 4.5 degrees Celsius, when windspeeds exceed 11 miles per hour, and/or any other condition which may lead to bats seeking refuge.

c. If special-status bats are found utilizing a tree, structure, or equivalent for roosting, the Bat Mitigation and Monitoring Plan shall include permanent artificial roosting habitat installation that shall be adjacent to, and sufficient for, the species observed and associated ecology thereof. Effective buffer zones for the installation and monitoring of the artificial roosts shall be determined and established by a qualified Biologist. Artificial roosts shall follow the 2018 Acceptable Management Practices for Bat Species Inhabiting Transportation Infrastructure.
(MM Biology 8)

27. During project implementation, the applicant shall implement the following Tree Preservation Guidelines, as detailed in the Revised Arborist Report Dated May 6, 2020 prepared by Traverso Tree Service, specially

Pre- Grading Phase

a. Mulch from tree removals may be spread out under the driplines of trees that will be retained, keeping at least 12" away from the trunks.
b. Prior to construction or grading, contractor shall install protection fencing to construct a temporary Tree Protection Zone (TPZ) around each tree or grove of trees to be saved.
c. TPZ fencing shall encompass the driplines and be approved by the project arborist.
d. TPZ fencing shall remain in an upright sturdy manner from the start of grading until the completion of construction. Fencing shall not be adjusted or removed without consulting the project arborist.

Grading and Construction Phase

a. The project arborist shall be on-site during excavation/grading within driplines, especially trees: #'s 102, 137, 138, 154, 157, 159, 160, 160b, 162, 163, 173, 173c, 182, 183, 185, 186, 189.
b. Should roots > 2" be encountered, arborist shall cleanly prune roots with a handsaw or sawzall, and immediately re-cover. Irrigate as necessary.
c. If needed, canopy pruning shall be performed by personnel certified by the International Society of Arboriculture (ISA). All pruning shall adhere to ISA and American National Standards Institute (ANSI) Standards and Best Management Practices.
d. Project arborist to set guidelines prior to pruning.
e. Should Tree Protection Zone (TPZ) encroachment be necessary, the contractor shall contact the project arborist for consultation and recommendations.
f. Contractor shall keep TPZs free of all construction-related materials, debris, fill soil, equipment, etc. The only acceptable material is mulch spread out beneath the trees.
g. Should any damage to the trees occur, the contractor shall promptly notify the project Arborist to appropriately mitigate the damage.

Landscaping Phase

a. The Tree Protection Zone (TPZ) fencing shall remain in place with the same restrictions until landscape contractor notifies and meets with the project arborist.
b. Avoid all fill work, grade changes, and trenching within driplines unless it is performed by hand, and approved by the project arborist.
c. Pipes shall be threaded under or through large roots without damaging them.
d. Contractor shall avoid trenching and grade changes within driplines.
e. All planting and irrigation shall be kept a minimum of 10' away from native oaks. All irrigation within the driplines shall be targeted at specific plants, such as drip emitters or bubblers. No overhead irrigation shall occur within the driplines of native oaks.
f. All planting within oak driplines shall be compatible with oaks, consisting of plant material that requires little to no water after two years' establishment. A list of oak compatible plants can be found in a publication from the California Oak Foundation, available at: http://californiaoaks.org/wpcontent-/uploads/2016/04/CompatiblePlantsUnderAroundOaks.pdf

Cultural Resources

28. All project-related ground disturbance shall be monitored by an archaeologist who meets the Secretary of the Interior's professional qualification standards for archaeology. In the event that significant cultural resources are discovered during construction activities, the applicant/project owner or sponsor shall ensure that operations within a 100-foot radius of the find shall cease and the archaeologist will be consulted to determine whether the resource requires further study. The standard inadvertent discovery clause shall be included on the grading plans submitted to the City to inform contractors of this requirement. Potentially significant cultural resources consist of but are not limited to stone, bone, fossils, wood, or shell artifacts or features, including hearths, structural remains, or historic dumpsites. The archaeologist shall make recommendations to the City concerning appropriate measures, which shall be implemented by the applicant/project owner or sponsor to protect the discovered resources, including but not limited to recordation on appropriate California Department of Parks and Recreation (DPR) forms, evaluation, or excavation of the finds in accordance with CEQA Guidelines, Section 15064.5. **(MM Cultural Resources 1)**

29. In the event of accidental discovery or recognition of any human remains, CEQA Guidelines Section 15064.5, Health and Safety Code Section 7050.5, and Public Resources Code Sections 5097.94 and 5097.98 shall be followed. If during the course of construction activities there is accidental discovery or recognition of any human remains, the following steps shall be taken:

    a. There shall be no further excavation or disturbance within 100 feet of the remains until the County Coroner is contacted to determine if the remains are Native American and if an investigation of the cause of death is required. If the coroner determines the remains to be Native American, the coroner shall contact the Native American Heritage Commission (NAHC) within 24 hours, and the NAHC shall identify the person or persons it believes to be the Most Likely Descendant (MLD) of the deceased Native American. The MLD may make recommendations to the landowner or the person

responsible for the excavation work within 48 hours, for means of treating or disposing of, with appropriate dignity, the human remains and any associated grave goods as provided in Public Resources Code section 5097.98.

b. Where the following conditions occur, the landowner or his or her authorized representative shall rebury the Native American human remains and associated grave goods with appropriate dignity either in accordance with the recommendations of the most likely descendant or on the project site in a location not subject to further subsurface disturbance:

- The NAHC is unable to identify a most likely descendent or the most likely descendent failed to make a recommendation within 48 hours after being notified by the commission.
- The descendant identified fails to make a recommendation.
- The landowner or his authorized representative rejects the recommendation of the descendant, and mediation by the NAHC fails to provide measures acceptable to the landowner.

(MM Cultural Resources 1)

Geotechnical Report

30. Prior to issuance of grading permits, the project applicant shall incorporate all recommendations provided in the project-Geotechnical Exploration into project plans, which shall be subject to review and approval by the County Geologist, or designee, prior to permit issuance. The geotechnical recommendations shall be implemented including general earthwork recommendations for site preparation, conditioning of expansive soils, removal of buried structures, removal of fill and disturbed soil, surface and subsurface drainage, biofiltration facilities, foundations, concrete flatwork, retaining walls, spread and pier footings, pavement areas, utility trenches, project review, and construction monitoring. Additionally, these include recommendations related to structural design, foundation design, foundation systems, slabs, moisture barriers, seismic design, walls, footings, slabs and walkways, concrete design, corrosion, pavement design, as well as lot maintenance, and future plan reviews. (**MM Geology 1)**

31. The project applicant shall retain a qualified Paleontologist to conduct paleontological monitoring during all earth-disturbing construction activities. Should any significant fossils (I.e., bones, teeth, or unusually abundant and well-preserved invertebrates or plants) be unearthed, the construction crew shall not attempt to remove them, as they could be extremely fragile and prone to crumbling, and to ensure their occurrence is properly recorded; instead, all work in the immediate vicinity of the discovery shall be diverted at least 15 feet until a professional paleontologist assesses the find and, if deemed appropriate, salvages it in a timely manner. All recovered fossils shall be deposited in an appropriate repository, such as the University of California Museum of Paleontology (UCMP), where they would be properly curated and made accessible for future study. (**MM Geology 2)**

Noise

32. To reduce potential construction noise impacts, the following multi-part mitigation measure shall be implemented for the proposed project:
    a. The construction contractor shall ensure that all equipment driven by internal combustion engines shall be equipped with mufflers, which are in good condition and appropriate for the equipment.
    b. The construction contractor shall ensure that unnecessary idling of internal combustion engines (i.e., idling in excess of 5 minutes) is prohibited.
    c. The construction contractor shall utilize "quiet" models of air compressors and other stationary noise sources where such market available technology exists.
    d. At all times during project grading and construction, the construction contractor shall ensure that stationary noise-generating equipment shall be located as far as practicable from sensitive receptors and placed so that emitted noise is directed away from the nearest residential land uses.
    e. 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 would determine the cause of the noise complaints (starting too early, bad muffler, etc.) and establish reasonable measures necessary to correct the problem. The construction contractor shall visibly post a telephone number for the disturbance coordinator at the construction site.
    (MM Noise 1)

Construction Restrictions and Requirements

33. Prior to the issuance of building permits for the project, the project developer or contractor shall mail a notice to each adjacent residential property providing them with the planned hours of operation and who to contact if there are noise concerns.

34. The applicant shall comply with the following restrictions and requirements, which shall be stated on the face of the construction drawings:

    A. Unless approved otherwise via prior authorization from the Zoning Administrator for special circumstances, construction activities are limited to the hours of 8:00 A.M. to 5:00 P.M., Monday through Friday, and are prohibited on the calendar dates that the following state and federal holidays are observed:

        New Year's Day (State and Federal)
        Birthday of Martin Luther King, Jr. (State and Federal)
        Washington's Birthday (Federal)
        Lincoln's Birthday (State)
        Presidents' Day (State and Federal)
        Cesar Chavez Day (State)
        Memorial Day (State and Federal)
        Juneteenth National Independence Day (Federal)
        Independence Day (State and Federal)

Labor Day (State and Federal)
Columbus Day (State and Federal)
Veterans Day (State and Federal)
Thanksgiving Day (State and Federal)
Day after Thanksgiving (State)
Christmas Day (State and Federal)

For details on the actual date the state and federal holidays occur, please visit the following websites:

Federal holidays: http://www.opm.gov/fedhol
California holidays: http://www.edd.ca.gov/payroll_taxes/State_Holidays.htm

B. Transport of heavy equipment and trucks is limited to weekdays between the hours of 9:00 A.M. and 4:00 P.M., and is prohibited on weekends and the aforementioned state and federal holidays.

C. The applicant shall make a good faith effort to minimize project-related disruptions to adjacent properties. This shall be communicated to project-related contractors.

D. Construction equipment and materials shall be stored onsite to the maximum extent practicable.

E. The site shall be maintained in an orderly fashion. Following the cessation of construction activity, all construction debris shall be removed from the site.

F. Any debris found outside the site shall immediately be collected and deposited in appropriate receptacles.

G. The applicant shall require their contractors and subcontractors to fit all internal combustion engines with mufflers that are in good condition and shall locate stationary noise-generating equipment such as air compressors as far away from existing residences as possible.

Contingency Restitution Should Altered Trees Be Damaged

35. Trees to be Preserved but Altered – Pursuant to the conclusions of the arborist report, proposed improvements within the root zone of trees noted on the site plan to be preserved have been determined to be feasible and still allow for preservation provided that the recommendations of the arborist are followed. Pursuant to the requirements of Section 816-6.1204 of the Tree Protection and Preservation Ordinance, to address the possibility that construction activity nevertheless damages these trees, the applicant shall provide the County with a security (e.g. bond, cash deposit) to be submitted prior to CDD stamp-approval of plans for issuance of a building permit (e.g. demolition, grading or building), whichever occurs first,

whichever occurs first, to allow for replacement of trees intended to be preserved that are significantly damaged by construction activity. The security shall be based on:

A. Extent of Possible Restitution Improvements – The planting of **17, 15-gallon trees, which shall include California native species**. in the vicinity of the affected trees, or equivalent planting contribution, and subject to prior review and approval of CDD.

B. Determination of Security Amount: The security shall submitted for each lot and provide for all of the following costs:
   i. Preparation of landscape/irrigation plan by a licensed landscape architect or arborist, which shall comply with the State's Model Water Efficient Landscape Ordinance or the County Ordinance, if one is adopted;
   ii. Labor and materials estimate for planting the potential number of trees and related irrigation improvements that may be required, prepared by a licensed landscape contractor; and
   iii. An additional 20% of the total of the above amounts to address inflation costs.

C. Initial Deposit for Processing of Security – The County Ordinance requires that the applicant cover all time and material costs of staff for processing a tree protection security. The Applicant shall pay an initial fee deposit of $200 at time of submittal of a security.

D. Duration of Security: The security for each lot shall be retained by the County for a minimum of 12 months up to 24 months beyond the date of receipt of the security and from the time, the final inspection for the lot was approved. A prerequisite of releasing the bond between 12 and 24 months shall be to have the applicant arrange for the consulting arborist to inspect the trees and to prepare a report on the trees' health. In the event that CDD determines that the tree intended to be protected has been damaged by development activity, and CDD determines that the applicant has not been diligent in providing reasonable restitution of the damaged trees, then CDD may require that all part of the security be used to provide for mitigation of the damaged tree(s). Should one security be submitted for all lots, the security may be released upon complying with the requirements stated above and upon approval of a final inspection for the last lot constructed.

Debris Recovery

36. At least 15 days prior to the issuance of a grading permit or building permit the developer shall submit Construction Waste Management Plan, which identifies approved methods to comply with CalGreen requirement to recycle and/or salvage for reuse construction and demolition waste materials generated at the jobsite.

    Prior to Final Inspection, developer shall submit Final Report containing information and supporting documentation of the above-mentioned requirement.

Steet Names

37. Prior to the recordation of the Final Map, proposed name(s) shall be submitted for review by the Department of Conservation and Development, GIS/Mapping Section. Alternate street names should be submitted. The Final Map cannot be certified by CDD without the approved street names.

Will Serve Letters

38. Prior to recordation of the Final Map, a copy of a will-serve letter from East Bay Municipal Utility District shall be submitted to CDD.

39. Prior to recordation of the Final Map, a copy of a will-serve letter from Central Contra Costa Sanitary District shall be submitted to CDD.

DEPARTMENT OF CONSERVATION AND DEVELOPMENT, HOUSING AND COMMUNITY IMPROVEMENT (HCI) DIVISION, CONDITIONS OF APPROVAL FOR COUNTY FILE #CDSD21-09581

Inclusionary Housing Ordinance

40. This project is subject to County Ordinance Code, Chapter 822-4, Inclusionary Housing Ordinance. Terms and definitions regarding the Inclusionary Housing Ordinance are pursuant to this chapter. Pursuant to Section 822-4.402(b) of the County Ordinance Code, a residential development of five or more for-sale units shall require at least fifteen percent of the for-sale units to be developed and sold as affordable units. At least twenty percent of the inclusionary units shall be sold at an affordable price to lower-income households. The remaining units shall be sold to moderate-income families at an affordable price.

For-Sale Inclusionary Housing In-Lieu Fee

41. The applicant, owner, and/or developer (Applicant) is required to construct 1.35 affordable units (9 total base units x 0.15 of total = 1.35 units) for the project. The Applicant has submitted an Inclusionary Housing Plan dated March 25, 2022, and proposes constructing one for-sale moderate income inclusionary unit (affordable to households making up to 120% Area Median Income) on Lot 1 of the property. The unit on Lot 1 is an approximately 3,097 square-foot single-family detached home consisting of four bedrooms. The one moderate-income unit proposed for compliance with the Inclusionary Housing Ordinance requirements is the same moderate-income unit required for compliance with the Density Bonus request. This unit may be referenced as inclusionary unit, density bonus unit, or both in these conditions. The requirements for the one moderate-income unit must comply with both the Inclusionary Housing Ordinance and State Density Bonus law, and the most restrictive requirements would apply.

The Applicant has proposed to pay a partial in-lieu fee for the fractional 0.35 inclusionary unit, and the County has accepted this proposal. The current calculation of the partial in-lieu fee for the fractional inclusionary unit is $15,444.00. The final calculation of the in-lieu fee will be calculated upon payment. This in-lieu fee is non-refundable and non-transferable. A partial in-lieu fee of $15,444.00 will be paid for the fractional .35 unit (.35 = 26% of the fee total of $59,401. 26% of this fee = $15,444.00)

Density Bonus Request

42. The Applicant submitted a revised project description which included a density bonus request dated March 25, 2022, which proposed constructing ten percent of the total dwelling units of a housing development where all the units are offered to the public for purchase. The Applicant proposed constructing one moderate-income unit, constituting twelve percent of the total for-sale units in the development.

    Density Bonus – Concession/Incentive

    Pursuant to Government Code 65915, the Applicant may request one project concession or incentive for providing twelve percent (one unit) for moderate-income units of the total units within the for-sale housing development. The applicant requested the concession to not have to complete frontage improvements.

    The County accepted the Applicant's request to not complete frontage improvements. To fully improve the property frontage would result in significant costs that could preclude the construction of the development at its proposed density including the moderate unit.

    Density Bonus – Reduction in Development Standards

    Pursuant to Government Code 65915(e), the Applicant proposed a waiver or reduction of the following development standards:

    - Lot Area – where the County Ordinance Code requires a minimum parcel size of 15,000 square feet, proposed lot sizes ranges from 7,347 to 22,460 square feet.

    - Lot Width – where the County Ordinance Code requires a minimum parcel size of 100 feet, the proposed average lot widths range from 56.43 to 99.01 feet.

    - Lot Depth – where the County Ordinance Code requires a minimum of 120 feet in depth, the proposed lot depths range from 87.45 to 331 feet. The lot depths for all proposed lots, except Lot 1 comply with the minimum requirements as proposed.

    - Residence and Retaining Wall Structure Setbacks – where the County Ordinance Code requires all structures meet setback requirements, the proposed residence shall meet a 14 foot front setback except for the garage which shall meet a 20-foot front setback, the residence shall meet a 5-foot side yard setback with a 15-foot aggregate side yard setback, and the proposed retaining wall setbacks for walls 6 feet tall or shorter is 0 feet on all lots.

Inclusionary Housing and Density Bonus Developer Agreement

43. At least 90 days before the recordation of the Parcel Map or CDD stamp-approval of plans for issuance of building permits or grading permits for any portion of the residential development, whichever comes first, the Applicant shall execute an Inclusionary Housing and Density Bonus Housing Agreement (Agreement), form to be provided by the County, with the County pursuant to Chapter 822-4 Inclusionary Housing, Chapter 822-2 Density Bonus, and Government Code 95915 to ensure that the property will be deed restricted for one unit to be affordable and sold to a moderate income household. This 90-day period allows for the preparation, County approval, and recordation of the Agreement prior to the milestones referenced above.

    To initiate the County to prepare and execute an Agreement, the Applicant must file a condition of approval compliance review application accompanied by the appropriate fees, documents, and exhibits listed in the most recent Inclusionary Housing Plan Checklist and/or Density Bonus Plan Checklist. The Agreement must be submitted to the Board of Supervisors before execution by all parties and recordation.

    The Agreement will establish the process for determining the unit's maximum affordable sales price, buyer eligibility, and additional program details as referenced in Chapter 822-4, Inclusionary Housing Ordinance, and Government Code 65915.

    A detailed timeline for the project, including the project's construction, marketing, the Applicant accepting and reviewing applications from qualified households, and the sale of the inclusionary unit.

General

44. The following are general terms for granting a density bonus and compliance with the Inclusionary Housing Ordinance.
    a. The Applicant hereby represents warrants and covenants that will cause the Agreement to be recorded in the real property records of Contra Costa County, California, and other places the County may reasonably request. The Applicant shall pay fees incurred with any such recording. The recording of the Agreement shall occur after the acceptance of the document by the County and before the recordation of the Final Map, Parcel Map, or CDD stamp-approval of plans for issuance of building permits or grading permits for any portion of the residential development, whichever comes first.

    b. The one inclusionary unit in the project shall be available for sale to members of the general public who are income eligible. The Applicant shall not give preference to any particular class or group of persons in selling the units, except that the units must be sold to a household with income no higher than 120% of the Area Median Income for Contra Costa County as adjusted for family size as defined in Section 50093 of the California Health and Safety Code. There shall be no discrimination against or segregation of any

person or group of persons on account of race, color, creed, religion, sex, sexual orientation, marital status, national origin, source of income (e.g., SSI), age (except for lawful senior housing), ancestry, or disability, in the sale of the unit in the project nor shall the Applicant or any person claiming under or through the Applicant, establish or permit any such practice or practices of discrimination or segregation concerning the selection, location, number, use or occupancy of homeowners of any unit in connection with employment of persons for construction of the project.

c. The County will provide the Applicant with income certification forms to be completed by the potential homebuyers. The income levels of all moderate-income household applicants for the inclusionary/density bonus unit shall be pre-certified by the Applicant (or subsequent holder of the Agreement(s)) prior to submittal to the County for review and approval.

d. Upon violating any of the Agreement's provisions by the Applicant, the County may give written notice to the Applicant specifying the nature of the breach. If the violation is not corrected to the satisfaction of the County within a reasonable period, not longer than thirty (30) days after the date the notice is deemed received, or within such further time as the County determines is necessary to correct the violation, the County may declare a default under the Agreement. Upon declaration of a default or if the County determines that the Applicant has made any misrepresentation in connection with receiving any benefits under this Agreement, the County may apply to a court of competent jurisdiction for such relief at law or in equity as may be appropriate.

Terms of Affordability

45. The inclusionary unit shall be deed-restricted so that if the home is sold within forty-five (45) years, it must be sold at an affordable sales price to a moderate-income household. The inclusionary unit shall be deed-restricted upon sale to ensure the continued affordability of this unit for the required term of affordability in accordance with Government Code 65915.

    a. Affordable Sales Price – means a sales price at which a moderate-income household can qualify for the purchase of target units, taking into account available financing, number of bedrooms and therefore, assumed household size, reasonable down payment, and affordable housing costs as defined in Health & Safety Code Section 50052.5. The affordable sales price for moderate income households must not exceed a price affordable to a persons and families whose income is at or below one hundred ten percent AMI.

Development Standards

46. The inclusionary unit must be constructed and finished in compliance with the approved Inclusionary Housing Plan. The unit is subject to the standards of Section 822.4.412 of the County Ordinance.
    a. The inclusionary unit must be constructed and occupied before or concurrently with the market rate units within the same residential development. A hold will be placed on the

final inspection/occupancy for all building permits issued within the subdivision to ensure that the inclusionary/density bonus unit meets this requirement.

b. The average number of bedrooms for the inclusionary unit must be equivalent to the average number of bedrooms for market-rate units within the same residential development.

Marketing and Homebuyer Selection

47. It is anticipated that the Applicant will construct all project units and market them before construction completion. The Applicant shall submit documentation and other information to the County for review and approval at least 90 days prior to construction completion and prior to the Applicant's request for a final building inspection and final occupancy of the building. The documentation and information required for review and approval are listed in the most recent Inclusionary Housing Plan Checklist or Density Bonus Plan Checklist and include, but are not limited to, the following:
    a. Marketing Plan

    b. Homebuyer Selection Plan. The homebuyer selection plan should include a provision for a lottery process for the inclusionary/density bonus unit.

    c. Marketing Materials, including translated Marketing Materials in Spanish and Chinese.

    In addition to other marketing efforts proposed by the Applicant in the marketing plan, the inclusionary unit shall be marketed through local, non-profit, social service, faith-based, and other organizations with potential buyers as clients or constituents. Marketing materials shall be made available online for at least one month before the first sale and shared with County Housing staff to promote to its mailing lists. The Applicant shall translate marketing materials, and the marketing plan shall be submitted to the Department of Conservation and Development before marketing the inclusionary housing unit.

    Marketing may also include publicity through local television and radio stations as well as local newspapers, including the Contra Costa Times, Classified Flea Market, El Mensajero, La Opinion, Thoi Bao Magazine, Berkeley/Richmond/San Francisco Posts, Korea Times, El Mundo, Hankook Il Bo, and the Sing Tao Daily.

48. The developer shall refer all qualified homebuyers to a HUD Homebuyer Counselor prior to the sale of the inclusionary unit.

For-Sale Inclusionary/Density Bonus Unit Restrictions

49. The initial sale of a for-sale inclusionary unit shall occur only to a household that meets the following criteria:
    a. The household has not owned a residence within the previous three years; and

b. The household has no more than two hundred fifty thousand dollars in assets. The amount excludes assets reserved for a down payment and closing costs, assets in retirement savings accounts, and medical savings accounts.

c. The purchaser of the for-sale inclusionary/density bonus unit must agree to occupy the dwelling unit as their principal residence.

d. The term of affordability for the inclusionary/density bonus unit is 45 years.

The for-sale inclusionary unit may be resold after the initial sale to a moderate-income purchaser at a moderate-income sales price.

If a moderate-income purchaser cannot be found after diligently marketing the unit widely and after a period determined by DCD, the unit may be sold to an above-moderate-income purchaser at a market price, provided that the sale results in a recapture by the County of financial interest in the unit equal to the sum of:

The difference between the initial affordable sales price and the appraised market value of the unit at the time of the initial sale; and

The County's proportionate share of any appreciation since the time of the initial sale. Appreciation is the difference between the resale price to the above-moderate-income purchaser and the appraised market value at the initial sale. The County's proportionate share of appreciation is equal to the percentage by which the initial affordable sales price was less than the appraised market value at the time of the initial sale.

Prequalification of Homebuyers and Compliance Review

50. The Applicant is responsible for marketing and prequalifying potential homebuyers for income qualification. The Applicant shall submit for DCD's review and prequalification prior to the initial sale of the inclusionary/density bonus unit, and the Applicant shall submit to the Department of Conservation and Development for review and approval, all forms, and documentation demonstrating that the buyer of the unit is qualified as a moderate-income household. A hold shall be placed on the final inspection/ occupancy of all building permits associated with the construction of the residences in the project until documentation has been deemed adequate by the Department of Conservation and Development.

    To initiate this prequalification review, the applicant must file a COA Compliance Review Application if there is no open compliance review application for this project.

51. The Applicant is responsible for keeping the Department of Conservation and Development informed of the contact information of the owner or designee responsible for maintenance and compliance with this permit and how they may be contacted (i.e., mailing addresses, email addresses, and telephone numbers) at all times.
    a. Prior to the recordation of the Final Map, Parcel Map, or CDD stamp-approval of plans for issuance of building permits or grading permits for any portion of the residential

development, whichever comes first, and with filing a condition of approval compliance review, the Applicant shall provide the name of the contact representing the property owner for permit compliance and their contact information.

b. Should the contact subsequently change (e.g., new designee or owner), within 30 days of the change, the Applicant shall issue a letter to the Department of Conservation and Development with the name of the new party who has been assigned permit compliance responsibility and their contact information. Failure to satisfy this condition may result in the commencement of procedures to revoke the permit.

PUBLIC WORKS
CONDITIONS OF APPROVAL FOR SUBDIVISION CDSD20-09531

Applicant shall comply with the requirements of Title 8, Title 9, and Title 10 of the Ordinance Code. Any exception(s) must be stipulated in these Conditions of Approval. Conditions of Approval are based on the tentative map submitted to the Department of Conservation and Development on January 28, 2022.

COMPLY WITH THE FOLLOWING CONDITIONS OF APPROVAL PRIOR TO FILING OF THE PARCEL MAP.

General Requirements

52. In accordance with Section 92-2.006 of the Ordinance Code, this subdivision shall conform to all applicable provisions of the Subdivision Ordinance (Title 9). Any exceptions therefrom must be specifically listed in this conditional approval statement. The drainage, road and utility improvements outlined below shall require the review and approval of the Public Works Department and are based on the vesting tentative map received by the Department of Conservation and Development, Community Development Division, on January 28, 2022.

53. Improvement plans prepared by a registered civil engineer shall be submitted, if necessary, to the Public Works Department, Engineering Services Division, along with review and inspection fees, and secu¬rity for all improvements required by the Ordinance Code for the conditions of approval of this subdivision. Any necessary traffic signing and stripping shall be included in the improvement plans for review by the Transportation Engineering Division of the Public Works Department and the City of Pleasant Hill as applicable.

Roadway Improvements (Grayson Road)

54. The Applicant shall construct frontage improvements along Grayson Road in accordance with the recommendations of the City of Pleasant Hill. The applicant will need to demonstrate that the City of Pleasant Hill approves of the frontage improvements proposed under this project.

Access to Adjoining Property

55. The Applicant shall furnish proof to the Public Works Department of the acquisition of all necessary rights of way, rights of entry, permits and/or easements for the construction of off-site, temporary or permanent, public and private road and drainage improvements.

56. The Applicant shall obtain an encroachment permit from the City of Pleasant Hill for construction within the limits of the City of Pleasant Hill.

57. The Applicant shall only be permitted access at the locations shown on the approved site/development plan.

Abutters Rights

58. Applicant shall relinquish abutter's rights of access along Grayson Road with the exception of the proposed private road intersection.

Road Alignment/Intersection Design/Sight Distance:

59. Applicant shall provide sight distance at the private road intersection with Grayson Road for a design speed of 45 miles per hour. The applicant shall trim vegetation, as necessary, to provide sight distance at these driveways. Any new landscaping, signs, fencing, retaining walls, or other obstructions proposed at the driveways shall be setback to ensure that the sight lines are clear.

Private Road

60. Per the Vesting Tentative Map, Applicant shall construct an on-site roadway system to current County private road standards with a minimum pavement width of 28 feet, with 4.5-foot sidewalk (measured from the face of curb) within a minimum 42-foot access easement.

61. The Applicant shall construct the on-site roadways and the internal road network (serving the residential development) to current County private road standards. Although the proposed on-site roadways are shown as private, the pavement structural section shall conform to County public road standards.

62. Per the Vesting Tentative Map, applicant shall construct a paved turnaround at the end of the proposed private road subject to the review of the Fire District.

Street Lights:

63. Property owner(s) shall annex to the Community Facilities District (CFD) 2010-1 formed for Countywide Street Light Financing. Annexation into a street light service area does not include the transfer of ownership and maintenance of street lighting on private roads.

Bicycle - Pedestrian Facilities:

64. The Applicant shall design all public and private pedestrian facilities in accordance with Title 24 (for Accessibility) and the Americans with Disabilities Act. This shall include all sidewalks, paths, driveway depressions, and curb ramps. Adequate right-of-way shall be dedicated at the

curb returns to accommodate the returns and curb ramps; accommodate a minimum 4-foot landing on top of any curb ramp proposed.

Parking

65. Parking shall be prohibited on one side of on-site roadways where the curb-to-curb width is less than 36 feet and on both sides of on-site roadways where the curb-to-curb width is less than 28 feet. "No Parking" signs shall be installed along these portions of the roads subject to the review and approval of the Public Works Department.

Utilities/Undergrounding

66. The Applicant shall underground all new and existing utility distribution facilities, including those along the frontage of Grayson Road. Applicant shall provide joint trench composite plans for the underground electrical, gas, telephone, cable television and communication conduits and cables including the size, location and details of all trenches, locations of building utility service stubs and meters and placements or arrangements of junction structures as a part of the Improvement Plan submittals for the project. The composite drawings and/or utility improvement plans shall be signed by a licensed civil engineer.

Drainage Improvements:

67. Applicant shall collect and convey all stormwater entering and/or originating on this property, without diversion and within an adequate storm drainage facility, to a natural watercourse having definable bed and banks, or to an existing adequate public storm drainage system which conveys the stormwater to a natural watercourse, in accordance with Division 914 of the Ordinance Code. Applicant shall verify the adequacy at any downstream drainage facility accepting stormwater from this project prior to discharging runoff. If the downstream system(s) is inadequate to handle the existing and project condition for the required design storm event, applicant shall construct improvements to make the system adequate. Applicant shall obtain access rights to make any necessary improvements to off-site facilities.

68. The nearest public drainage facility is an existing storm drain located on Grayson Road. Applicant shall verify its adequacy prior to discharging run off.

Miscellaneous Drainage Requirements:

69. Applicant shall design and construct all storm drainage facilities in compliance with the Ordinance Code and Public Works Department design standards.

70. Applicant shall prevent storm drainage from draining across the sidewalk(s) and driveway(s) in a concentrated manner.

Floodplain Management:

71. A portion of the project property lies within a Special Flood Hazard Area (100 year flood boundary) as designated on the Federal Emergency Management Agency's Flood Insurance

Rate Maps. The applicant shall be aware of and comply with the requirements of the National Flood Insurance Program (Federal) and the County Floodplain Management Ordinance as they pertain to development and future construction of any structures on this property.

Creek Banks and Creek Structure Setbacks:

72. The Property owner shall relinquish "development rights" over that portion of the site that is within the structure setback area of Grayson Creek. The structure setback area shall be determined by using the criteria outlined in Chapter 914 14, "Rights of Way and Setbacks," of the Subdivision Ordinance. "Development rights" shall be conveyed to the County by grant deed.

73. The property owner shall be aware that the creek banks on the site are potentially unstable. The property owner shall execute a recordable agreement with the County which states that the developer and the property owner and the future property owner(s) will hold harmless Contra Costa County and the Contra Costa County Flood Control and Water Conservation District in the event of damage to the on-site and off-site improvements as a result of creek-bank failure or erosion.

National Pollutant Discharge Elimination System (NPDES):

74. The applicant shall be required to comply with all rules, regulations and procedures of the National Pollutant Discharge Elimination System (NPDES) for municipal, construction and industrial activities as promulgated by the California State Water Resources Control Board, or any of its Regional Water Quality Control Boards San Francisco Bay - Region II.

    Compliance shall include developing long-term best management practices (BMPs) for the reduction or elimination of stormwater pollutants. The project design shall incorporate, wherever feasible, the following long-term BMPs in accordance with the Contra Costa Clean Water Program for the site's stormwater drainage.

    - Minimize the amount of directly connected impervious surface area.
    - Install approved full trash capture devices on all catch basins (excluding catch basins within bioretention basins) as reviewed and approved by Public Works Department. Trash capture devices shall meet the requirements of the County's NPDES Permit.
    - Place advisory warnings on all catch basins and storm drains using current storm drain markers.
    - Construct concrete driveway weakened plane joints at angles to assist in directing run-off to landscaped/pervious areas prior to entering the street curb and gutter.
    - Distribute public information items regarding the Clean Water Program and lot specific IMPs to buyers.
    - Other alternatives comparable to the above as approved by Public Works.

Stormwater Management and Discharge Control Ordinance

75. The applicant shall submit a final Storm Water Control Plan (SWCP) and a Stormwater Control Operation and Maintenance Plan (O+M Plan) to the Public Works Department, which shall be reviewed for compliance with the County's National Pollutant Discharge Elimination System (NPDES) Permit and shall be deemed consistent with the County's Stormwater Management and Discharge Control Ordinance (§1014) prior to filing of the Final Map. All time and materials costs for review and preparation of the SWCP and the O+M Plan shall be borne by the applicant.

76. Improvement plans shall be reviewed to verify consistency with the final SWCP and compliance with Provision C.3 of the County's NPDES Permit and the County's Stormwater Management and Discharge Control Ordinance (§1014).

77. Stormwater management facilities shall be subject to inspection by the Public Works Department; all time and materials costs for inspection of stormwater management facilities shall be borne by the applicant.

78. Prior to filing of the Final Map, the property owner(s) shall enter into a Stormwater Management Facility Operation and Maintenance Agreement with Contra Costa County, in which the property owner(s) shall accept responsibility for and related to the operation and maintenance of the stormwater facilities, and grant access to relevant public agencies for inspection of stormwater management facilities.

79. Prior to filing of the Final Map, the property owner(s) shall annex the subject property into Community Facilities District (CFD) No. 2007-1 (Stormwater Management Facilities), which funds responsibilities of Contra Costa County under its NPDES Permit to oversee the ongoing operation and maintenance of stormwater facilities by property owners.

80. Any proposed water quality features that are designed to retain water for longer than 72 hours shall be subject to the review of the Contra Costa Mosquito & Vector Control District.

Drainage Area Fee Ordinance:

81. The Applicant shall comply with the drainage fee requirements for Drainage Area 62 as adopted by the Board of Supervisors prior to initiation of the use requested with this application. This fee shall be paid prior to filing of the Final Map.

ADVISORY NOTES

ADVISORY NOTES ARE NOT CONDITIONS OF APPROVAL; THEY ARE PROVIDED TO ALERT THE APPLICANT TO ADDITIONAL ORDINANCES, STATUTES, AND LEGAL REQUIREMENTS OF THE COUNTY AND OTHER PUBLIC AGENCIES THAT MAY BE APPLICABLE TO THIS PROJECT.

A. NOTICE OF OPPORTUNITY TO PROTEST FEES, ASSESSMENTS, DEDICATIONS, RESERVATIONS OR OTHER EXACTIONS PERTAINING TO THE APPROVAL OF THIS PERMIT.

Pursuant to California Government Code Section 66000, et seq., the applicant has the opportunity to protest fees, dedications, reservations or exactions required as part of this project approval. To be valid, a protest must be in writing pursuant to Government Code Section 66020 and must be delivered to the Community Development Division within a 90-day period that begins on the date that this project is approved. If the 90th day falls on a day that the Community Development Division is closed, then the protest must be submitted by the end of the next business day.

B. Applicant will be required to comply with the requirements of the Bridge/Thoroughfare Fee Ordinance for the Central Contra Costa Areas of Benefit, as adopted by the Board of Supervisors. Payment is required prior to issuance of a building permit.

C. This project may be subject to the requirements of the Department of Fish and Wildlife. It is the applicant's responsibility to notify the Department of Fish and Wildlife of any proposed construction within this development that may affect any fish and wildlife resources, per the Fish and Wildlife Code.

D. This project may be subject to the requirements of the Army Corps of Engineers. It is the applicant's responsibility to notify the appropriate district of the Corps of Engineers to determine if a permit is required, and if it can be obtained.

E. Further development of the parcel may need to comply with the latest Stormwater Management and Discharge Control Ordinance (§1014) and Municipal Separate Storm Sewer System (MS4) National Pollutant Discharge Elimination System (NPDES) Permit. This compliance may require a Stormwater Control Plan and an Operations and Maintenance Plan prepared in accordance with the latest edition of the Stormwater C.3 Guidebook. Compliance may also require annexation of the subject property into the Community Facilities District 2007-1 (Stormwater Management Facilities) and entering into a standard Stormwater Management Facilities Operation and Maintenance Agreement with Contra Costa County.

F. This project is subject to the development fees in effect under County Ordinance as December 17, 2020, the date the vesting tentative map application was accepted as complete by the Department of Conservation and Development. These fees are in addition to any other development fees, which may specified in the conditions of approval.

G. Additional requirements may be imposed by the following agencies and departments:

- Public Works Department
- Building Inspection Division
- Contra Costa Consolidated Fire Protection District
- Health Services Department
- Central Contra Costa Sanitary District
- East Bay Municipal Utility District

The Applicant is strongly encouraged to review these agencies' requirements prior to continuing with the project.

Department of Conservation and Development

County Zoning Administrator

Monday, October 2, 2023 – 1:30 P.M.

STAFF REPORT **Agenda Item #_____**

Project Title:	Grayson Road 10-Lot Subdivision
County File Number:	#CDSD20-09531
Applicant:	Calibr Ventures c/o Andy Byde
Owner:	Grayson Road LLC
Zoning/General Plan:	R-15 Single-Family Residential (R-15) District / Single-Family Residential Low Density (SL)
Site Address/Location:	1024 and 1026 Grayson Road, Pleasant Hill, CA 94523 (APNs: 166-030-001 and 166-030-002)
California Environmental Quality Act (CEQA) Status:	A Mitigated Negative Declaration (MND) has been prepared which indicates that there will be no significant environmental impact as a result of the project.
Project Planner:	Joseph W. Lawlor Jr, AICP, (925) 655-2872
Staff Recommendation:	Approve (See Section II for Full Recommendation)

I. PROJECT SUMMARY

The applicant is requesting approval of a vesting tentative map for a subdivision which proposes to subdivide the 3.05-acre project site into 10 lots ranging in size from 7,347 to 22,460 square feet. On each new lot, a 4- to 5-bedroom single-family residence ranging in size from approximately 2,900 to 3,500 square feet, is expected to be constructed. The residence on Lot 1 would be restricted for sale to a moderate-income household, therefore the project is eligible for a Density Bonus, waivers or reductions in development standards, incentives and concessions, and parking reductions pursuant to the California Density Bonus Law, Gov. Code Section 65915. The project is seeking waivers of development standards pertaining to: (a) a reduction in minimum lot size for Lots 1 and 4-10; (b) a reduction in the minimum lot width for Lots 1-10 to allow average lot widths as low as 56

feet; (c) a reduction in minimum lot depth for Lot 1; and (d) reduced residential setback requirements. The project is also seeking a concession to allow the installation of the complete frontage improvements be omitted in lieu of a reconstructed asphalt-concrete curb along the edge of pavement of Grayson Road along the project frontage as well as bicycle lane striping. Implementation of the project could include more than 1,000 cubic yards of grading. To accommodate improvements, a tree permit would be included for the removal of 97 code-protected trees.

II. RECOMMENDATION

Staff recommends that the Zoning Administrator:

A. FIND that on the basis of the whole record before the County (Department of Conservation and Development, 30 Muir Road, Martinez, CA 94553), that there is no substantial evidence the project will have a significant effect on the environment and that the March 24, 2023, Mitigated Negative Declaration prepared for this project reflects the County's independent judgment and analysis;

B. ADOPT the March 24, 2023, Mitigated Negative Declaration (MND), and Mitigation Monitoring and Reporting Program (MMRP) prepared for the project;

C. APPROVE the Vesting Tentative Map received January 28, 2022, by the Department of Conservation and Development, Current Planning Division;

D. APPROVE the attached findings and conditions of approval prepared for this project; and

E. DIRECT Staff to file a Notice of Determination with the County Clerk.

III. GENERAL INFORMATION

A. General Plan: The subject property is located within the Single-Family Residential Low Density (SL) General Plan land use designation.

B. Zoning: The subject property is located within the R-15 Single-Family Residential (R-15) District.

C. California Environmental Quality Act (CEQA) Compliance: On March 24, 2023, an Initial Study was prepared for the project, and posted and circulated for public review. Upon completion of the Initial Study, it was found that the project would not result in any significant environmental impacts. Comments regarding the adequacy of the review were received within the comment period and are discussion of the issues raised is provided in Section VIII below.

IV. SITE/AREA DESCRIPTION

The 3.05-gross-acre project site is located on the south side of Grayson Road, opposite the intersection of Grayson Road and Buttner Road in unincorporated Pleasant Hill. The roughly L-shaped project site is comprised of two parcels: a northern parcel that fronts on Grayson Road, and a southern parcel that is bound by Grayson Creek to the south and east. Grayson Creek runs roughly east-west along the southern boundary of the project site, then takes a northward bend forming the east boundary. Other private properties with single-family residences abut the property to the north and west.

The immediate surrounding area is representative of single-family residential development in central Contra Costa County. Properties along Grayson Road are predominantly developed with single-family residences. Within a half-mile radius, developed parcels range in size from 4,000 square feet to 68,700 square feet, with a median size of approximately 13,000 square feet. The larger vicinity includes a mix of neighborhood-residential uses including single-family residences, churches, schools, and parks.

Regional access to the site is provided via I-680 by way of Gregory Lane and Taylor Boulevard and is also provided via State Route (SR) 24 by way of Pleasant Hill Road/Taylor Boulevard. Local access to the project site would be provided via Grayson Road and a new private internal street.

V. PROJECT DESCRIPTION

The applicant is requesting approval of a vesting tentative map for a subdivision which proposes to subdivide the 3.05-acre project site into 10 lots ranging in size from 7,347 to 22,460 square feet. On each new lot, a 4- to 5-bedroom single-family residence ranging in size from approximately 2,900 to 3,500 square feet, is expected to be constructed. Two existing, vacant, residences would be demolished to accommodate the project. Implementation of the project could include more than 1,000 cubic yards of grading.

Associated access, drainage, and utility facilities would be constructed throughout the site. For access, a 28-foot roadway and 4.5-foot sidewalk would connect the lots to Grayson Road. Stormwater flows would be directed to a 2,021-square-foot bioretention basin located at the northeast corner of Lot 2. Treated stormwater will be discharged from the basin into a Contra Costa County maintained stormwater drainage system that currently exists under Grayson Road.

Running southwest to northwest along the southern boundary of the project site is Grayson Creek, a perennial creek. The proposed project does not anticipate placing any development or infrastructure in Grayson Creek or the associated riparian corridor. A riparian setback between the project's grading limits and Grayson Creek would be included as part of the project. To accommodate improvements, a tree permit would be included

for the removal of 97 code-protected trees and work within the dripline of 17 code-protected trees.

The home on Lot 1 would be restricted for-sale to a moderate-income household, therefore the project is eligible for a Density Bonus, waivers or reductions in development standards, incentives and concessions, and parking reductions under the California Density Bonus Law, Gov. Code Section 65915. By providing one lot of the nine base units for sale to a moderate income household, the Project qualifies for a 7% density bonus, resulting in one additional unit. In addition to the increased density of one unit (10 units total), the project is seeking waivers of development standards pertaining to: (a) a reduction in minimum lot size for Lots 1 and 4-10; (b) a reduction in the minimum lot width for Lots 1-10 to allow lot average widths as low as 56 feet; (c) a reduction in minimum lot depth for Lot 1; and (d) reduced residential setback requirement to allow 14-foot front setbacks and 0-foot setbacks for retaining walls. The project is seeking these reductions and waivers because application of the required standard would physically preclude the development of the project at the proposed density with the proposed one moderate income unit. Finally, the project is seeking a concession to allow the installation of the complete frontage improvements be omitted in lieu of a reconstructed asphalt-concrete curb along the edge of pavement of Grayson Road along the project frontage as well as bicycle lane striping.

VI. AGENCY COMMENTS

A. Building Inspection Division: In a memo received January 22, 2020, Building Inspection Division staff stated that they had no comments related to their review of the project.

B. Housing Division: In a memo received September 13, 2023, Housing Division staff provided conditions of approval based on the applicants proposed inclusionary housing plan, for compliance with the Inclusionary Housing Ordinance. The conditions of approval have been incorporated in the project approval.

C. Transportation Planning Section: In a memo received March 26, 2021, the Transportation Planning Section stated that the subject project should incorporate Complete Streets infrastructure into the proposed roadway. Completes streets infrastructure is incorporated, as further discussed in section VII.

D. Public Works Department, Engineering Services Division (Public Works): In a memo dated September 27, 2023, Public Works provided recommended conditions of approval for the project. Those conditions have been incorporated into the project as COAs.

E. Public Works Department, Flood Control District: In a memo dated February 18, 2020, the Flood Control District provided recommended conditions of approval for the project. Those conditions have been incorporated into the project as COAs. The district also provided general comments stating that the project is subject to drainage impact

fees and that the drainage and hydrology must be adequate. The project is expected to meet these requirements.

F. Contra Costa Environmental Health Division (CCEHD): CCEHD has been notified of the project through an agency comment request sent on January 16, 2020, and multiple circulations of the Mitigated Negative Declaration for the project. CCEHD has not responded to these solicitations. However, standard requirements including permits for any well or soil boring, or for any abandoned wells and septic tanks, which must be destroyed; and recommended that project be served by public sewer and water, are expected to be satisfied by the project.

G. Contra Costa County Fire Protection District (CCCFPD): In a letter dated January 30, 2020, CCCFPD staff provided comments related to the design of the proposed project. Prior to construction, the proposed project would be reviewed by the CCCFPD for compliance with Title 7, Division 722 of the Ordinance Code, also known as the County's Fire Code. The proposed project would also submit applicable fire prevention fees required by CCCFPD Ordinance 2021-18. All requirements are expected to be complied with.

H. Central Contra Costa Sanitary District (CCCSD): In a letter dated February 6, 2020, MVSD staff stated that sanitary sewer service is available for the project and that the proposed project would not be expected to produce an unmanageable added capacity.

I. East Bay Municipal Utility District (EBMUD): EBMUD has reviewed the project application documents regarding the provision of new water service pursuant to EBMUD water service regulations and stated that adequate water service is available.

J. California Historical Resources Information System Northwest Information Center(CHRIS NIC): CHRIS NIC provided a letter dated February 7, 2020, which stated that based on the results of a historical resources evaluation for the proposed project area, the project area has a low possibility of containing unrecorded archaeological sites. Nevertheless, conditions of approval would be included to ensure the preservation of potentially unknown subsurface resources that could be encountered during ground disturbance.

K. Contra Costa Mosquito Vector Control District (CCMVCD): In a letter dated January 21, 2020, CCMVCD staff stated that the proposed project should not create any areas where water would stagnate for longer than 72 hours and that operations and maintenance plans for flow-through planters should be included with the project. These requirements are expected to be complied with.

VII. STAFF ANALYSIS

The proposed ten parcels would be compatible with the surrounding neighborhood in design and density. The infill project layout and access would provide for reasonable

development with no significant or adverse effects to the surrounding community or environment.

Analysis of individual aspects of the project are provided below:

A. **State Density Bonus Law Analysis:**

The State Density Bonus Law (Gov. Code §§ 65915-65918) incentivizes the building of affordable housing by granting developers "a density increase over the otherwise maximum allowable gross residential density," as well as other incentives or concessions, waivers of development standards, and parking ratio reductions in return for a commitment to provide affordable housing as part of a development project. If the developer meets the requirements of section 65915, a city or county must award a density bonus. (Gov. Code, § 65915(b))

The home on Lot 1 would be restricted for-sale to a moderate-income household (12% of 9 base lots), therefore the project is eligible for a Density Bonus, waivers or reductions in development standards, incentives and concessions, and parking reductions under the California Density Bonus Law, Gov. Code Section 65915, subdivision (b)(1)(D). By providing one lot of the nine base units for sale to a moderate income household, the Project qualifies for a 7% density bonus, resulting in one additional unit (9 du x.07 = 9.63, which rounds up to 10). (Gov. Code, § 65915(f)(4), (5).) The following summarizes the density calculation.

Base Density
Project Site Gross Acreage: 3.05 Acres
Project Site Net Acreage (Excludes Private ROW: 12,866 sq. ft.): 2.76 Net Acres
Base Density Calculation: 2.76 Acres x 1.0 to $2.\overline{99}$ = 2.76 to 8.28 units. Rounds to 3 to 9 units[1].

Density Bonus
Proposed Percentage Moderate-Income Units: 1 of 9 units = 11.11%. Round up to 12%.
Density Bonus Allowed Per Gov. Code Section 65915(f)(4): 7%
Max Density Bonus Calc: 9 units + 7% Bonus = 9.63 units. Rounds up to 10 Units.
Total Allowable Units: 10 Units

In addition to the increased density, the Density Bonus Law provides for regulatory incentives or concessions that result in identifiable and actual cost reductions to

[1] Government Code section 65915, subdivisions (f)(5) states, "All density calculations resulting in fractional units shall be rounded up to the next whole number." Additionally, subdivision (q) states that "Each component of any density calculation, including base density and bonus density, resulting in fractional units shall be separately rounded up to the next whole number."

provide for affordable housing costs. (Gov. Code § 65915(d)(1)). The Density Bonus Law puts the burden of rejecting any proposed incentives or concessions on the County and requires the County to grant the concession or incentive requested by the applicant unless the County makes a written finding, based upon substantial evidence, of any of the following:

(A) The concession or incentive does not result in identifiable and actual cost reductions;

(B) The concession or incentive would have a specific, adverse impact upon public health and safety or the physical environment or on any real property that is listed in the California Register of Historical Resources and for which there is no feasible method to satisfactorily mitigate or avoid the specific, adverse impact without rendering the development unaffordable to low-income and moderate-income households;

(C) The concession or incentive would be contrary to state or federal law.

Furthermore, the Density Bonus Law (Gov. Code § 65915(e)(1)) states "In no case may a city, county, or city and county apply any development standard that will have the effect of physically precluding the construction of a development meeting the criteria of subdivision (b) at the densities or with the concessions or incentives permitted by this section." The applicant has requested waivers of development standards for lot size and setbacks. The applicant has stated that application of these development standards would physically preclude the construction of the project, at its proposed density, as well as the proposed moderate-income unit.

B. **General Plan Consistency:** The proposed project would conform to the applicable General Plan land use designation of SL, Single-Family Low Density, 1.0-2.9 units per acre. As described above, the project proposes to utilize a Density Bonus pursuant to the State Density Bonus Law, under Government Code Section 65915.

The density of the proposed project would be 3.62 dwelling units per net acre, which would be deemed consistent with the SL Land Use designation density range of 1 to 2.9 dwelling units per acre as a result of the utilization of a Density Bonus.

Government Code Sections 65915(j)(1) and 65915(C)(5) state that either granting a density bonus, concession, incentive, or waiver, "Shall not require or be interpreted, in and of itself, to require a general plan amendment, local coastal plan amendment, zoning change, study, or other discretionary approval." This language means that the applicant's requests made pursuant to the Density Bonus Law do not require a General Plan Amendment to accommodate the additional density in the proposed project.

The County's land use compatibility standards contained in Figure 11-6 of the Noise

Element, ambient noise environments are considered normally acceptable for new single-family residential land use development with noise levels ranging up to 60 A-weighted decibel (dBA) Community Noise Equivalent Level (CNEL)/day/night average sound level (Ldn). Environments with noise levels from 55 dBA to70 dBA CNEL/Ldn are considered conditionally acceptable for new single-family land use development; and such development should be undertaken only after a detailed analysis of the noise reduction requirements is made and needed noise insulation features are included in the design. Environments with noise levels from 70 dBA to 75 dBA CNEL/Ldn are considered normally unacceptable for new single-family land use development, and clearly unacceptable for levels above 75 dBA CNEL/Ldn.

Two noise measurement surveys were taken to determine existing noise levels at the project site. The dominant noise source in the project vicinity was found to be traffic noise on adjacent roadways and lawnmowing. The noise survey documented that existing ambient noise levels on the project site range from 61 dBA equivalent continuous sound level (Leq), as measured at approximately 20 feet from the edge of Grayson Road, to 47 dBA Leq at the project boundary adjoining 2043 Mohawk Drive property. The noise measurement survey files are included in the FCS Draft IS/MND report. These noise measurements were taken during the peak noise hours of the day, and represent the expected highest hourly average noise levels that are experienced on the project site. Resulting 24-hour average noise levels would be even lower when averaged with quieter hours of the day. Therefore, the existing ambient noise environment of the project site is within the conditionally acceptable range for new residential land use development. For conditionally acceptable noise environments, new construction or development should be undertaken only after a detailed analysis of the noise reduction requirements is made and needed noise insulation features included in the design. Conventional construction, but with closed windows and fresh air supply systems, will normally suffice.

Based on the EPA's Protective Noise Levels, with a combination of walls, doors, and windows, standard construction in accordance with building code requirements for multi-family residential developments would provide 25 dBA in exterior-to-interior noise reduction with windows closed and 15 dBA or more with windows open. The proposed project will include alternative ventilation systems such as mechanical air conditioning whick will allow windows to remain closed for prolonged periods of time, sufficiently reducing traffic noise levels to meet the interior noise level standard of 45 dBA CNEL (i.e., 61 dBA - 25 dBA = 36 dBA).

C. **Zoning Consistency**: The project would be considered consistent with the R-15 Single-family zoning district as a result of the utilization of the Density Bonus, pursuant to Government Code sections 65915(j)(1) and 65915(C)(5) and County Ordinance Code Section 822-2. The State Density Bonus Law provides for unlimited number of waivers of development standards in order to construct the project at the proposed density. (See Gov. Code, § 65915(b)(1), (e)(1).) Where a development standard would physically

prevent the project from being built at the permitted density and with the granted concessions/incentives, the developer may propose to have those standards waived or reduced.

The applicant is seeking waivers of development standards pertaining to:

(a) a reduction in minimum lot size for Lots 1 and 4-10;
(b) a reduction in the minimum lot width for Lots 1-10 (instead of 100 feet);
(c) a reduction in minimum lot depth for Lot 1;
(d) a reduction in minimum front yard and side yard setback and
(e) a waiver of the setback requirement for retaining walls.

The proposed lot sizes, lot width, depth, and setbacks, are shown in the following table. The project is seeking these reductions and waivers as application of the required standard would physically preclude the development of the project at the proposed density with the proposed one moderate income unit and with the application of the available incentives, concessions, and density bonus.

1024 & 1026 Grayson Rd. Proposed Development Standards (R-15 Standards)						
Lot #	**Area (15,000 Sq. Ft.)**	**Depth (100 Ft. Min.)**	**Average Width (100 Ft. Min.)**	**Front Yard Setback (20 feet)**	**Side Yard Setback (25 feet aggregate, no yard less than 10 feet)**	**Retaining Walls 6' or less**
Lot 1	7,347	87.45	84.01	20' feet to face of garage; 14' Feet to living area	15 feet aggregate, (no yard less than 5 feet)	0'
Lot 2	22,460	331	67.85	20' feet to face of garage; 14' Feet to living area	15 feet aggregate, (no yard less than 5 feet)	0'
Lot 3	15,236	270	56.43	20' feet to face of garage; 14' Feet to living area	15 feet aggregate, (no yard less than 5 feet)	0'
Lot 4	14,257	144	99.01	20' feet to face of garage; 14' Feet to living area	15 feet aggregate, (no yard less than 5 feet)	0'
Lot 5	14,713	195	75.45	20' feet to face of garage; 14' Feet to living area	15 feet aggregate, (no yard less than 5 feet)	0'

Lot 6	11,261	163	69.09	20’ feet to face of garage; 14’ Feet to living area	15 feet aggregate, (no yard less than 5 feet)	0’
Lot 7	11,360	166	68.43	20’ feet to face of garage; 14’ Feet to living area	15 feet aggregate, (no yard less than 5 feet)	0’
Lot 8	13,388	185	72.37	20’ feet to face of garage; 14’ Feet to living area	15 feet aggregate, (no yard less than 5 feet)	0’
Lot 9	13,655	173	78.93	20’ feet to face of garage; 14’ Feet to living area	15 feet aggregate, (no yard less than 5 feet)	0’
Lot 10	14,013	220	63.70	20’ feet to face of garage; 14’ Feet to living area	15 feet aggregate, (no yard less than 5 feet)	0’

Lastly, the project is seeking a concession to allow the installation of the complete frontage improvements be omitted in lieu of a reconstructed asphalt-concrete curb along the edge of pavement of Grayson Road along the project frontage as well as bicycle lane striping.

D. **Traffic and Circulation:** Policy 4-c of the Growth Management Element of the Contra Costa County General Plan requires a traffic impact analysis of any project that is estimated to generate 100 or more AM or PM peak-hour trips. Based on the Institute of Transportation Engineers (ITE) peak period trip generation rates of 1.0 trip per dwelling unit for single-family residences, the proposed project consisting of the ten-lot subdivision, and the future construction of 10 single-family residence (8 net new units) would generate an additional eight AM and eight PM new peak period trips, and therefore, is not required to have a project-specific traffic impact analysis. Since the project would yield less than 100 peak-hour AM or PM trips, the proposed project would not conflict with the circulation system in the Pleasant Hill area.

The proposed subdivision project includes a new 28-foot-wide access road which would permit two 10-foot travel lanes and an 8-foot wide parking on one side of the street. Additionally, a 5-foot wide, monolithic, elevated sidewalk would be constructed adjacent to the new road to provide access for pedestrians and persons with disabilities within the project. Along the project frontage, the project will provide a reconstructed asphalt-concrete curb along the edge of pavement of Grayson Road, as well as bicycle lane striping in-lieu of complete frontage improvements.

The Density Bonus application submitted to the County has requested that the installation of the complete frontage improvements be omitted in lieu of a reconstructed asphalt-concrete curb along the edge of pavement of Grayson Road along the project frontage as well as bicycle lane striping, as shown on the Tentative Map.

Improved frontage improvements are defined as curb, gutter pan, and a sidewalk. No complete frontage improvements exist along the southern portion of Grayson Road, from the intersection of Reliez Valley Road to the west and Heritage Hills Drive to the East (that road segment is in is in excess of 2,000 feet in length). Complete frontage improvements would be prohibitively expensive given the length of the project frontage (354 feet), the required grading, tree removal, and utility requirements. In addition, there is no sidewalk along the southern side of Grayson Road to connect with, in 1,000 feet in either direction. The adjacent properties that front along Grayson Road are not expected to develop in the future. Finally, existing Grayson Road has adequate width to support two travel lanes, parking, and a bike lane. Therefore the overall the surrounding circulation system is consistent with the Complete Streets policy.

The Complete Streets Policy, adopted by the Contra Costa County Board of Supervisors on July 12, 2016, requires Complete Streets infrastructure sufficient to enable reasonably safe travel along and across the right of way for each category of users be incorporated into all planning, funding, design, approval, and implementation processes for any construction, reconstruction, retrofit, maintenance, operations, alteration, or repair of streets (including streets, roads, highways, bridges, and other portions of the transportation system), except that specific infrastructure for a given category of users may be excluded if an exemption is approved via the process set forth in section C.1 of the policy. The policy applies to both publicly owned roads/land and private developments (or redevelopment areas). Additionally, the County General Plan includes many policies promoting pedestrian and bicycle facilities. As designed, the project would be consistent with this policy.

E. **Drainage:** The proposed project would comply with applicable water quality and discharge requirements. The proposed project would add an estimated 50,825 square feet of new impervious surface area. The C.3 requirements stipulate that projects that create or replace 5,000 square feet or more of impervious surface must incorporate specific measures to reduce runoff, such as dispersion of runoff to vegetated areas, use of pervious pavement, installation of cisterns, and installation of bioretention facilities or planter boxes. Implementation of these measures would be required as a condition of approval.

An existing 24" reenforced concrete pipe within Grayson Road currently collects stormwater runoff from upstream properties. The 24" storm drainpipe connects to 2

6x6 concrete boxes under Grayson Creek and discharges water directly to Grayson Creek.

Most runoff on the project site would be directed to a 674-cubic-foot bioretention basin located adjacent to Lot 2 for treatment. Once treated, runoff would be directed to the public storm drainpipe beneath Grayson Road. A portion of the runoff would bypass this treatment system and instead enter the existing 24-inch pipe in Grayson Road. According to the Hydrology and Stormwater Detention Report, the 24-inch pipe has adequate capacity to capture this amount of stormwater runoff, even in a 100-year storm event. This would ensure that project runoff would not exceed existing conditions.

F. **Housing Element Compliance – Residential Sites Inventory**: California Government Code Section 65863 mandates that no local government action shall reduce, require or permit the reduction of the residential density, or allow development at a lower residential density for any parcel identified in the sites inventory for the adopted Housing Element, unless the local government makes written findings that the reduction is consistent with the General Plan, and the remaining sites identified in the Housing Element's site inventory are adequate to meet the jurisdiction's share of the regional housing need. As defined by statute, "a lower residential density" refers to allowing fewer units on the site than were projected within the site inventory of the Housing Element.

   In order to assess whether this residential development application is subject to requirements of California Government Code section 65863, staff reviewed the site inventory for the adopted 2014 Housing Element and determined that Assessor's Parcel Numbers 166-030-001 and 166-030-002 are not among the parcels listed in the inventory of residential sites which were relied upon to meet the County's share of regional housing needs.

VIII. ENVIRONMENTAL REVIEW

In accordance with the state Guidelines for Implementation of the California Environmental Quality Act (CEQA), an Initial Study was prepared to determine the potential environmental impacts of the proposed development project. The initial study identified potential impacts in the areas of Air Quality, Biological Resources, Cultural Resources, Geological Resources, and Tribal Cultural Resources. Upon completion of the Initial Study, it was determined that mitigation measures could be incorporated into the project description that would reduce these project impacts to a less than significant level. These mitigation measures have been incorporated into the project as recommended conditions of approval.

The Initial Study, Notice of Public Review, and Notice of Intent to Adopt a Mitigated Negative Declaration were first posted with the County Recorder and circulated for public and agency review on April 22, 2022. In response to extensive comments from the

California Department of Fish and Wildlife, the applicant revised the project and updated multiple studies, including the Biological Resources Analysis and associated mitigation measures. The revised MND was then prepared and circulated for public and agency review on March 24, 2023. The final day for providing comments on the adequacy of the Initial Study was April 24, 2023. Two agency comments were received during the comment period: the CDFW and EBMUD. Additionally, seven comment letter were received from individuals. All comments are summarized and responded to below.

A. **Agency Comments**

a. **California Department of Fish and Wildlife**

CDFW Comment 1

The comment provides introductory remarks and requests that the previous comment letter be addressed and met as part of the Conditions of Approval for the proposed project by the County. All comments have been addressed and mitigation measures would be included in the project conditions of approval.

CDFW Comment 2

CDFW recommends that the project area be surveyed for special-status plants by a qualified Botanist following the "Protocols for Surveying and Evaluating Impacts to Special-Status Native Plant Populations and Natural Communities," (Protocol) which can be found online at Website: https://wildlife.ca.gov/Conservation/Survfey-Protocols#377281280-plants. Additionally, If State-listed plants, special-status plants, State rare plants found on the CNPS California Rare Plant Ranking system, or plants found on the CNPS East Bay Chapter's Database of Rare and Unusual Plants are identified during botanical surveys, consultation with the CDFW is warranted to determine whether the proposed project can avoid take.

Mitigation Measure *Biology 1*, would require that in the spring immediately prior to project implementation, protocol-level rare plant surveys shall be conducted on the project site. Rare plant surveys would be conducted by a qualified botanist, in accordance with all applicable survey guidelines including those published by the United States Fish and Wildlife Service (USFWS), California Department of Fish and Wildlife (CDFW), and the California Native Plant Society (CNPS). If State or federally listed plants are observed on-site during protocol-level rare plant surveys, all compensatory mitigation requirements and additional avoidance and minimization measures identified by CDFW and/or USFWS shall be implemented.

CDFW Comment 3

CDFW summarizes the Revised Arborist Report dated May 6, 2020, and authored by Traverso Tree Service, and states that an analysis of oak natural communities was not provided, and the Revised Arborist Report and IS/MND did not include an assessment of canopy cover and absolute percentages in upland areas or covering the channel of Grayson Creek. CDFW also states that the IS/MND fails to note that this collection of oaks may be identified as Valley Oak Woodland, and/or Coast Live Oak Woodland and Forest, based on these initial findings; both of which are Sensitive Natural Communities ranked as State Rank 3 and 4 respectively according to the CDFW's Natural Communities. Additionally, CDFW identifies that the Mitigation Measure related to replanting did not include a monitoring component, which is inadequate for mitigating the project-related impacts to Sensitive Natural Communities to a level of less than significant. Furthermore, CDFW provides recommendations on how the planting could be implemented to mitigate impacts. The comment does not provide any ecological or other basis for concluding the tree replanting Mitigation Measure is inadequate, or to support the request for additional mitigation for the removal of trees.

The BRA Addendum, prepared by Johnson Marigot Consulting, LLC, dated December 2022, and recirculated IS/MND provide an analysis of project impacts to Sensitive Natural Communities, drawing the conclusion that the proposed project would result in removal of 1.1 acre of Valley Oak Woodland. The revised Mitigation Measure *Biology 2* prescribes replacement of all trees removed from the on-site Valley Oak Woodland in-kind and on-site at a 3:1 ratio for native trees, or out-of-kind at 1:1 ratio for non-native trees, to be replaced with native trees, with a replacement tree planting plan that shall be approved by the County along with landscape plans prior to issuance of building permits. Though this is not consistent with the CDFW recommendation, the mitigation ratio contained is consistent with the Contra Costa County Tree Protection and Preservation Ordinance implementation and practice and is supported by the BRA. This implementation includes bonding to ensure that the plantings are viable or replaced.

As detailed in the BRA Addendum, the proposed project's potential impacts to trees and Valley Oak Woodland have been adequately analyzed, adequate mitigation has been identified, and the proposed project would result in a less than significant impact to trees.

CDFW Comment 4

CDFW states that the initially circulated IS/MND Mitigation Measure *Biology 1* requires that nesting bird surveys would be limited to the large trees of the adjacent riparian area from February 15 to August 31, and that this measure fails to avoid ground nesting birds and those that nest in shrubs. CDFW recommended that a revised mitigation measure be incorporated into the revised IS/MND.

Mitigation Measure *Biology 3* has been updated based on the BRA Addendum and includes additional survey requirements to protect birds that nest on the ground, in shrubs, and on structures that may be impacted by project implementation. In addition, Mitigation Measure *Biology 3* prescribes daily monitoring of active nests and conducting additional nesting surveys if there is a lapse in project activities of 7 or more days during the nesting season. With implementation of this updated mitigation, CDFW's concerns related to birds would be addressed.

CDFW Comment 5

CDFW recommends alternative language to replace Mitigation Measure Biology-4 to mitigate for the permanent impacts to special-status bats and their habitats to a level of less than significant. Mitigation Measure Biology-8 includes the recommended language.

CDFW Comment 6

CDFW requires a Lake and Streambed Alteration (LSA) Notification, pursuant to Fish and Game Code Section 1600 et seq., for any activity that may substantially divert or obstruct the natural flow; change or use material from the bed, channel, or bank including associated riparian or wetland resources; or deposit or dispose of material where it may pass into a river, lake, or stream. Based on the Vesting Tentative Map for the proposed project, dated January 28, 2022, and authored by DeBolt Civil Engineering, an LSA Notification under Fish and Game Code Section 1600 et seq. would be a requirement of the proposed project as designed.

As stated within the BRA Addendum, as project implementation would result in impacts to CDFW's Fish and Game Code Sections 1600–1607 jurisdiction, a Lake and Streambed Alteration Agreement (LSAA) would be required. The project proponent will apply for an LSAA prior to project implementation.

CDFW Comment 7

CDFW requests that any special-status species and natural communities detected during project surveys to the California Natural Diversity Database (CNDDB). Any special-status species found to exist at the site during biological surveys or project implementation would be reported to the CNDDB.

b. **East Bay Municipal Utility District (EBMUD)**

The letter from EBMUD stated the permitting requirements that would apply to the project from the agency. The adequacy of the IS/MND was not questioned. The applicant would adhere to all EBMUD requirements.

B. **Public Comments**

a. **Suzanne Francois**

Francois Comment 1

The comment is concerned about the lack of detail provided about the proposed project. The comment requests more information, such as building specifics, ADU details, riparian setback details, lighting, and more. The comment adds that the project site's wildlife impact reports are incomplete.

The proposed project would not construct ADUs. Details regarding the proposed building and development standards are included in the Land Use and Planning section of the IS/MND. A 50-foot setback from the Creek for protection of the Grayson Creek riparian corridor would be provided, as described in IS/MND Project Description, and as shown in the Vesting Tentative Map for the project. Lighting impacts were analyzed in IS/MND Aesthetics section, which found that new sources of light and glare would originate from internal and external housing lights and car headlights. Mitigation Measure *Aesthetics 1*, would require a Lighting Plan that would ensure all lighting is reasonable oriented onto the subject property.

Francois Comment 2

The comment states that the description of the neighborhood around the project site is inaccurate. The comment adds that the description of the on-site woodland area is also inaccurate.

The comment does not provide specifics as to the inaccuracies of the provided descriptions. All relevant information regarding the surrounding neighborhood and on-site woodland has been included in the IS/MND.

Francois Comment 3

The commenter questions how nesting owls residing at the project site will be protected.

Mitigation Measure *Biology 3* includes pre-construction survey requirements to avoid impacts to nesting birds that may be impacted by project implementation. In addition, Mitigation Measure *Biology 3* prescribes daily monitoring of active nests and conducting additional nesting surveys if there is a lapse in Project activities of 7 or more days during the nesting season.

Francois Comment 4

The comment states that the proposed project is not transparent. The comment questions why Grayson Creek and its habitats are not being protected.

The comment on the proposed project's transparency is not an environmental issue and the project has been discussed in detail and publicly noticed multiple times. Project implementation would require grading and the removal of trees within the Grayson Creek riparian corridor. However, a majority of the Grayson Creek riparian corridor will be avoided by project activities (0.80 acre of the 1.01 acres of riparian habitat occurring on-site [79 percent of the on-site riparian habitat] would be avoided). Grayson Creek itself would not be impacted by the proposed project.

b. **Clay Haberman**

Haberman Comment 1

The comment states that 12-hour noise-inducing activities during the week for the proposed project is excessive. Furthermore, the comment requests that noise-inducing activities for the proposed project be limited on Saturdays to 9:00 a.m. to 5:00 p.m.

The project would include standard conditions of approval that would limit the construction to the hours of 8:00 A.M. to 5:00 P.M., Monday through Friday.

Haberman Comment 2

The commenter states that the Arborist Report and tree survey have not been updated since the property owner removed trees and thus, it must be confirmed with a new tree survey that no protected trees were removed.

All trees documented in the arborist report have remained as protected trees throughout the review of the project. During project implementation, the removed trees, accidental or planned, would be verified through compliance review of the conditions of approval and would be required to be mitigated as detailed in the conditions.

Haberman Comment 3

The comment states that a tree protection plan should be mandated as a condition of approval and that the replacement planting requirements should be quantified based on the original survey prior to the removal of trees.

As required by the conditions of approval, a tree replacement plan and landscape plan will be prepared by a qualified Landscape Architect and provided to the County prior to issuance of building permits.

Haberman Comment 4

The comment notes that standard parking stalls are 9 feet wide and 19 feet long in the County for residential projects. As such, the comment states that the proposed setback of 14 feet would not be able to accommodate cars on the driveway and should not include the garage. The comment notes that standard parking stalls are 19 feet long, and that cars would not be able to park on the proposed driveways as they would be too short and narrow. The comment further notes that the proposed road would be too narrow to accommodate parallel parking, and therefore residents of the proposed project would have to park on Grayson Road. The comment further states that as such, adequate frontage improvements should be provided to Grayson Road to ensure parking space and pedestrian safety.

The proposed project would enforce a 20-foot minimum front yard setback requirement to the face of the two-car garages in each proposed unit. This would exceed the standard parking stall length of 19 feet, and would thus allow for parking of standard-sized vehicles on the driveways.

Haberman Comment 5

The comment notes that the proposed project would receive a concession to develop smaller lots as part of the State Density Bonus Law. The comment suggests further decrease to the proposed lot and unit sizes to allow for proper street and driveway improvements. The comment explains that this would result in a reduced burden for adjacent streets and neighbors.

The comment suggests smaller lots and homes to allow for wider streets. As explained in the responses above, the IS/MND did not identify any potential circulation hazards that would require additional mitigation.

Haberman Comment 6

c. **Ann Keeler**

Keeler Comment 1

The commenter states that there appears to be a flock of band tail pigeons at the property.

Band-tailed pigeons (Patagioenas fasciata) are protected under the Migratory Bird Treaty Act (MBTA). Mitigation Measure *Biology 3* includes pre-construction survey requirements to avoid impacts to birds protected pursuant to the MBTA that may be impacted by project implementation. In addition, Mitigation Measure *Biology 3* prescribes daily monitoring of active nests and conducting additional nesting surveys if there is a lapse in project activities of 7 or more days during the nesting season.

d. **Lisa Shikany**

Shikany Comment 1

The comment remarks that they specifically requested for neighbor Jeanne Shikany to be notified of activities pertaining to the proposed project in addition to themselves in an email on May 8, 2022. The comment states that Jeanne Shikany did not receive any notification, and that the County is required to provide adequate notice to anyone requesting it and failed to do so in this case.

The project was noticed to the commenter as requested. This is evidenced by the fact that the commenter responded to the notice and is listed on the notification list for the project.

Shikany Comment 2

The comment states that the County failed to provide the complete Draft IS/MND for public review, and that copies of the various reports prepared to address the impacts of this proposed project were not available, including the addendum to the previous biological assessment, thereby limiting the public's ability to review and comment on the proposed project.

The IS/MND and all reports were available during the noticing period. The IS/MND was posted on the County's website and all reports were available upon request.

Shikany Comment 3

The comment compares the prior 2007 and 2009 proposal to the proposed project. It states that the 2007 and 2009 proposal better promoted privacy, protected the riparian area, minimized tree removal, and matched the community character with a lower density. Furthermore, the comment notes that the prior project sponsor facilitated better communication with the neighboring residents regarding project concerns and that the current project sponsor has not contacted the neighborhood community. The comment notes that the proposed project contains twice the number of subdivisions, includes setback and lot size waivers and a moderate-

income home for the purposes of achieving maximum unit density. The comment notes that the project site contains sensitive habitats and wildlife and that the proposed project removes trees and habitats with no space for replacement. The comment also notes that the proposed project is out of character with the surrounding area.

The proposed project by design is denser that the previously approved subdivision of the project site. The project has been designed with densities and development standards that are consistent with the State Density Bonus Law as discussed previously.

Shikany Comment 4

The comment states that the applicant did not address neighborhood concerns related to design.

The applicant has redesigned the project in response to comments from neighbors and CDFW. As detailed in the BRA Addendum, with the updated mitigations, the project is not expected to have a significant impact on the environment. Additionally, the applicant has responded to adjacent neighbor's requests for privacy fencing and relocation of proposed residences to address privacy concerns.

Shikany Comment 5

The comment states the long-term impacts to sensitive habitats and the wildlife that currently utilize them are not addressed in the IS/MND.

Specific impacts and mitigation measures have been identified and would be implemented as part of the project. These mitigations have been designed for the specific circumstances of the subject property, including the biological impact mitigations based on the species that could be located on the subject property.

Shikany Comment 6

The comment states that the IS/MND does not incorporate mitigation measures such as riparian corridor fencing and a deed restriction prohibiting development, which would have provided long-term protection to Grayson Creek.

Mitigation measures for the protection of Grayson Creek have been incorporated into the project. These mitigation measures include the requirement for a Stormwater Control Plan to protect water quality, a lighting plan to limit nighttime light impacts on the creek, and tree planting and landscape plans for restitution/mitigation for removed trees. Though the project does not include the

mitigations requested by the commenter, a less than significant impact is expected as discussed in the IS/MND and supported by the Biological Resources Assessment Addendum.

Shikany Comment 7

The comment expresses concern about the lack of sidewalks and pedestrian safety on Grayson Road due to the density of the proposed project.

The IS/MND Transportation section describes that the proposed project would generate an additional 8 AM and 8 PM new peak period trips, which was determined to be a less than significant impact on circulation. The proposed project includes a 5-foot-wide, elevated sidewalk along the proposed new roadway. It would also include a reconstructed asphalt-concrete curb along the edge of pavement of Grayson Road, as well as bicycle lane striping.

The County's Complete Streets policy requires streets to enable reasonably safe travel along and across the right-of-way for each category of users. The IS/MND describes that the proposed project would comply with this requirement. Furthermore, the proposed project qualifies for one exemption or concession from the County pursuant to the Density Bonus Law. The project applicant requested that they provide asphalt-concrete curb along the edge of pavement of Grayson Road along the project frontage as well as bicycle land striping, as shown on the Tentative Map.

The commenter raises concerns, which state that the County can reject a concession request if there would be an adverse impact on public safety. The project frontage is located in excess of 1,000 feet away to the east to the nearest sidewalks. As a result of the isolation, an isolated sidewalk along the project frontage would not provide pedestrians, cyclists, or vehicles with a safer travel experience along Grayson Road. The proposed alternative improvements would provide a safe path for both cyclists and pedestrians. As such, the applicant can legally request this concession, and the County is required to approve it.

Shikany Comment 8

The comment states that the concept of a Vesting Tentative Map, which constitutes the plans provided by the proposed project, should be described to the public in the IS/MND's project description. Specifically, the comment requests that it be disclosed that a Vesting Tentative Map allows the proposed project not to comply with any future changes in regulations following the proposed project's approval. The comment states that the applicant should be required to provide additional project details in exchange for these Vesting Tentative Map benefits and that the

County should justify why the proposed project is granted the use of a Vesting Tentative Map.

In addition to the issuance of a vesting tentative map being a regular and expected part of approving a subdivision in the County, and the proposed project is consistent with the requirements of Contra Costa County Municipal Code Section 94-2.204 which state the required information for the subdivision of land. CEQA does not require that an IS/MND disclose more details in the case that a Vesting Tentative Map is used.

Shikany Comment 9

The comment states that the project description provided in the Draft IS/MND lacks sufficient detail to serve as the basis for addressing potential project impacts, and many project details are mentioned only in the analysis sections.

The commenter does not go into specific detail with this comment. Responses to specific comments regarding missing items in the IS/MND project description are included in the other responses to this comment letter.

Shikany Comment 10

The comment states that the IS/MND's project description has missing details and is fragmented. The comment specifically references the fact that accessory dwelling units (ADUs) are not referenced in the project description.

No ADUs will be developed as part of the proposed project, and thus are not considered as part of the project description for the IS/MND.

Shikany Comment 10

The comment states that the Draft IS/MND does not state the distance from the Creek to the riparian corridor setback, nor does it describe the width of the riparian corridor that was previously proposed to be protected through mitigation measures.

The proposed project would implement a 50-foot setback from the Grayson Creek centerline. This has been incorporated into the project description in the IS/MND and is shown on the VTM. No adverse impacts were identified for the proposed project and no additional mitigation is necessary to reduce impacts to below a level of significance. The IS/MND is not required to incorporate measures proposed in a CEQA document for a previous project.

Shikany Comment 11

The comment states that the IS/MND project description does not mention the waiver of setback for retaining walls included in the land use section. Furthermore, the comment states that the Draft IS/MND does not describe the location of the retaining walls.

The Vesting Tentative Map shows the location of the proposed retaining walls. Though not described in the project description, the waiver is shown in the Land Use Section of the IS/MND in the table of development standards.

Shikany Comment 12

The comment states that much of the proposed project's site plan lacks labels for many of the lines shown, including, but not limited to, the top of the creek bank and the centerline of the creek channel.

The comment is noted but does not impact the environmental analysis for the project. All impacts and mitigations would be expected to remain the same.

Shikany Comment 12

The comment states that the IS/MND project description misses information regarding riparian, oak woodland, and other protected habitat and vegetation on the project site. Furthermore, the IS/MND project description does not describe any wildlife that utilizes the project site. The comment states that this information should be in the project description, not the analysis sections.

Information on protected habitats, wildlife, and vegetation are found the Biological Resources section of the IS/MND. The proposed project, including the identified mitigation measures, was designed to accommodate a 50-foot creek setback to avoid impacts to the adjacent Grayson Creek and surrounding habitat to the greatest extent feasible, including the avoidance of trees within the riparian corridor.

Shikany Comment 13

The comment states that the description of the area surrounding the project site, that it is single-family residential development, is vague and inaccurate. The commenter states that the adjacent area in unincorporated Contra Costa County has a lower density and smaller unit size than the adjacent area within the City of Pleasant Hill and that the proposed project would not be consistent with the density of the surrounding homes in unincorporated Contra Costa County.

The project description states that the surrounding area consists of single-family homes, which is accurate. The difference in density and size of the surrounding homes in Contra Costa County in comparison to the surrounding homes in the City of Pleasant Hill is noted. However, the project site and the surrounding areas to the south have a land use designation of Single-Family Residential–Low (SL), and are zoned as R-15. The R-15 zoning designation is primarily for single-family detached homes, and permits a unit density of 1.0 to 2.9 dwelling units per acre. The Density Bonus Law allows for increased density of the proposed project to 3.28 dwelling units per acre. As such, the proposed density is consistent with the SL land use designation.

Shikany Comment 14

The comment states that the IS/MND has not listed a Streambed Alteration Agreement from the CDFW, and a Storm Water Pollution Prevention Plan (SWPPP) from the Regional Water Quality Control Board (RWQCB) as required discretionary approvals.

The Biological Resources section of the IS/MND states that a Streambed Alteration Agreement from the CDFW is required. The Hydrology and Water Quality section outlines RWQCB requirements to implement stormwater controls. The proposed project's Stormwater Pollution Prevention Plan would be approved as part of the Construction General Permit from the RWQCB.

Shikany Comment 15

The comment states that while classified as an urban area by the Census Bureau, the visual character of the project area is still relatively rural, with significant tree cover and larger lots. The comment states that the project's density and home size is inconsistent with the immediate surrounding area. The comment also states that solely considering lot size when determining aesthetic impacts is misleading and that the density and size of the proposed homes is not consistent with the surrounding development in unincorporated Contra Costa County.

The analysis in the IS/MND considers numerous issues when evaluating potential aesthetic impacts. As explained in the Aesthetics section of the IS/MND, the proposed project would comply with applicable zoning and other regulations concerning aesthetics with certain concessions to the R-15 zoning development standards allowed by the Density Bonus Law. Additionally, the proposed project would include a landscaping plan that will enhance the aesthetic character to maintain adequate screening and privacy in the area. The aesthetic difference between the property and other less dense properties in the area, thus, would not be considered a significant environmental impact.

Shikany Comment 16

The comment states that the density of the development must be reduced for the proposed project to not degrade the existing visual character. The comment states that lot size, width, and setback waivers could then be eliminated, and increased setbacks from the creek to the proposed residential development could also be accomplished.

The project site and the surrounding areas to the south have a land use designation of Single-Family Residential–Low (SL), and are zoned as R-15. The R-15 zoning designation is primarily for single-family detached homes, and permits a unit density of 1.0 to 2.9 dwelling units per acre. The Density Bonus Law allows for increased density of the proposed project to 3.28 dwelling units per acre. As such, the proposed density is consistent with the SL land use designation. A change in the visual character from largely undeveloped to more developed would be consistent with the surrounding area and is, thus, not expected to be a significant visual impact.

Shikany Comment 17

The comment requests that if a landscaping plan is used to make a less than significant determination in the aesthetics analysis, the proposed project should have measurable performance standards, and that the requirement for "adequate planting of trees and other landscaping" is not a measurable performance standard, and that there needs to be a clear and detailed definition of "adequate."

The landscaping plan would be reviewed for adequacy prior to issuance of a building permit for the project. The plan would have to meet County Water Efficient Landscape Ordinance requirements which provide planting details for each area of the property, and would include the requirements of Mitigation Measure *Biology 2,* including the planning of approximately 54 native riparian woodland trees. The Mitigation Measure prescribes replacement of all trees removed from the on-site Valley Oak Woodland in-kind and on-site at a 3:1 ratio for native trees, or out-of-kind at 1:1 ratio for non-native trees, to be replaced with native trees, with a replacement tree planting plan that shall be approved by the County along with landscape plans prior to issuance of building permits. This implementation includes bonding to ensure that the plantings are viable or replaced. Thus, the landscaping plan would have measurable performance standards and is reasonably considered a justification as why the project aesthetic impacts would be less than significant.

Shikany Comment 18

The comment states that the Mitigation Measure Aesthetics-1 does not provide lighting standards that prevent light from spilling out onto the creek and riparian corridor.

The mitigation measure clearly identifies what design standards are required for the lighting plan, including that all lights be oriented down, onto the project site or road, and back shields or functionally similar design elements.

Shikany Comment 19

The commenter states that no reports were attached to the MND, and thus, the public was restricted in their ability to comment on the findings.

All non-confidential appendices and technical reports may be released to the public upon request.

Shikany Comment 20

The commenter states that there is no discussion regarding what public agencies with jurisdiction over potentially impacted resources were consulted about this project prior to completion of the initial study.

The County notices all public agencies with potential jurisdiction over the project upon initial review of the application. As discussed in the agency comment section of the is staff report, agencies have provided comments regarding the standards and requirements under their purview. The discussion of these standards is mentioned throughout the IS/MND as applicable in each section.

Shikany Comment 21

This commenter states that the proposed project could have significant adverse permanent effects and will preclude reestablishment of existing habitat. The commenter further states that the IS/MND only addresses temporary construction impacts, and not permanent adverse impacts, and that there is no analysis of the impacts of noise, lights, and other residential activities on what habitat and wildlife will remain, as well as on reestablishment of destroyed habitat (for example, residential uses leave no room for replanting of removed trees.).

The impact of noise, lights, and other residential activities are addressed in the BRA Addendum and the IS/MND. Site occupation has the potential to impact the adjacent riparian corridor through trespass, impacts associated with lighting and

structure aesthetics, and stormwater runoff. Project plans include isolation of the residential lots from the riparian corridor through installation of permanent fencing along the southern/eastern boundary of the developed site. Mitigation Measure *Aesthetics 1* includes requirements for all outdoor lighting, including façade, yard, security, and street lights, to be oriented down, onto the project site or road, and back shields or functionally similar design elements to be installed on every lighting pole to reduce lighting from spilling off-site, and to ensure that lighting remains within the project site. Mitigation Measure Biology-6 includes the implementation of a Stormwater Management Plan to ensure there are no impacts to water quality in Grayson Creek resulting from project construction or post-construction stormwater runoff.

Mitigation Measure *Biology 2* requires on-site replacement of trees removed at a 3:1 ratio for native trees, or out-of-kind at 1:1 ratio for non-native trees, to be replaced with native trees, with trees spaced in a manner that promotes their long-term growth habits. Tree replacement plan and landscape plan will be prepared by a qualified Landscape Architect and provided to the County prior to issuance of building permits, documenting practicability of planting replacement trees on-site. In addition, Mitigation Measure *Biology 7* prescribes the planting of Valley Oak Woodland species within all on-site undeveloped areas. Project design includes the avoidance of approximately 30 percent of the on-site trees, all other trees will be replaced. Implementation of the project design (including avoidance measures) and the two abovementioned mitigation measures minimize impacts to on-site trees and woodlands through avoidance and replacement, which reduces the magnitude of permanent tree/habitat removal. Thus, the IS/MND does consider and mitigate for both temporary and permanent biological resource impacts.

Shikany Comment 22

The commenter states that there is no analysis or mitigation to address likely intrusions by residents into the riparian corridor that would be facilitated by the close proximity of proposed homes with shallow rear yards to the riparian corridor, and that a thorough analysis of ongoing residential impacts must be provided.

As discussed in the previous response, project plans include isolation of the residential lots from the riparian corridor through installation of permanent fencing along the southern/eastern boundary of the developed site.

Shikany Comment 23

The commenter states that the habitat types listed add up to 2.61 acres, yet the project site is listed as 3.05 acres, and questions what is occurring on the missing 0.44 acre?

Land Cover Types listed include 3.05 acres of Developed Land, Mixed Woodland, Valley Oak Woodland, and Riparian Woodland. The breakdown of the acreage is provided below:

- Developed (.21 acre)
- Mixed Woodland (0.62 acre)
- Valley Oak Woodland (1.18 acres)
- Riparian Woodland (1.01 acres)

This is not considered significant new information and all impacts related to the land cover types were considered within he biological resource assessment for the project.

Shikany Comment 24

The commenter questions how avoidance measures reference in Mitigation Measure Biology-1 will be implemented in the case that rare plants are found. They also ask what is proposed to be done with salvaged seed or root stock, given the development in the surrounding area. They ask if vegetation replacement for sensitive plants would occur in the riparian corridor.

Mitigation Measure Biology-1 states that if CNPS-Ranked species are observed on-site during protocol-level rare plant surveys, salvage of seed and/or root stock shall be conducted under the direction a qualified Botanist and in coordination with a qualified plant conservation institution or native nursery. Impacts to special-status species will be avoided through salvage of seeds or individual plants (root stock) in coordination with a qualified institution capable of propagating these species for planting off-site in protected environs. In addition, if CNPS-Ranked species are observed on-site during protocol-level rare plant surveys, the project proponent proposes to prepare a plan to accomplish salvage and relocation/replacement that states methods of salvage, storage, and replacement planting of seeds or plants, and to identify receptor sites, set target numbers to be established, describe monitoring methods, and define requirements for maintenance and annual monitoring reports.

Additionally, protocol rare plant surveys were conducted in 2023 by JMC Botanist Haley Henderson resulted in negative findings for rare plants. Ms. Henderson conducted appropriately timed focused floristic surveys on March 23, May 9, and June 8, 2023. Surveys were conducted to ensure that the primary bloom window was covered for each of the regionally known special-status plant species with potentially suitable habitat on the project site. No special-status plant species were observed during these focused floristic surveys, or previously conducted general

site surveys.

Shikany Comment 25

The commenter states that the language in Mitigation Measure *Biology 2*, which requires replacement of on-site riparian woodland and Valley Oak Woodland to the greatest extent practicable, contains nebulous language and asks the following questions: What determines what is or is not practicable? Will the developer be allowed to argue that it is not practicable to replace any of the trees, or half of the trees?

Mitigation Measure Biology 2 calls for trees removed from the riparian woodland to be "replaced in-kind and on-site to the greatest extent practicable." The practicability of in-kind and on-site planting is the issue to be considered, not the replacement ratio. A tree replacement plan and landscape plan will be prepared by a qualified Landscape Architect and provided to the County prior to issuance of building permits, documenting practicability of planting replacement trees on-site. The landscape professional would be adequately qualified to determine the practicability of planting replacements.

Shikany Comment 26

The commenter states that project mitigation should call for avoidance of removing the habitat on the project site by removing multiple lots from the development, and the County is not obligated to allow the proposed density and that CEQA requires avoidance as a first step in mitigating project impacts

The Density Bonus project is consistent with the allowed density on the project site and is an infill project within a developed residential neighborhood. Though lots could be removed from the development proposal resulting in less impacts to the habitat on the site, the project as proposed and mitigated is not expected to have a significant impact on biological resources.

Shikany Comment 27

The commenter asks where the 158 trees being replace will be planted. They note that replacement trees in the riparian corridor would need to be evaluated for impacts to the existing habitat. They question the feasibility of planting replacement trees on-site, and list reasons that Mitigation Measure Biology-2 is not achievable. They further describe that the impact of removing the trees must be analyzed and location of replacement trees must be documented. They state that it must be documented how trees will be protected from removal.

Mitigation Measure Biology 2 prescribes that planted trees shall be spaced in a manner that promotes their long-term growth habits. A tree replacement plan and landscape plan will be prepared by a qualified Landscape Architect and provided to the County prior to issuance of building permits, documenting practicability of planting replacement trees on-site.

The majority of the project site is regularly disked, occurs within a matrix of suburban development, and includes existing on-site residential development. Mitigation Measure *Biology 2* requires on-site replacement of trees removed at a 3:1 ratio for native trees, or out-of-kind at 1:1 ratio for non-native trees, to be replaced with native trees, with trees spaced in a manner that promotes their long-term growth habits. In addition, Mitigation Measure *Biology 7* prescribes the planting of Valley Oak Woodland species within all on-site undeveloped areas. Multiple trees on the project site will be preserved and others will be replaced. Implementation of the project design (including avoidance measures) and the two abovementioned mitigation measures minimize impacts to on-site trees and woodlands through replacement plantings, which reduces the magnitude of permanent tree/habitat removal.

Shikany Comment 28

This comment lists performance standards that they believe must be included in Mitigation Measure Biology 2.

In addition to the details regarding the landscaping plan outlined in the previous response, the trees planted as mitigation would be monitored, maintained, and replaced as needed. Recorded Covenants, Conditions, and Restrictions (CC&Rs) will provide a perpetual source of funding and responsibility for the trees. The required annual inspection (to be conducted prior to October 1 every year), ongoing maintenance, and the requirement to provide for the replacement of the mitigation trees will be included in the CC&Rs recorded against each of the proposed properties. A copy of the CC&R(s) will be provided to the County prior to installation of the permanent fencing.

Shikany Comment 29

The commenter states that Mitigation Measure *Biology 4* and Mitigation Measure *Biology 5* should be rewritten to be very clear about what must occur regarding special-status amphibians and reptiles.

As discussed in the IS/MND immediately proceeding Mitigation Measure *Biology 4* and *Biology 5*, USFWS-approved capture and relocation would occur if species are found. The qualified biologist or biological monitor that is required by the

mitigations would ensure that all workers at the project site are aware of the required protocols for western pond turtle and Alameda whipsnake.

Shikany Comment 30

The commenter states that replanting oak woodland in the riparian corridor would be inappropriate. They state that several lots of the proposed project must be removed in order to fulfill Mitigation Measure Biology-7.

As discussed above, the replanting plan would be prepared by a qualified landscape professional to determine practicability of the replantings. The professional would identify appropriate locations for the replantings on the site to ensure the health of the replantings. All replantings would be monitored for viability and would be replaced if necessary.

Shikany Comment 31

The commenter states that tree cutting resulting in deposition of debris in the creek channel occurred while the developer was working on permitting the subdivision, as reported by adjoining neighbors. The commenter states that the Arborist Report, the BRA, and the MND do not address this. The commenter asks if this was considered when the biological report was updated in 2022.

A dead Monterey pine tree that was considered a safety hazard was removed from the site on October 28, 2021. Removal of this dead tree was not done as part of project activities. This work would be considered regular management and maintenance of the site.

Shikany Comment 32

The commenter states that several oak trees in the riparian corridor would be removed and questions whether some of these trees can be retained, per recommendations of the Arborist Report.

The proposed project was designed to accommodate a 50-foot creek setback to avoid impacts to the adjacent Grayson Creek to the greatest extent feasible, including the avoidance of trees within the riparian corridor. Because root zones of trees within the corridor may be impacted by construction of project elements occurring outside of the creek setback, and accordingly, their removal was recommended by the Arborist. Additionally, tree No. 136 is a non-native silver dollar eucalyptus (Eucalyptus cinerea) with a failed trunk, and tree No. 194 and No. 195 are dying Siberian elms (Ulmus sp.). Furthermore, these non-native trees were recommended for removal by the Arborist due to health and location within the

grading limits. Trees No. 137 and No. 138 are native oaks that occur very adjacent to the top of bank of Grayson Creek and the proposed project was designed to avoid trees such as these. Native oaks, tree No. 114, No. 115, No. 116, No. 169, and NO. 169b occur approximately between 50 and 80 feet beyond the centerline of Grayson Creek, making project planning of to avoid impacts to these trees (including their root systems) infeasible.

If it is determined that additional native trees can be protected in place while still achieving project objectives (as determined by the project Arborist in coordination with the Construction Manager and the project proponent), the project proponent will determine if additional trees can be saved based upon the potential impacts from the grading to the root structure of the trees by "field-fit" grading activities to the greatest extent practicable to conduct such avoidance. This requirement would be included as a condition of approval.

Shikany Comment 33

The commenter states that the IS/MND contains no description of how the riparian setback was established, and no description of the width of the riparian setback from the creek channel, centerline, or from the top of bank. They state that neither the creek centerline nor the top of bank are shown on the development plans.

In some areas, the extent of riparian canopy extends far beyond the top of bank of Grayson Creek (such as in the southwestern corner of the project site), while in others, the riparian canopy is minimal and the top of bank is beyond the extent of riparian canopy. It appears the commentor is equating the riparian corridor and the creek structure setback; however, these are not equivalent. The County does not require a "riparian setback." However, the project design incorporates a required 50-foot creek setback from the centerline of Grayson Creek to avoid impacts to Grayson Creek. The centerline of Grayson creek is depicted and labeled on the development plans.

Shikany Comment 34

The commenter states that Figure 11 of the Biological Report shows the top of bank either commensurate with or extending beyond the riparian setback, which apparently is the drip line of the trees that were determined to comprise the northerly boundary of the riparian corridor. The commenter cites Policy 8.89 of the General Plan Conservation Element requires a minimum 50-foot setback from the centerline of Grayson Creek. The commenter asks how the proposed riparian setback compares to the minimum 50-foot setback.

In some areas, the extent of riparian canopy extends far beyond the top of bank of

Grayson Creek (such as in the southwestern corner of the project site), while in others, the riparian canopy is minimal and the top of bank is beyond the extent of riparian canopy. It appears the commentor is equating the riparian corridor and the creek structure setback; however, these are not equivalent. The County does not require a "riparian setback." However, the project design incorporates a required 50-foot creek setback from the centerline of Grayson Creek to avoid impacts to Grayson Creek.

Shikany Comment 35

The commenter states that the IS/MND needs to clarify the difference between the riparian setback area and the creek structure setback line, and what can occur within each area. The describe that the project plans show the limit of the riparian area with a note that no grading will be allowed and that beyond that line, the plans show the creek structure setback line. They state that this means grading is allowed up to and below the top of the creek bank, which they state is inappropriate and requires extension of the riparian setback area to a point beyond the top of bank.

The proposed project includes a single setback from the centerline of Grayson Creek to avoid impacts to Grayson Creek. This setback includes the restriction of construction of aboveground permanent elements such as roads/driveways and structures to be a minimum of 50 feet from the centerline of Grayson Creek. While project implementation would require grading and tree removal within the riparian corridor, all grading activities are proposed to remain well outside of top of bank (a minimum of 20 feet). The County's Creek Structure Setback requires a setback that is defined as a point where a line with slope of 2.5 horizontal to 1 vertical, extending from the toe of the channel, intersects the existing ground plus 30 feet horizontal.

Shikany Comment 36

The commenter asks if the County has determined that Grayson Creek, or the portion within the proposed subdivision, is a "protected watercourse" and if it requires protection pursuant to County Code Section 914-4.002. The commenter asks for a rationale if it is not protected.

Grayson Creek is not identified as a "protected watercourse" within any publicly available maps, reports, or databases. Though the County, in its sole discretion may designate a natural watercourse as a "protected watercourse," Grayson Creek has not been designated. Additionally, the protections for the creek from the required Creek Structure Setback and Lake and Streambed Alteration Agreement (LSAA) would provide preservation of the resource.

Shikany Comment 37

The commenter states that the IS/MND does not address impacts associated with the establishment and ongoing activities of permanent residential uses close to Grayson Creek and does not address that the proposed residential lots include the riparian area. They state that due to the setback waivers coupled with the number of lots proposed, there is little rear yard on the majority of the lots, which could encourage the use of the riparian area as part of the homes backyards.

Site occupation has the potential to impact the adjacent riparian corridor from potential usage, impacts associated with lighting and structure aesthetics, and stormwater runoff. Project plans include isolation of the residential lots from the riparian corridor through installation of permanent fencing along the southern/eastern boundary of the developed site. Mitigation Measure *Aesthetics 1* includes requirements for all outdoor lighting, including façade, yard, security, and street lights, to be oriented down, onto the project site or road, and back shields or functionally similar design elements to be installed on every lighting pole to reduce lighting from spilling off-site, and to ensure that lighting remains within the project site. Mitigation Measure *Biology 6* includes the implementation of a Stormwater Management Plan to ensure there are no impacts to water quality in Grayson Creek resulting from project construction or post-construction stormwater runoff.

Shikany Comment 38

The commenter states that a permanent fence was previously proposed by Mitigation Measure Biology 6, but is no longer included as a mitigation measure. The comment asks how the County would ensure that future property owners do not extend their backyards into the protection riparian area. The commenter provides multiple questions about the design of the fence and questions why the fence was removed and how the County intends to protect the riparian area from extension of the proposed lots.

The proposed project would incorporate a fence along the southern/eastern boundary of the developed site. As this fence is part of project plans, it is no longer considered a mitigation measure. Furthermore, the perpetual exclusion of residents from the creek is not necessary given the requirements of the creek structure setback which would provide adequate protection of a majority of the riparian area.

Shikany Comment 39

The commenter states that it appears that a deed restriction of the creek structure setback is no longer required by Mitigation Measure Biology-6 and asks for clarification.

All the properties within the creek structure setback would be subject to deed restrictions (as required by County Code and as shown on the Vesting Tentative Map) prohibiting the property owners from developing the portion of their properties occurring within the setback, including the construction of permanent structures such as ADUs, pools, fences, etc.

Shikany Comment 40

The commenter states that the less than significant impact to State and federally protected wetlands is based on a number of project features that are not adequate.

No State or federally protected wetlands occur within the development area of the project site. While project implementation would result in impacts to the riparian corridor associated with Grayson Creek, it would avoid direct impacts (fill or modification) to Grayson Creek.

Shikany Comment 41

The commenter speculates that future homeowners will unlawfully expand their backyards into the deed-restricted creek structure setback. The commenter asks how expansion of backyards into the setback area will be monitored and prevented.

The proposed project would include an enforceable deed restriction in addition to local land use controls to prevent unauthorized land uses. All structures requiring a building permit would be vetted by County staff during review, including enforcement of the setback.

Shikany Comment 42

The commenter states that Sheet 4 of the development plans provides information as to how the creek structure setback was calculated, and question the basis for the location of the cross-sections, how the number and location of cross-sections was determined to be adequate for the establishment of the structure setback lines, and how it was determined that the entire creek section is adequately represented by these cross-sections.

The extent of the creek structure setback was calculated from the top of bank, which was determined in accordance with Title 9, Division 914 (§§ 914-14.010, 914-14.012, 914-14.014) of the Contra Costa County Ordinance Code. Because the height of the TOB is less than 20 feet above the channel invert, the required horizontal distance between top of bank and the setback line is 30 feet. The entire

creek corridor was mapped to determine the extent of top of bank, and accordingly the extent of the creek structure setback. While the creek structure set back was determined by location the top of bank, functionally the creek structure setback occurs at a minimum of 50 feet from the centerline of the Grayson Creek channel.

Shikany Comment 43

The commenter states that County Code Section 914-14.012(d) states that where significant riparian vegetation exists beyond the limits required by Section (c) of this same section (the limits the subdivision utilizes), the County may extend the setback line to include such areas. The commenter asks what the basis was for not requiring this additional area, given the number of oaks and other trees that are proposed to be removed, since the trees being removed have crowns that are part of the riparian canopy?

The County has discretion in determining the Creek Structure Setback. To accommodate the proposed Density Bonus Project, the use of a majority of the project site was required and additional setback would have made the project infeasible.

Shikany Comment 44

The commenter states that, while the IS/MND properly notes that the Grayson Creek riparian area serves as a wildlife corridor and provides wildlife nursey sites, it does not acknowledge that the oak woodland provides nesting habitat for migrating birds and other wildlife that utilizes the property.

The BRA Addendum identifies that a nursery site is an area where juveniles occur at higher densities, avoid predation more successfully, or grow faster there than in a different habitat. While the project site is regularly disked, the trees, shrubs, and structures occurring on-site as well as the Grayson Creek riparian corridor have been identified as supporting suitable habitat for nesting birds and roosting bats. Mitigation Measures *Biology 2*, *Biology 3, Biology 4, Biology 5*, and *Biology 8*, which requires tree replacement for riparian trees removed from the project site, pre-construction surveys for dispersing, roosting, and/or nesting wildlife, installation of wildlife exclusion fencing, and implementing post-construction measures for protection of the riparian corridor from site occupation would reduce impacts to nursery sites as well as all nesting, roosting, and dispersing wildlife.
Shikany Comment 45

The commenter asks how the removal of most of the existing habitat on the site and development of residential uses with a narrow riparian corridor would not impede use of wildlife corridors and nursey sites located at the project site. They

ask if the 0.8 acre of riparian corridor that would remain would be sufficient to address all current wildlife migration and nursery uses on the project site, even though it would have residential uses directly adjacent to it.

The Grayson Creek riparian corridor has been identified as a potential wildlife corridor and nursery site; the remainder of the project site has not been identified as either a wildlife corridor or a nursery site. The Grayson Creek riparian corridor would remain largely untouched by implementation of the proposed project, with the exception of construction within 0.21 acre of riparian habitat (necessitating riparian tree removal along its northern boundary) and implementation of a riparian tree planting plan to mitigate impacts to trees. Furthermore, the infill project is surrounded by residential development.

Shikany Comment 46

The commenter states that the Draft IS/MND is missing information regarding the connectivity of Grayson Creek with off-site portions of watercourse and habitats for fish.

The proposed project would not alter Grayson Creek or interfere with the movement of off-site wildlife through the portion of Grayson Creek that is located on the project site. The comment does not provide any basis for finding the proposed project would impact special-status species wildlife movement through the site.

Shikany Comment 47

The commenter states that Mitigation Measure *Biology 2* through *Biology 6* call for tree replacement, but that the requirement is unachievable.

The tree replacement would occur as discussed in the responses above. The replacement would be enforceable and implementable.

Shikany Comment 48

The commenter states that the IS/MND does not include post-construction measures for protection of the riparian area.

The Creek Structure Setback would be recorded against the proposed properties in perpetuity. Additionally, the tree replanting would be monitored and bonded to ensure the health of replacement trees, and CC&Rs for the project would include maintaining the trees on the property.

Shikany Comment 49

The commenter states that the previous MND required fencing along the riparian boundary and a deed restriction of the creek structure setback area prohibiting development.

As discussed above, the fence is proposed as part of the project and the Creek Structure Setback would be recorded against the properties as part of the VTM.

Shikany Comment 50

The commenter states that the proposed project poses a potentially significant impact to the movement of wildlife, and the less than significant impact conclusion in the IS/MND is not fully supported.

As discussed above, site occupation has the potential to impact the adjacent riparian corridor from potential usage, impacts associated with lighting and structure aesthetics, and stormwater runoff. Project plans include isolation of the residential lots from the riparian corridor through installation of permanent fencing along the southern/eastern boundary of the developed site. Mitigation Measure Aesthetics 1 includes requirements for all outdoor lighting, and Mitigation Measure *Biology 6* includes the implementation of a Stormwater Management Plan to ensure there are no impacts to water quality in Grayson Creek resulting from project construction or post-construction stormwater runoff. With the implementation of these measures, the BRA Addendum for the project determined that the impact would be less than significant.

Shikany Comment 51

The commenter states that the discussion of wildlife impacts does not mention CEQA Section 21083.4 regarding the protection and mitigation of impacts to oak woodland.

CEQA Section 21083.4 requires that the County determine whether a project within its jurisdiction may result in a conversion of oak woodlands that will have a significant effect on the environment and allows for the County to develop suitable measures to mitigate those impacts as well as the mitigation of impacts to oak woodland through the planting of "an appropriate number of trees." Mitigation Measure *Biology 2* calles for the replacement of native trees at a 3:1 ratio and the non-native trees at a 1:1 ratio and is consistent with County practice and implementation of its tree protection and preservation ordinance.

Shikany Comment 52

The commenter states that General Plan Policy 8-6 requires significant trees to be preserved, yet over 72 percent of the 117 trees on-site will be removed and 17 of the remaining trees will be subject to dripline encroachment. The commenter states that the project does not preserve significant trees and vegetation. The commenter also discusses that tree replacement is impossible at the rate required by General Plan Policy 8-12 and that the proposed residential lots should be reduced by half to mitigate this impact.

The project design includes retention and preservation of the greatest number of trees practicable while also accommodating the Density Bonus Project. Mitigation Measure *Biology 9* calls for trees retained and preserved, but subjected to dripline encroachment, to be monitoring by the project Arborist during encroachment and all damage to trees scheduled for preservation will be appropriately mitigated. In balancing the many policies identified in the General Plan, including the interest of providing adequate housing for the residents of the County, the impact to trees and vegetation on the project site and mitigation of it are reasonable.

Shikany Comment 53

The commenter explains that one of the reasons tree removal can be approved according to County Code is "reasonable development of the property would require the alteration or removal of the tree and this development could not be reasonably accommodated on another area of the lot." The commenter asks what determines "reasonable development" and states that the proposed project could utilize smaller development footprints to avoid such extensive tree and habitat removal. The commenter states that CEQA requires avoidance of environmental impacts as a first step, but that there seems to be no consideration or discussion of how removal of trees or habitat could be avoided, nor any justification provided for their removal. The commenter states that the density of the proposed project needs to be significantly reduced.

The proposed project has been designed to avoid impacts to natural habitats and resources where feasible. Project design elements include incorporating a structure setback from the centerline of Grayson Creek of a minimum of 50 feet, as well as avoidance and preservation of many trees and tree clusters, and isolation of the residential development from the preserved riparian corridor.

Shikany Comment 54

The comment states that the neighborhood does not have adequate bike lanes and

sidewalks to travel to a nearby commercial district and the Pleasant Hill Bay Area Rapid Transit (BART) station, and states that walking on Grayson Road is dangerous given the excessive traffic. The comment further questions if there is a bike lane that fully connects to the Pleasant Hill BART station.

The IS/MND thoroughly evaluated potential safety issues that would result from the proposed project. The proposed project would comply with applicable County General Plan policies outlined in the Public Safety Element. The applicant would install bicycle lane striping as part of the proposed project. Furthermore, there is no sidewalk to the east for over 1,000 feet and no bike lanes or sidewalks that fully connects to the Pleasant Hill BART station which is over 3.5 miles to the east. It would be unreasonable for the project, which only includes 8 additional residences, to implement improvements that connect the development to this area.

Shikany Comment 55

The comment states that the proposed waiver for the construction of sidewalks on the proposed project's frontage to Grayson Road is inappropriate given that the proposed project's density would create an increased need for sidewalks along Grayson Road. The comment adds that if sidewalks are developed in the area in the future, they would be unjustifiably installed at taxpayer expense.

As stated previously, pursuant to the Density Bonus Law, the County can only reject the concession or incentive requested by the applicant if they make a written finding, based upon substantial evidence. None of the conditions to deny the concession apply, thus, the County cannot reject the requested concession.

Shikany Comment 56

The comment states that fire risk in the project area is high and contains significant vegetation and overhead power lines. The comment asks if power lines will be undergrounded on the project site. The comment further states that overhead power lines and vegetation surrounding the project site pose a risk regardless of the proposed project undergrounding power lines on-site. The comment argues that reduced yard setbacks, proposed high density development, and the placement of proposed development next to wooded areas would result in a high fire risk that could easily spread between proposed and existing houses.

The Wildfire section of the IS/MND discusses how the site is within a designated High Fire Hazard Severity Zone and conducted an analysis of the proposed project's fire risk accordingly. The analysis found that the proposed project would comply with the California Fire Code and California Building Standards Code to ensure that proposed development contains appropriate fire protections, and

would be reviewed by the Contra Costa County Fire Protection District (CCCFPD) and other interested fire protection agencies in accordance with County General Plan Measure 7-au. The IS/MND determined that all new utility infrastructure that would serve the proposed project would be undergrounded, minimizing potential impacts to fire risk.

Furthermore, the IS/MND analyzes vegetation risk to wildfire as well, and determined that the proposed project would be subject to the CCCFPD Ordinance, which would include design standards and management regulations such as weed abatement and brush clearance regulations, subject to review by the CCCFPD Engineering Unit. As such, impacts from on-site vegetation on fire risk would be minimized to a less than significant level.

Lastly, adjacent existing overhead power lines constitute the existing conditions of the project area and would not be altered by the proposed project. As such, wildfire risks related to these overhead power lines would not be affected by the proposed project and are thus not within the scope of the IS/MND's environmental analysis.

Shikany Comment 57

The commenter states that the claim in the IS/MND that fire risk will be reduced by vegetation removal demonstrates that the County is not committed to re-establishing habitats that would be removed as a result of the proposed project. The commenter questions whether the County actually intends to enforce the replacement mitigation.

As stated in Mitigation Measure *Biology 2*, the proposed project would be required to submit a tree replacement plan and a landscape plan prepared by a qualified Landscape Architect, which would be prepared in compliance with the 2022 California Fire Code (CFC). The CFC includes specific requirements regarding fire-resistant landscaping and fire-resistant vegetation. Mitigation Measure *Biology 2* states that most of the replacement trees would be various species of oak tree, which are considered fire-resistant trees, per the CFC. Tree replacement at the project site would not increase the risk of wildfire because it would be designed in compliance with the CFC and would adhere to the tree replacement and landscape plans required by Mitigation Measure *Biology 2*.

Shikany Comment 58

The comment states that the IS/MND does not address the increased fire risk brought to the entire County due to climate change and ongoing drought. As such, the comment finds it inappropriate to increase density on the project site.

The comment pertaining to fire risk increases throughout the County due to climate change and ongoing drought are speculative and therefore outside the scope of the IS/MND. The comment does not provide any specific information related to whether the proposed project would materially affect evacuation routes in the area or impact any existing wildfire issues. The IS/MND discusses that the proposed project would have a less than significant impact to fire risk, for the reasons discussed above.

Shikany Comment 59

The comment states that the proposed project would interfere with the groundwater supplies and recharge given the increase of impervious surfaces the project proposes and given the direction of stormwater runoff from impermeable surfaces into the storm drain system.

The proposed project's Hydrology and Stormwater Control Plan shows the proposed bioretention basin would be constructed as a flow-through planter following specifications found in the County Clean Water Program Technical Guidance Handbook. As such, a portion of stormwater runoff flowing through the bioretention basin would permeate through the basin and provide groundwater recharge, and the other portion of stormwater would continue into the public stormwater drainage system. Therefore, the analysis made in the IS/MND is correct, and impacts pertaining to groundwater recharge from implementation of the proposed project are less than significant.

Shikany Comment 60

The commenter is concerned that the proposed project could impact the amount of stormwater runoff feeding into Grayson Creek and change the drainage pattern of the project site.

The proposed project stormwater runoff would not increase the peak flow rates from the added impervious surface area as a result of the biofiltration basin proposed for the project. Post-Development runoff of the proposed project would match or reduce the pre-development. The required detention volume of 555 cubic feet has been determined and is identified the project SWCP. The SWCP demonstrates that the proposed project would contain adequate facilities to accommodate the post-project stormwater runoff.

Shikany Comment 61

The comment asserts that the County's density calculation is incorrect, stating that

the County used 2.99 dwelling units per acre rather than 2.9 as stated in the Draft IS/MND resulting in 8.28 units per acre, rounded to nine base units for this subdivision. The comment states that net average calculations for the proposed project are incorrect, finding that 0.29 acre for the street and 1.5 deed-restricted acres for the Grayson Creek structure setback area would need to be removed from the project site's gross area for an accurate net acreage calculation.

The Density Bonus Law defines base density as "gross density" (Government Code § 65915(f)). Assembly Bill (AB) 2501, a bill signed into law in 2016, clarified that a "density bonus" means an increase over the maximum allowable gross residential density. Moreover, the Density Bonus Law states that it "shall be interpreted liberally in favor of producing the maximum number of total housing units" (Government Code § 65915(r)). Therefore, under the Density Bonus Law the County must honor the applicant's request to utilize the gross acreage of the parcel and the associated calculation of the maximum allowable gross density. The calculation must be based upon the total acreage of the project site and not reduced by the required County roadway dedications.

Shikany Comment 62

The commenter states that a mitigation measure requiring a creek structure setback area be protected from development via a permanent deed restriction and dedication of development rights to the County should be added back to the Draft IS/MND.

The Creek Structure Setback is required by the County Code and it is not necessary or appropriate to include it as a separate mitigation measure.

Shikany Comment 63

The comment states that given the number of lots, the waiver on lot width creates lot widths completely inconsistent with the surrounding area.

As explained in the IS/MND Land Use and Planning section, the minimum lot size, lot width, depth, retaining wall setbacks, and front and side yard setbacks for the R-15 zoning designation would physically preclude the development of the project at the proposed density. As such, the proposed project is granted waivers to these standards pursuant to the State Density Bonus Law.

Shikany Comment 64

The comment requests clarification on the need for setback requirement waiver for retaining walls. The comment asks where these retaining walls would be located.

Waivers to the R-15 zoning designation are provided under State Density Bonus Law if a project is physically precluded from occurring due to zoning requirements, as is the case with the setback requirement for retaining walls. As described previously, pursuant to the Density Bonus Law, the County can only reject the concession or incentive requested by the applicant if they make a written finding, based upon substantial evidence.

Shikany Comment 65

The comment states that the baseline density stated by the Draft IS/MND of the project site, nine dwelling units, would not be able to meet R-15 zoning requirements for lot size, lot width, and setbacks. As such, the comment states that the project site's baseline density would be illegal and cannot be considered.

As discussed above, the project qualifies for waivers to development standards so that it can accommodate the level of density allowed for under the State Density Bonus Law.

Shikany Comment 66

The comment questions how the County concluded that the inclusion of a moderate-income affordable lot into the proposed project drives the need for Density Bonus Law waivers when development standard waivers would still need to be in place to feasibly develop nine units, the established baseline density, on the project site. The comment also requests an explanation for the application of development standard waivers for all lots, and not just the proposed affordable unit lot.

The Density Bonus Law allows waivers and concessions to R-15 zoning standards because an increased density often physically preclude a project from following all design standards for its land use and zoning designations. These waivers apply to all development in the proposed project to accommodate the increase in density permitted by the State Density Bonus Law, not solely to the proposed affordable housing.

Shikany Comment 67

The comment states that waivers can only be granted if they result in no impacts to public health or safety. The comment explains that the waiver of sidewalk requirements on Grayson Road would negatively impact the public health and safety, particularly when the Draft IS/MND analyzes that the proposed project is within walking distance to nearby commercial districts. The comment requests an explanation of how the County intends to make the finding that the waiver for

sidewalk improvements on Grayson Road does not harm public health and safety.

The proposed frontage improvements would allow for reasonably safe pedestrian and bicycle travel. Furthermore, the Density Bonus Law does not require findings for granting a concession. To reject a concession, a jurisdiction has to if they make a written finding, based upon substantial evidence. Given that the project includes frontage improvements that could safely accommodate pedestrians and bicyclists, the County cannot reasonably reject the concession request.

Shikany Comment 68

The comment states that the inclusion of moderate-income housing into the proposed project is solely to maximize the proposed project's density. Additionally, the comment finds that the proposed project's waivers and concessions are made with the intention to facilitate more high-end housing, not create affordable housing. The comment further states that the proposed affordable unit is in the worst location and is the smallest lot and home in the subdivision and will reveal itself as being of a different income level to other proposed units.

This comment addresses the project developer's intentions regarding the Density Bonus Law and comments on the location of the affordable unit. These features are not relevant to the environmental analysis of the proposed project.

Shikany Comment 69

The comment asks if the County has received proof that the requested Density Bonus Law incentives and waivers are financially necessary to construct the proposed affordable unit.

The Density Bonus Law requires that the County must waive any development standards that will have the effect of physically precluding the construction of a qualifying project, pursuant to Government Code Section 65915(e)(1).

Shikany Comment 70

The comment states that the proposed project would result in a project site subdivision with significant unmitigated impacts to public trust resources, as well as impacts resulting from a development completely out of character with its surroundings, due to its extremely high density. The comment questions if the County allows for the development of projects with significant impacts to public trust resources for the purpose of including one affordable unit.

Environmental impact concerns resulting from high density development are

addressed in the IS/MND. Furthermore, the project qualifies for the density bonus and the County does not have discretion in granting the allowed density.

Shikany Comment 71

The comment states that the proposed project would contain impacts to the public's health and safety that are against housing law. The comment questions how the County intends to address the health and safety impacts resulting from the density of the proposed project.

The project is not expected to have unmitigated impacts to health and safety. The project is allowed for under the State's Density Bonus Law to address the unmet need for housing throughout the state. The eight new residences on the infill site could be reasonable accommodated and mitigations are in place to reduce the impacts from the small project.

Shikany Comment 72

The comment states that Table 1 of the IS/MND, Contra Costa County Ordinance Code R-15 Requirements, is misleading, as it does not contain the developable area for each lot. The comment continues that the usable area of many of these lots is no more than approximately half the lot, and in the case of Lots 3, 4, and 5 may be less than half the listed lot size. The comment surmises that the proposed project would result in a subdivision with a density and visual appearance that is not appropriate for the project site.

The proposed density of the project is based on the area of the project site and allowed for under the State Density Bonus Law. The project would be considered consistent with the R-15 standards based on the waivers allowed for by the State Density Bonus Law.

Shikany Comment 73

The comment explains concerns about the number of waivers and concessions that would be granted as part of the proposed project. The comment states that granting the proposed waivers is against the public interest and should be limited or denied.

The project is allowed under the State Density Bonus Law. The number of concessions and waivers is consistent with the law in order to accommodate the level of density and affordable unit. The financial values of environmental impacts and features of the proposed project are not a part of the CEQA review.

Shikany Comment 74

The comment requests for Mitigation Measure Noise 1 to be amended to have the County require the project developer or contractor to mail a notice to each nearby resident providing them with the planned hours of operation and who to contact if there are noise concerns.

Though the mitigation measure adequately reduces the noise impacts to less than significant levels, this requirement has been added as a condition of project approval.

Shikany Comment 75

The comment states that the hours of operation for noise-producing activities are excessive, and requests that noise-producing activities during the week conclude at 6:00 p.m. The comment also requests that Saturday noise-generating activities occur between the hours of 9:00 a.m. and 5:00 p.m. The comment concludes that noise-generating activities should be limited according to the project area's quiet surrounding neighborhood.

The project would include standard conditions of approval that would limit the construction to the hours of 8:00 A.M. to 5:00 P.M., Monday through Friday.

Shikany Comment 76

The commenter provides multiple concerns related to the lack of sidewalks along the project frontage.

As discussed above, the concession request for alternative frontage improvements is allowed for under the State Density Bonus Law and can only be rejected if adequate findings are made by the County. Given that the project proposes alternative frontage improvements that provide for reasonably safe pedestrian and bicyclist travel along the project frontage, the County cannot reject the concession requested.

Shikany Comment 77

The comment asks if there will be an addition of ADUs to the proposed project, as this would increase the trip generation and parking needs of the proposed project. The comment requests that the Draft IS/MND take any proposed ADU-related potential traffic impacts into account.

No ADUs would be developed as part of the proposed project. As such, no

potential impacts are anticipated and no further action is required.

Shikany Comment 78

The comment notes that while the proposed project would not increase hazards due to a geometric design feature, it would result in increased vehicle traffic. The comment notes that current driving from Mohawk Drive into Grayson Road is difficult due to existing traffic exceeding the 35 mile per hour (mph) speed limit established on Grayson Road. As such, the resulting intersection from the proposed road and Grayson Road would not provide sufficient stopping time for the speed of traffic traveling over the 35 mph speed limit. Therefore, the comment concludes that the proposed project would result in increased traffic risks to existing homes.

Increase in traffic as a result of the proposed project is analyzed in the IS/MND Transportation section. The IS/MND describes that the proposed project would generate an additional 8 AM and 8 PM peak-hour trips, which would be well below the traffic impact significance threshold of 100 peak-hour AM and PM trips. Therefore, the proposed project was found to have less than significant traffic impacts.

Cars traveling either eastbound or westbound on Grayson Road would have more than 500 feet of sight distance from the project driveway. This is more than adequate to provide for adequate stopping time on the 35 mph designated Grayson Road.

e. **Kirsten West**

West Comment 1

The comment notes that protections are in place through zoning and other County protections. However, the comment requests clarification regarding why some of these protections are being waived. The comment letter includes multiple other questions regarding why the project does not conform to County standards including, density, R-15 development standards, and frontage improvement requirements.

The State Legislature passed the State Density Bonus Law to require cities and counties to grant a density bonus and other incentives or concessions to housing development projects in which affordable housing is provided. Consistent with State law, the proposed project's inclusion of one moderate-income housing unit would allow for a 7 percent increase in density. Development on the project site at this density would be physically precluded by the minimum lot size, lot width, depth, retaining wall setbacks, and front and side yard setbacks for the R-15 zoning

designation. As such, these standards would be waived for the proposed project in accordance with State law. It is important to note that the Density Bonus Law establishes mandatory requirements for the County and is entirely separate from CEQA. Under the Density Bonus Law, the County is precluded from applying any development standard that would prevent construction of the project unless the County can make specific public health and safety findings.

West Comment 2

The commenter asks why code-protected trees are being removed.

Project design includes the avoidance of approximately 30 percent of the on-site trees, all other trees will be removed and replaced. Mitigation Measure Biology 2 prescribes replacement of all trees removed from the on-site Valley Oak Woodland in-kind and on-site at a 3:1 ratio for native trees, or out-of-kind at 1:1 ratio for non-native trees, to be replaced with native trees. This is consistent with the Contra Costa County Tree Protection and Preservation Ordinance implementation and practice.

West Comment 3

The comment notes that the proposed driveway length would cause vehicles to be parked along Grayson Road. The comment states that the proposed project's 14-foot setback allowance should not include the garage, and that a minimum 20-foot driveway should be included for each proposed lot to prevent parking on Grayson Road, which could potentially cause pedestrian and cyclist safety issues.

As discussed in the response to Haberman's comments, the proposed project would enforce a 20-foot minimum front yard setback requirement to the face of the two-car garages in each proposed unit. This would exceed the standard parking stall length of 19 feet, and would thus allow for parking of standard-sized vehicles on the driveways. The proposed frontage improvements are expected to provide adequate pedestrian and cyclist travel facilities along the project frontage.

West Comment 3

The comment is concerned with the stated active hours for noise-generating activities on the project site. The comment requests a limit of 9:00 a.m. to 5:00 p.m. for on-site noise-generating activities on Saturday, and a weekday limitation on noise-generating activities from 8:00 a.m. to 5:00 p.m. The comment notes that prior projects in the County have had these restrictions.

As discussed previously, the project would be required to abide by standard hours of construction as a condition of approval.

IX. CONCLUSION

Staff recommends the Zoning Administrator approve County File #CDSD20-09531, subject to the attached conditions of approval.

Attachments:

- Findings and Conditions of Approval
- Maps
- Environmental Review (Comment, IS/MND, MMRP)
- Plans

FINDINGS AND CONDITIONS OF APPROVAL FOR COUNTY FILE #CDSD21-09531: ANDY BYDE, CALIBR VENTURES (APPLICANT) GRAYSON ROAD LLC (OWNER)

FINDINGS

I. Growth Management Performance Standards

1. Traffic: Traffic engineers and planners use the concepts of Level of Service (LOS) and Vehicle Miles Traveled (VMT) to qualitatively describe traffic conditions. Additionally, the Contra Costa Transportation Authority (CCTA) Growth Management Plan, the West Contra Costa Transportation Advisory Committee (WCCTAC) Action Plan, and the County of Contra Costa (County) General Plan establish measures of effectiveness and requirements for the analysis and disclosure of circulation impacts associated with new land developments. Potential circulation impacts may be expected, and traffic impact analyses are required for projects that generate more than 100 net new peak-hour trips. A project generating less than 100 peak-hour trips generally will not create or exacerbate any current traffic patterns. Using standard Institute of Transportation Engineers (ITE) trip generation trip rates, the eight additional housing unit project will generate eight AM and eight PM gross peak-hour trips. At this expected rate, the cumulative effect to local roadways is negligible.

   Senate Bill (SB) 743 established a change in the metric to be applied for determining traffic impacts associated with development projects. Rather than the delay-based criteria associated with a Level of Service (LOS) analysis, the increase in Vehicle Miles Traveled (VMT) associated with a project is now the basis for determining impacts. Contra Costa County adopted the Transportation Analysis Guidelines, which includes a VMT policy on June 23, 2020.

   Pursuant to the County guidelines, projects of 20 residential units or less should be expected to cause a less-than-significant impact under CEQA and do not require a project specific traffic impact analysis. The project proposes eight additional residential units which is under the County guidelines VMT screening criteria threshold. Therefore, the impacts from the project are expected to be inconsequential.

1. Water: The GMP requires new development to demonstrate that adequate water quantity can be provided. The subject property is within the East Bay Municipal Utility District (EBMUD) service area. In an agency comment letter for the project, EBMUD stated that water service for the project could be accommodated. Thus, adequate water quantity is available to the project.

2. Sanitary Sewer: The GMP requires that new development demonstrate that adequate sanitary sewer service is available. The subject property is within the H. Central Contra Costa Sanitary District (CCCSD) service area. In an agency comment letter received from CCCSD, the district stated sanitary sewer service is available for the project and that the proposed project would not be expected to produce an unmanageable added capacity.

3. Fire Protection: The fire protection standards under the GMP require that a fire station be within one and one-half miles of development in urban, suburban and central business

district areas, or requires that automatic fire sprinkler systems be installed to satisfy this standard. The project site is within the Contra Costa Consolidated Fire Protection District jurisdiction, and the project requires the Fire District's review and approval prior to building permits being issued to ensure compliance with all fire codes and regulations. Compliance with all requirements suggests that the project will satisfy the GMP fire protection standards. CCCFPD, has 36 stations serving the County, including two stations within two miles of the project site. The nearest station to the project site is Station 5 at 205 Boyd Road in the City of Pleasant Hill, approximately 1.72 miles from the project site. Thus, sprinklers would be required for the residences on the property.

4. Public Protection: As the project will add to the County's population, the conditions of approval will requires that prior to the recording of the parcel map, the owner of the property shall participate in establishing a special tax for the parcel created by this subdivision. The collected tax money will be used to augment existing police services to accommodate for the incremental increase in population as a result of this subdivision project.

5. Parks and Recreation: As the project will add to the County's population, the conditions fo approval will requires the project proponent to pay applicable Park Impact in-lieu fees for the new residences. These fees, in conjunction with all other Park Dedication fees collected for development within the County, will be used in part to purchase new park land and upgrade existing community parks as determined appropriate by the Board of Supervisors.

6. Flood Control and Drainage: The project is required to meet collect and convey requirements of the County Subdivision Ordinance Title 9, by constructing the necessary drainage improvements, or obtaining necessary exceptions to the code. The applicant must also comply with the County's National Pollutant Discharge Elimination System (NPDES) Permit and Stormwater Management and Discharge Control Ordinance, Title 10, for stormwater treatment. The new drainage improvements will both meet stormwater discharge requirements for stormwater treatment, while also accommodating all rainwater runoff generated by the project, as required by Title 9. Exemptions to allow private maintenance of drainage facilities is appropriate given the necessity of onsite detention.

II. Tentative Map Findings

1. *Required Finding: The County Planning Agency shall not approve a tentative map unless it finds that the proposed subdivision, together with the provisions for its design and improvement, is consistent with the applicable general plan required by law.*

   Project Finding: The proposed project will conform to the applicable General Plan land use designation of SL, Single-Family Low Density, 1.0-2.9 units per acre. The project proposes to utilize a Density Bonus pursuant to the State Density Bonus Law, under Government Code Section 65915. Government Code Sections 65915(j)(1) and 65915(C)(5) state that either granting a density bonus, concession, incentive, or waiver, "Shall not require or be interpreted, in and of itself, to require a general plan amendment, local coastal plan amendment, zoning change, study, or other discretionary approval." This language means

that the applicant's requests made pursuant to the Density Bonus Law do not require a General Plan Amendment to accommodate the additional density in the proposed project.

Each of the following factors has also been evaluated and found to be consistent: the extent to which the project is consistent with General Plan policies pertaining to compatibility of land uses; compliance with principles of the Urban Limit Line and Measure C-1990, protection of open spaces; and protection of water quality; and found no evidence of inconsistencies. Additionally, the projected related traffic is not anticipated to negatively affect local traffic patterns or significantly diminish the Level of Service of key intersections in the area or exceed VMT thresholds. The tentative parcel map for this subdivision is consistent with the applicable goals and policies as found in the County 2005-2020 General Plan. Therefore, based on the entire record and as summarized herein, the tentative map is consistent with the County General Plan.

2. *Required Finding: The County Planning Agency shall not approve a tentative map unless it shall find that the proposed subdivision fulfills construction requirements.*

   Project Finding: As required by the conditions of approval, the project does not pose any significant traffic impacts and must comply with the "collect and convey" requirements and design standards for construction of public roads. Prior to issuance of building permits, the applicant is required to contribute fees for parks and recreation, school districts, child care and police services. Payment of these fees along with compliance with the applicable California Building Code will fulfill all obligations related to construction of the project. Therefore, based on the proposal, no physical circumstances would restrict the developer from completing the project.

III. Tree Permit Findings

Required Finding: The Zoning Administrator is satisfied that necessary factors as provided by County Code Section 816-6.8010 for granting a tree permit have been satisfied.

Project Finding: An Arborist Report dated May 6, 2020 prepared by Traverso Tree Service, identified 117 code-protected trees in the project work area. The report recommended removal of 97 trees to accommodate the proposed development and called for the protection of 17 trees with work within their dripline. The Tree Protection and Preservation Ordinance states that the director of the department may attach conditions to ensure compliance with the chapter and code. These conditions may include a requirement to replace any or all trees on a comparable ratio of either size or quantity. To meet this requirement the applicant would be required to submit and implement a landscaping and irrigation plan that includes replacement of the trees that have been removed. Trees planted will be spaced in a manner that promotes their long-term growth habits and will be replaced at a ratio of 3:1 ratio for native trees, or out-of-kind at 1:1 ratio for non-native trees, or the maximum that can be practicably accommodated on the site.

IV. California Environmental Quality Act (CEQA) Findings

In accordance with the state Guidelines for Implementation of the California Environmental Quality Act (CEQA), an initial study was prepared to determine the potential environmental impacts of the proposed development project. The initial study identified potential impacts in the areas of Air Quality, Biological Resources, Cultural Resources, Geological Resources, and Tribal Cultural Resources. Upon completion of the Initial Study, it was determined that mitigation measures could be incorporated into the project description that would reduce these project impacts to a less than significant level. These mitigation measures have been incorporated into the project as recommended conditions of approval.

The Initial Study, Notice of Public Review, and Notice of Intent to Adopt a Mitigated Negative Declaration were first posted with the County Recorder and circulated for public and agency review on April 22, 2022. In response to extensive comments from the California Department of Fish and Wildlife, the applicant revised the project and updated multiple studies, including the Biological Resources Analysis and associated mitigation measures. The revised MND was then prepared and circulated for public and agency review on March 24, 2023. The final day for providing comments on the adequacy of the Initial Study was April 24, 2023. Two agency comments were received during the comment period: California Department of Fish Wildlife and EBMUD. Additionally, seven comment letters were received from individuals. No additional impacts were identified in these comments and all comments are summarized and responded to in the project staff report.

Notice of the proposed project was sent to Native American tribes, as applicable for consultation with Native American tribes under Public Resources Code Sections 21080.3.1. A Tribal Consultation List from the Native American Heritage Commission, dated October 28, 2015, was used to identify tribes traditionally and culturally affiliated with the project area. No requests for consultation were received.

CONDITIONS OF APPROVAL FOR COUNTY FILE #CDSD20-09531

1. Approval of the Vesting Tentative Map for a 10 Residential-Lot Subdivision; is generally based on the following documents:

    - Application and materials received on January 13, 2020;
    - Revised Project Description Dated March 25, 2022;
    - Revised Vesting Tentative Map for Subdivision CDSD20-09531, received January 28, 2022;
    - Architectural Plans received December 15, 2021;
    - Hydrology And Storm Water Detention Report prepared by Debolt Civil Engineering Inc., dated February 22 2022;
    - Storm Water Control Plan prepared by Debolt Civil Engineering Inc., dated February 22 2022;

- Grayson Road Inclusionary Housing Plan submitted September 18, 2023;
- Grayson Road Density Bonus Proposal submitted September 18, 2023;
- Geotechnical Report prepared by ENGEO Incorporated dated October 4, 2019;
- Archeological Survey and Historical Resources Evaluation Report prepared by Archaeological/Historical Consultants, dated February 2007;
- Arborist Report by Traverso Tree Services, dated May 6, 2020;
- Biological Resource Analysis Addendum prepared by Johnson Marigot Consulting, LLC., dated December 2022;

2. The concession to allow the installation of the complete frontage improvements be omitted in lieu of a reconstructed asphalt-concrete curb along the edge of pavement of Grayson Road along the project frontage as well as bicycle lane striping, is approved, as shown in the Vesting Tentative Map received on January 28, 2022.

3. The waivers to development standards is Approved, as shown on the Vesting Tentative Parcel Map received January 28, 2022 to allow:

    a. A reduction in minimum lot size for Lots 1 and 4-10;
    b. A reduction in the minimum lot width for Lots 1-10 to allow lot average widths as low as 56 feet;
    c. A reduction in minimum lot depth for Lot 1; and
    d. Reduced residential setback requirement to allow 14-foot front setbacks to residences (20 feet to garages), and 0-foot setbacks for retaining walls 6 feet or less.

4. This permit authorizes the development of ten lots on the subject property as generally identified in the CDSD20-09531 vesting tentative map and documents referenced above.

5. A Tree Permit to allow removal of 97 code-protected trees, and work within the dripline of 17 code-protected trees, as shown in the Arborist Report by Traverso Tree Services, dated May 6, 2020, is Approved.

Indemnification

6. Pursuant to Government Code Section 66474.9, the applicant (including the subdivider or any agent thereof) shall defend, indemnify, and hold harmless the County and its agents, officers, and employees from any claim, action, or proceeding against the Agency (the County) or its agents, officers, or employees, to attack, set aside, void, or annul, the Agency's approval concerning this subdivision map application, which action is brought within the time period provided for in Section 66499.37. The County will promptly notify the subdivider of any such claim, action, or proceeding and cooperate fully in the defense.

Application Costs

7. The Major Subdivision application was subject to an initial deposit of $7,525.00 that was paid with the application submittal, plus time and material costs if the application review expenses exceed the initial deposit. Any additional fee due must be paid prior to issuance of a building permit, or 60 days of the effective date of this permit, whichever occurs first. The fees include costs through permit issuance and final file preparation. Pursuant to Contra Costa County Board of Supervisors Resolution Number 2013/340, where a fee payment is over 60 days past due, the application shall be charged interest at a rate of ten percent (10%) from the date of approval. The applicant may obtain current costs by contacting the project planner. A bill will be mailed to the applicant shortly after permit issuance.

Compliance Report Prior to Filing the Parcel Map

8. At least 45 days prior to filing of the Parcel Map or issuance of a grading or building permit, whichever occurs first, the applicant shall provide a permit compliance report to the Department of Conservation and Development, Community Development Division (CDD) for review and approval. The report shall identify all conditions of approval that are administered by the CDD. The report shall document the measures taken by the applicant to satisfy all relevant conditions. Copies of the permit conditions may be obtained from the CDD. Unless otherwise indicated, the applicant will be required to demonstrate compliance with the applicable conditions of this report prior to filing the Final Map.

   The permit compliance review is subject to staff time and materials charges, with an initial deposit of $2,000 which shall be paid at the time of submittal of the compliance report.

Fencing

9. Prior to planning approval of a grading or building permit, a fencing plan program shall be submitted to CDD for the review and approval. The approved program shall be attached to the CC&Rs.

CC&Rs

10. Prior to recording the Final Map, Covenants, Conditions and Restrictions (CC&R's) shall be submitted to CDD for review and approval. This document shall include the maintenance obligation requirements of Public Works condition(s) of approval.

Park Dedication Fees

11. Prior to CDD stamp-approval of plans for issuance of a building permit for a new residence, the project sponsor shall demonstrate to the satisfaction of Community Development Division (CDD) that all Park Dedication fees have been paid for the subdivision.

Child Care Fees

12. Prior to CDD stamp-approval of plans for issuance of a building permit for a new residence, the project sponsor shall demonstrate to the satisfaction of CDD that all child care facility fees have been paid for the subdivision.

Police Services Fees

13. Election for Establishment of a Police Services District to Augment Police Services: Prior to the recordation of the Final Map, the owner of the property shall participate in the provision of funding to maintain and augment police services by voting to approve a special tax for the parcels created by this subdivision approval. The tax shall be per parcel annual amount (with appropriate future CPI adjustment) established at the time of voting by the Board of Supervisors. The election to provide for the tax shall be completed prior to filing the Final Map. The property owner shall be responsible for paying the cost of holding the election, payable at the time the election is requested by the owner. Allow a minimum of three to four months for processing.

Water Efficient Landscape Ordinance

14. The applicant shall comply with California Model Water Efficient Landscape Ordinance (Division 2, Title 23, California Code of Regulations, Chapter 2.7, Sections 490 through 495) and/or any applicable State mandated landscape/water related requirements applicable at the time of landscaping installation for the project. To the maximum extent feasible, the project proponent shall use drought tolerant vegetation for the development.

Aesthetics

15. Thirty days prior to applying for a building permit for new residence, the applicant shall submit a Lighting Plan for review and approval by the CDD. At a minimum, the plan shall include the following measures:

    - All outdoor lighting, including façade, yard, security, and street lights, shall be oriented down, onto the subject property or road.

    - Back shields or functionally similar design elements shall be installed on every lighting pole to reduce lighting from spilling off site, and to ensure that lighting remains within the subject property. **(Mitigation Monitoring (MM) Aesthetics 1)**

Air Quality

16. The following Bay Area Air Quality Management District, Basic Construction Mitigation Measures shall be implemented during the project and shall be included on all construction plans:

    - All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day.

- All haul trucks transporting soil, sand, or other loose material to and from the site shall be covered.
- All visible mud or dirt tracked-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.
- All vehicle speeds on unpaved roads shall be limited to 15 mph.
- All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.
- Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations [CCR]).
- All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications.
- Post a publicly visible sign with the telephone number and person to contact at the lead agency regarding dust complaints. This person shall respond and take corrective action within 48 hours. The Air District's phone number shall also be visible to ensure compliance with applicable regulations **(MM Air Quality 1)**

Biological Resources

17. If it is determined that additional native trees can be protected in place while still achieving project objectives (as determined by the project Arborist in coordination with the Construction Manager and the project proponent), the project proponent will determine if additional trees can be saved based upon the potential impacts from the grading to the root structure of the trees by "field-fit" grading activities to the greatest extent practicable to conduct such avoidance.

18. In the spring immediately prior to project implementation, protocol-level rare plant surveys shall be conducted on the project site. Rare plant surveys shall be conducted by a qualified botanist, in accordance with all applicable survey guidelines including those published by the United States Fish and Wildlife Service (USFWS), California Department of Fish and Wildlife (CDFW), and the California Native Plant Society (CNPS). If determined to be necessary by the qualified Botanist, reference site surveys shall be conducted to confirm plant phenology (flowering periods).

    If State or federally listed plants are observed on-site during protocol-level rare plant surveys, all compensatory mitigation requirements and additional avoidance and minimization measures identified by CDFW and/or USFWS shall be implemented. If CNPS-Ranked species are observed on-site during protocol-level rare plant surveys, salvage of seed and/or root stock shall be conducted under the direction a qualified Botanist and in coordination with a qualified plant conservation institution or native nursery. **(MM Biology 1)**

19. All trees removed from the on-site riparian woodland shall be replaced in-kind and on-site to the greatest extent practicable at a 3:1 ratio for native trees, or out-of-kind at 1:1 ratio for non-native trees, to be replaced with native trees. A total of 18 native trees within the riparian woodland community are scheduled for removal – these trees would be replaced with approximately 54 native riparian woodland tree species including valley oak, coast live oak,

California buckeye, and black walnut. A replacement tree planting plan shall be approved by the County along with landscape plans prior to issuance of building permits.

All trees removed from the onsite valley oak woodland shall be replaced in-kind and onsite at a 3:1 ratio for native trees, or out-of-kind at 1:1 ratio for non-native trees, to be replaced with native trees. A total of 32 native and 8 non-native trees within the valley oak woodland community are scheduled for removal – these trees shall be replaced, onsite, with approximately 104 native valley oak woodland tree species such as valley oak, coast live oak, blue oak, California black oak, interior live oak, California buckeye, and/or California bay laurel. Replacement trees shall be planted as 15-gallon trees, except that up to 50 percent of the required replacement trees may be planted as 5-gallon trees if it is determined based on an arborist report that long-term tree health and survival will be improved by starting with a smaller container size. Trees planted shall be spaced in a manner that promotes their long-term growth habits. All installed plant material shall meet the American Nurseryman's Association Standards. Welded-wire cages shall be constructed around all tree plantings to protect them from deer herbivory. A replacement tree planting plan shall be approved by the County along with landscape plans prior to issuance of building permits. **(MM Biology 2)**

Trees shall be planted prior to requesting a final inspection on the residential building permit for each lot.

Required Security to Assure Completion of Plan Improvements: Prior to removal of trees or prior to CDD stamp-approval of plans for issuance of a building permit (e.g. demolition, grading or building), whichever occurs first, the applicant shall submit a security that is acceptable to the CDD. The bond shall include the amount of the approved cost estimate, plus a 20% inflation surcharge.

Initial Deposit for Processing of Security: The County ordinance requires that the applicant pay fees to cover all staff time and material costs of staff for processing the landscape improvement security. At the time of submittal of the security, the applicant shall pay an initial deposit of $200.

Duration of Security: The security for each lot shall be retained by the County for a minimum of 12 months up to 24 months beyond the date of receipt of the security and from the time, the final inspection for the lot was approved. A prerequisite of releasing the bond between 12 and 24 months shall be to have the applicant arrange for the consulting arborist to inspect the trees and to prepare a report on the trees' health. In the event that CDD determines that the tree(s) intended to be protected has been damaged, and CDD determines that the applicant has not been diligent in providing reasonable restitution, then CDD may require that all part of the security be used to provide for mitigation of the damaged tree(s). Should one security be submitted for all lots, the security may be released upon complying with the requirements stated above and upon approval of a final inspection for the last lot constructed.

20. Prior to recordation of a final map, a Final Landscaping Plan shall be submitted for the review and approval of CDD. The Final Landscaping Plan shall include the tree restitution required by

Mitigation Measure *Biology 2*, and be consistent shall conform to the State's Model Water Efficient Landscape Ordinance or the County's Ordinance, if one is adopted.

Prior to final building inspection, a completed WELO Part II – Certificate of Completion shall be submitted to CDD staff for review and approval.

All landscaping shall comply with California Model Water Efficient Landscape Ordinance (Division 2, Title 23, California Code of Regulations, Chapter 2.7, Sections 490 through 495) and/or any applicable State mandated landscape/water related requirements applicable at the time of landscaping installation for the project. To the maximum extent feasible, landscaping plans shall use drought tolerant vegetation for the development.

21. If vegetation removal, ground disturbance, or structure removal are scheduled to commence between February 1 and September 15, a preconstruction nesting bird survey of all suitable nesting habitat on the Project site and within the zone of influence (the area immediately surrounding the Project site that supports suitable nesting habitat that could be impacted by the proposed Project due to visual or auditory disturbance associated with the removal of vegetation and construction activities scheduled to occur during the nesting season) shall be conducted by a qualified biologist within 5 days prior to commencement of vegetation removal or ground disturbance. If no nesting birds are observed during the survey, the vegetation removal and/or ground disturbance may commence as planned. If nesting birds are observed during the survey, a non-disturbance buffer based on species, nest stage, and site conditions shall be established.

    This buffer shall remain in place until such a time as the young have been determined (by a qualified Biologist) to have fledged. Nests shall be monitored daily by a qualified Biologist during project-related activities to determine the sufficiency of the buffer and whether it should be expanded to protect the nest based on disruptions to an individual bird's natural nesting behaviors. If the buffer is determined to be sufficient, monitoring shall be reduced to twice a week until fledging occurs. If any change in bird behavior is detected, active nest buffers will increase as determined by a qualified Biologist. Nesting bird surveys shall be repeated if there is a lapse in project activities of seven days or more. **(MM Biology 3)**

22. A pre-construction survey for special-status reptile species shall be performed no more than 48 hours prior to ground disturbance or vegetation removal to determine presence/absence of Alameda whipsnake and western pond turtle. Worker Environmental Awareness training discussing the potential for these species shall be conducted by the qualified Biologist or Biological Monitor for all construction personnel working within the project site prior to construction. **(MM Biology 4)**

23. Directed pre-construction surveys for the California red-legged frog (CRLF) shall be performed prior to construction activities. The creek channel and associated riparian woodland may serve as dispersal areas for CRLF. A qualified Biologist shall conduct a pre-construction survey of these habitats for CRLF preceding the commencement of construction activities to verify presence/absence of this species.

In order to mitigate for potential impacts to California red-legged frog (CRLF) and western pond turtle, wildlife exclusion fencing (ERTEC fencing) shall be installed along the grading limit of the project site to prevent dispersal into the grading and work areas of the site from the creek channel and/or the riparian corridor. Fencing should be trenched into the ground bat a minimum of 6 inches and a lip should be formed along the top of the fence line. A qualified Biologist or Biological Monitor shall be on-site during initial ground-disturbing activities to inspect the work area and fence lines daily for special-status amphibians and other wildlife. Worker Environmental Awareness training discussing the potential for these species should be conducted by the qualified Biologist or Biological Monitor for all construction personnel working within the project site. If any CRLF or other listed amphibians are found during construction activities, the United States Fish and Wildlife Service (USFWS) should be consulted to approve capture and relocation by a qualified Biologist. **(MM Biology 5)**

24. A Storm Water Pollution Prevention Plan (SWPPP) and a Storm Water Management Plan (SWMP) shall be designed to ensure that best management practices (BMPs) are implemented so there are no impacts to water quality in Grayson Creek resulting from project construction or postconstruction storm water run-off. **(MM Biology 6)**

25. Vegetation planted within on-site undeveloped areas shall be comprised of native valley oak woodland species to the greatest extent practicable. Landscape plans shall prioritize native vegetation and shall be approved by the County prior to issuance of building permits. **(MM Biology 7)**

26. For all project activities planned in or adjacent to potential bat roosting habitat, such as structures and/or involving woody vegetation modification or removal of any and all trees, a qualified Biologist shall conduct daytime and evening acoustic surveys in addition to extensive visual surveys of potential habitat for special-status bats at least 7 days prior to initiation of project activities. If bats are found on-site, a qualified Biologist shall identify the species, estimated quantity present, roost type, and roost status, but shall avoid disturbing bats during surveys. A qualified Biologist shall also create a Bat Mitigation and Monitoring Plan if special-status bat species are detected prior to the start of project activities. The Bat Mitigation and Monitoring Plan shall include: (1) an assessment of all project impacts to special-status bats, including noise disturbance during construction; (2) effective avoidance and minimization measures to protect special-status bats; (3) and compensatory mitigation for permanent impacts to special-status bats or their nesting/roosting habitat. If structures, trees, or other refugia equivalents are slated for limbing, removal, or modification, the Bat Mitigation and Monitoring Plan shall include the following measures:

    a. To ensure that special-status bats have left potential roosting refugia, work shall occur over the course of two days. On the first day, smaller limbs or items from the identified trees or structures shall be brushed back or modified in the late afternoon. This disturbance should cause any potential roosting bats to seek other roosts during their nighttime foraging. The remainder of the refugia item can then be further limbed or removed as needed on the second day as late in the afternoon as feasible. If bats are found injured, or if bat mortality occurs during the course of tree work, a qualified Biologist shall record the species impacted, and the number of individuals documented.

b. Tree limbing, modification, removal, or work on structural refugia shall not be performed under any of the following conditions: during any precipitation events, when ambient temperatures are below 4.5 degrees Celsius, when windspeeds exceed 11 miles per hour, and/or any other condition which may lead to bats seeking refuge.

c. If special-status bats are found utilizing a tree, structure, or equivalent for roosting, the Bat Mitigation and Monitoring Plan shall include permanent artificial roosting habitat installation that shall be adjacent to, and sufficient for, the species observed and associated ecology thereof. Effective buffer zones for the installation and monitoring of the artificial roosts shall be determined and established by a qualified Biologist. Artificial roosts shall follow the 2018 Acceptable Management Practices for Bat Species Inhabiting Transportation Infrastructure.
(MM Biology 8)

27. During project implementation, the applicant shall implement the following Tree Preservation Guidelines, as detailed in the Revised Arborist Report Dated May 6, 2020 prepared by Traverso Tree Service, specially

Pre- Grading Phase

a. Mulch from tree removals may be spread out under the driplines of trees that will be retained, keeping at least 12" away from the trunks.
b. Prior to construction or grading, contractor shall install protection fencing to construct a temporary Tree Protection Zone (TPZ) around each tree or grove of trees to be saved.
c. TPZ fencing shall encompass the driplines and be approved by the project arborist.
d. TPZ fencing shall remain in an upright sturdy manner from the start of grading until the completion of construction. Fencing shall not be adjusted or removed without consulting the project arborist.

Grading and Construction Phase

a. The project arborist shall be on-site during excavation/grading within driplines, especially trees: #'s 102, 137, 138, 154, 157, 159, 160, 160b, 162, 163, 173, 173c, 182, 183, 185, 186, 189.
b. Should roots > 2" be encountered, arborist shall cleanly prune roots with a handsaw or sawzall, and immediately re-cover. Irrigate as necessary.
c. If needed, canopy pruning shall be performed by personnel certified by the International Society of Arboriculture (ISA). All pruning shall adhere to ISA and American National Standards Institute (ANSI) Standards and Best Management Practices.
d. Project arborist to set guidelines prior to pruning.
e. Should Tree Protection Zone (TPZ) encroachment be necessary, the contractor shall contact the project arborist for consultation and recommendations.
f. Contractor shall keep TPZs free of all construction-related materials, debris, fill soil, equipment, etc. The only acceptable material is mulch spread out beneath the trees.
g. Should any damage to the trees occur, the contractor shall promptly notify the project Arborist to appropriately mitigate the damage.

Landscaping Phase

a. The Tree Protection Zone (TPZ) fencing shall remain in place with the same restrictions until landscape contractor notifies and meets with the project arborist.
b. Avoid all fill work, grade changes, and trenching within driplines unless it is performed by hand, and approved by the project arborist.
c. Pipes shall be threaded under or through large roots without damaging them.
d. Contractor shall avoid trenching and grade changes within driplines.
e. All planting and irrigation shall be kept a minimum of 10' away from native oaks. All irrigation within the driplines shall be targeted at specific plants, such as drip emitters or bubblers. No overhead irrigation shall occur within the driplines of native oaks.
f. All planting within oak driplines shall be compatible with oaks, consisting of plant material that requires little to no water after two years' establishment. A list of oak compatible plants can be found in a publication from the California Oak Foundation, available at: http://californiaoaks.org/wpcontent-/uploads/2016/04/CompatiblePlantsUnderAroundOaks.pdf

Cultural Resources

28. All project-related ground disturbance shall be monitored by an archaeologist who meets the Secretary of the Interior's professional qualification standards for archaeology. In the event that significant cultural resources are discovered during construction activities, the applicant/project owner or sponsor shall ensure that operations within a 100-foot radius of the find shall cease and the archaeologist will be consulted to determine whether the resource requires further study. The standard inadvertent discovery clause shall be included on the grading plans submitted to the City to inform contractors of this requirement. Potentially significant cultural resources consist of but are not limited to stone, bone, fossils, wood, or shell artifacts or features, including hearths, structural remains, or historic dumpsites. The archaeologist shall make recommendations to the City concerning appropriate measures, which shall be implemented by the applicant/project owner or sponsor to protect the discovered resources, including but not limited to recordation on appropriate California Department of Parks and Recreation (DPR) forms, evaluation, or excavation of the finds in accordance with CEQA Guidelines, Section 15064.5. **(MM Cultural Resources 1)**

29. In the event of accidental discovery or recognition of any human remains, CEQA Guidelines Section 15064.5, Health and Safety Code Section 7050.5, and Public Resources Code Sections 5097.94 and 5097.98 shall be followed. If during the course of construction activities there is accidental discovery or recognition of any human remains, the following steps shall be taken:

    a. There shall be no further excavation or disturbance within 100 feet of the remains until the County Coroner is contacted to determine if the remains are Native American and if an investigation of the cause of death is required. If the coroner determines the remains to be Native American, the coroner shall contact the Native American Heritage Commission (NAHC) within 24 hours, and the NAHC shall identify the person or persons it believes to be the Most Likely Descendant (MLD) of the deceased Native American. The MLD may make recommendations to the landowner or the person

responsible for the excavation work within 48 hours, for means of treating or disposing of, with appropriate dignity, the human remains and any associated grave goods as provided in Public Resources Code section 5097.98.

b. Where the following conditions occur, the landowner or his or her authorized representative shall rebury the Native American human remains and associated grave goods with appropriate dignity either in accordance with the recommendations of the most likely descendant or on the project site in a location not subject to further subsurface disturbance:

- The NAHC is unable to identify a most likely descendent or the most likely descendent failed to make a recommendation within 48 hours after being notified by the commission.
- The descendant identified fails to make a recommendation.
- The landowner or his authorized representative rejects the recommendation of the descendant, and mediation by the NAHC fails to provide measures acceptable to the landowner.

(MM Cultural Resources 1)

Geotechnical Report

30. Prior to issuance of grading permits, the project applicant shall incorporate all recommendations provided in the project-Geotechnical Exploration into project plans, which shall be subject to review and approval by the County Geologist, or designee, prior to permit issuance. The geotechnical recommendations shall be implemented including general earthwork recommendations for site preparation, conditioning of expansive soils, removal of buried structures, removal of fill and disturbed soil, surface and subsurface drainage, biofiltration facilities, foundations, concrete flatwork, retaining walls, spread and pier footings, pavement areas, utility trenches, project review, and construction monitoring. Additionally, these include recommendations related to structural design, foundation design, foundation systems, slabs, moisture barriers, seismic design, walls, footings, slabs and walkways, concrete design, corrosion, pavement design, as well as lot maintenance, and future plan reviews. (**MM Geology 1)**

31. The project applicant shall retain a qualified Paleontologist to conduct paleontological monitoring during all earth-disturbing construction activities. Should any significant fossils (I.e., bones, teeth, or unusually abundant and well-preserved invertebrates or plants) be unearthed, the construction crew shall not attempt to remove them, as they could be extremely fragile and prone to crumbling, and to ensure their occurrence is properly recorded; instead, all work in the immediate vicinity of the discovery shall be diverted at least 15 feet until a professional paleontologist assesses the find and, if deemed appropriate, salvages it in a timely manner. All recovered fossils shall be deposited in an appropriate repository, such as the University of California Museum of Paleontology (UCMP), where they would be properly curated and made accessible for future study. (**MM Geology 2)**

Noise

32. To reduce potential construction noise impacts, the following multi-part mitigation measure shall be implemented for the proposed project:
    a. The construction contractor shall ensure that all equipment driven by internal combustion engines shall be equipped with mufflers, which are in good condition and appropriate for the equipment.
    b. The construction contractor shall ensure that unnecessary idling of internal combustion engines (i.e., idling in excess of 5 minutes) is prohibited.
    c. The construction contractor shall utilize "quiet" models of air compressors and other stationary noise sources where such market available technology exists.
    d. At all times during project grading and construction, the construction contractor shall ensure that stationary noise-generating equipment shall be located as far as practicable from sensitive receptors and placed so that emitted noise is directed away from the nearest residential land uses.
    e. 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 would determine the cause of the noise complaints (starting too early, bad muffler, etc.) and establish reasonable measures necessary to correct the problem. The construction contractor shall visibly post a telephone number for the disturbance coordinator at the construction site.
    (MM Noise 1)

Construction Restrictions and Requirements

33. Prior to the issuance of building permits for the project, the project developer or contractor shall mail a notice to each adjacent residential property providing them with the planned hours of operation and who to contact if there are noise concerns.

34. The applicant shall comply with the following restrictions and requirements, which shall be stated on the face of the construction drawings:

    A. Unless approved otherwise via prior authorization from the Zoning Administrator for special circumstances, construction activities are limited to the hours of 8:00 A.M. to 5:00 P.M., Monday through Friday, and are prohibited on the calendar dates that the following state and federal holidays are observed:

        New Year's Day (State and Federal)
        Birthday of Martin Luther King, Jr. (State and Federal)
        Washington's Birthday (Federal)
        Lincoln's Birthday (State)
        Presidents' Day (State and Federal)
        Cesar Chavez Day (State)
        Memorial Day (State and Federal)
        Juneteenth National Independence Day (Federal)
        Independence Day (State and Federal)

Labor Day (State and Federal)
Columbus Day (State and Federal)
Veterans Day (State and Federal)
Thanksgiving Day (State and Federal)
Day after Thanksgiving (State)
Christmas Day (State and Federal)

For details on the actual date the state and federal holidays occur, please visit the following websites:

Federal holidays: http://www.opm.gov/fedhol
California holidays: http://www.edd.ca.gov/payroll_taxes/State_Holidays.htm

B. Transport of heavy equipment and trucks is limited to weekdays between the hours of 9:00 A.M. and 4:00 P.M., and is prohibited on weekends and the aforementioned state and federal holidays.

C. The applicant shall make a good faith effort to minimize project-related disruptions to adjacent properties. This shall be communicated to project-related contractors.

D. Construction equipment and materials shall be stored onsite to the maximum extent practicable.

E. The site shall be maintained in an orderly fashion. Following the cessation of construction activity, all construction debris shall be removed from the site.

F. Any debris found outside the site shall immediately be collected and deposited in appropriate receptacles.

G. The applicant shall require their contractors and subcontractors to fit all internal combustion engines with mufflers that are in good condition and shall locate stationary noise-generating equipment such as air compressors as far away from existing residences as possible.

Contingency Restitution Should Altered Trees Be Damaged

35. Trees to be Preserved but Altered – Pursuant to the conclusions of the arborist report, proposed improvements within the root zone of trees noted on the site plan to be preserved have been determined to be feasible and still allow for preservation provided that the recommendations of the arborist are followed. Pursuant to the requirements of Section 816-6.1204 of the Tree Protection and Preservation Ordinance, to address the possibility that construction activity nevertheless damages these trees, the applicant shall provide the County with a security (e.g. bond, cash deposit) to be submitted prior to CDD stamp-approval of plans for issuance of a building permit (e.g. demolition, grading or building), whichever occurs first,

whichever occurs first, to allow for replacement of trees intended to be preserved that are significantly damaged by construction activity. The security shall be based on:

A. Extent of Possible Restitution Improvements – The planting of **17, 15-gallon trees, which shall include California native species**. in the vicinity of the affected trees, or equivalent planting contribution, and subject to prior review and approval of CDD.

B. Determination of Security Amount: The security shall submitted for each lot and provide for all of the following costs:
   i. Preparation of landscape/irrigation plan by a licensed landscape architect or arborist, which shall comply with the State's Model Water Efficient Landscape Ordinance or the County Ordinance, if one is adopted;
   ii. Labor and materials estimate for planting the potential number of trees and related irrigation improvements that may be required, prepared by a licensed landscape contractor; and
   iii. An additional 20% of the total of the above amounts to address inflation costs.

C. Initial Deposit for Processing of Security – The County Ordinance requires that the applicant cover all time and material costs of staff for processing a tree protection security. The Applicant shall pay an initial fee deposit of $200 at time of submittal of a security.

D. Duration of Security: The security for each lot shall be retained by the County for a minimum of 12 months up to 24 months beyond the date of receipt of the security and from the time, the final inspection for the lot was approved. A prerequisite of releasing the bond between 12 and 24 months shall be to have the applicant arrange for the consulting arborist to inspect the trees and to prepare a report on the trees' health. In the event that CDD determines that the tree intended to be protected has been damaged by development activity, and CDD determines that the applicant has not been diligent in providing reasonable restitution of the damaged trees, then CDD may require that all part of the security be used to provide for mitigation of the damaged tree(s). Should one security be submitted for all lots, the security may be released upon complying with the requirements stated above and upon approval of a final inspection for the last lot constructed.

Debris Recovery

36. At least 15 days prior to the issuance of a grading permit or building permit the developer shall submit Construction Waste Management Plan, which identifies approved methods to comply with CalGreen requirement to recycle and/or salvage for reuse construction and demolition waste materials generated at the jobsite.

    Prior to Final Inspection, developer shall submit Final Report containing information and supporting documentation of the above-mentioned requirement.

Steet Names

37. Prior to the recordation of the Final Map, proposed name(s) shall be submitted for review by the Department of Conservation and Development, GIS/Mapping Section. Alternate street names should be submitted. The Final Map cannot be certified by CDD without the approved street names.

Will Serve Letters

38. Prior to recordation of the Final Map, a copy of a will-serve letter from East Bay Municipal Utility District shall be submitted to CDD.

39. Prior to recordation of the Final Map, a copy of a will-serve letter from Central Contra Costa Sanitary District shall be submitted to CDD.

DEPARTMENT OF CONSERVATION AND DEVELOPMENT, HOUSING AND COMMUNITY IMPROVEMENT (HCI) DIVISION, CONDITIONS OF APPROVAL FOR COUNTY FILE #CDSD21-09581

Inclusionary Housing Ordinance

40. This project is subject to County Ordinance Code, Chapter 822-4, Inclusionary Housing Ordinance. Terms and definitions regarding the Inclusionary Housing Ordinance are pursuant to this chapter. Pursuant to Section 822-4.402(b) of the County Ordinance Code, a residential development of five or more for-sale units shall require at least fifteen percent of the for-sale units to be developed and sold as affordable units. At least twenty percent of the inclusionary units shall be sold at an affordable price to lower-income households. The remaining units shall be sold to moderate-income families at an affordable price.

For-Sale Inclusionary Housing In-Lieu Fee

41. The applicant, owner, and/or developer (Applicant) is required to construct 1.35 affordable units (9 total base units x 0.15 of total = 1.35 units) for the project. The Applicant has submitted an Inclusionary Housing Plan dated March 25, 2022, and proposes constructing one for-sale moderate income inclusionary unit (affordable to households making up to 120% Area Median Income) on Lot 1 of the property. The unit on Lot 1 is an approximately 3,097 square-foot single-family detached home consisting of four bedrooms. The one moderate-income unit proposed for compliance with the Inclusionary Housing Ordinance requirements is the same moderate-income unit required for compliance with the Density Bonus request. This unit may be referenced as inclusionary unit, density bonus unit, or both in these conditions. The requirements for the one moderate-income unit must comply with both the Inclusionary Housing Ordinance and State Density Bonus law, and the most restrictive requirements would apply.

The Applicant has proposed to pay a partial in-lieu fee for the fractional 0.35 inclusionary unit, and the County has accepted this proposal. The current calculation of the partial in-lieu fee for the fractional inclusionary unit is $15,444.00. The final calculation of the in-lieu fee will be calculated upon payment. This in-lieu fee is non-refundable and non-transferable. A partial in-lieu fee of $15,444.00 will be paid for the fractional .35 unit (.35 = 26% of the fee total of $59,401. 26% of this fee = $15,444.00)

Density Bonus Request

42. The Applicant submitted a revised project description which included a density bonus request dated March 25, 2022, which proposed constructing ten percent of the total dwelling units of a housing development where all the units are offered to the public for purchase. The Applicant proposed constructing one moderate-income unit, constituting twelve percent of the total for-sale units in the development.

    Density Bonus – Concession/Incentive

    Pursuant to Government Code 65915, the Applicant may request one project concession or incentive for providing twelve percent (one unit) for moderate-income units of the total units within the for-sale housing development. The applicant requested the concession to not have to complete frontage improvements.

    The County accepted the Applicant's request to not complete frontage improvements. To fully improve the property frontage would result in significant costs that could preclude the construction of the development at its proposed density including the moderate unit.

    Density Bonus – Reduction in Development Standards

    Pursuant to Government Code 65915(e), the Applicant proposed a waiver or reduction of the following development standards:

    - Lot Area – where the County Ordinance Code requires a minimum parcel size of 15,000 square feet, proposed lot sizes ranges from 7,347 to 22,460 square feet.

    - Lot Width – where the County Ordinance Code requires a minimum parcel size of 100 feet, the proposed average lot widths range from 56.43 to 99.01 feet.

    - Lot Depth – where the County Ordinance Code requires a minimum of 120 feet in depth, the proposed lot depths range from 87.45 to 331 feet. The lot depths for all proposed lots, except Lot 1 comply with the minimum requirements as proposed.

    - Retaining Wall Structure Setbacks – where the County Ordinance Code considers all retaining walls over three feet as a structure that must meet all setback requirements, the proposed retaining wall setbacks is 0 feet on all lots.

Inclusionary Housing and Density Bonus Developer Agreement

43. At least 90 days before the recordation of the Parcel Map or CDD stamp-approval of plans for issuance of building permits or grading permits for any portion of the residential development, whichever comes first, the Applicant shall execute an Inclusionary Housing and Density Bonus Housing Agreement (Agreement), form to be provided by the County, with the County pursuant to Chapter 822-4 Inclusionary Housing, Chapter 822-2 Density Bonus, and Government Code 95915 to ensure that the property will be deed restricted for one unit to be affordable and sold to a moderate income household. This 90-day period allows for the preparation, County approval, and recordation of the Agreement prior to the milestones referenced above.

    To initiate the County to prepare and execute an Agreement, the Applicant must file a condition of approval compliance review application accompanied by the appropriate fees, documents, and exhibits listed in the most recent Inclusionary Housing Plan Checklist and/or Density Bonus Plan Checklist. The Agreement must be submitted to the Board of Supervisors before execution by all parties and recordation.

    The Agreement will establish the process for determining the unit's maximum affordable sales price, buyer eligibility, and additional program details as referenced in Chapter 822-4, Inclusionary Housing Ordinance, and Government Code 65915.

    A detailed timeline for the project, including the project's construction, marketing, the Applicant accepting and reviewing applications from qualified households, and the sale of the inclusionary unit.

General

44. The following are general terms for granting a density bonus and compliance with the Inclusionary Housing Ordinance.
    a. The Applicant hereby represents warrants and covenants that will cause the Agreement to be recorded in the real property records of Contra Costa County, California, and other places the County may reasonably request. The Applicant shall pay fees incurred with any such recording. The recording of the Agreement shall occur after the acceptance of the document by the County and before the recordation of the Final Map, Parcel Map, or CDD stamp-approval of plans for issuance of building permits or grading permits for any portion of the residential development, whichever comes first.

    b. The one inclusionary unit in the project shall be available for sale to members of the general public who are income eligible. The Applicant shall not give preference to any particular class or group of persons in selling the units, except that the units must be sold to a household with income no higher than 120% of the Area Median Income for Contra Costa County as adjusted for family size as defined in Section 50093 of the California Health and Safety Code. There shall be no discrimination against or segregation of any person or group of persons on account of race, color, creed, religion, sex, sexual orientation, marital status, national origin, source of income (e.g., SSI), age (except for

lawful senior housing), ancestry, or disability, in the sale of the unit in the project nor shall the Applicant or any person claiming under or through the Applicant, establish or permit any such practice or practices of discrimination or segregation concerning the selection, location, number, use or occupancy of homeowners of any unit in connection with employment of persons for construction of the project.

c. The County will provide the Applicant with income certification forms to be completed by the potential homebuyers. The income levels of all moderate-income household applicants for the inclusionary/density bonus unit shall be pre-certified by the Applicant (or subsequent holder of the Agreement(s)) prior to submittal to the County for review and approval.

d. Upon violating any of the Agreement's provisions by the Applicant, the County may give written notice to the Applicant specifying the nature of the breach. If the violation is not corrected to the satisfaction of the County within a reasonable period, not longer than thirty (30) days after the date the notice is deemed received, or within such further time as the County determines is necessary to correct the violation, the County may declare a default under the Agreement. Upon declaration of a default or if the County determines that the Applicant has made any misrepresentation in connection with receiving any benefits under this Agreement, the County may apply to a court of competent jurisdiction for such relief at law or in equity as may be appropriate.

Terms of Affordability

45. The inclusionary unit shall be deed-restricted so that if the home is sold within forty-five (45) years, it must be sold at an affordable sales price to a moderate-income household. The inclusionary unit shall be deed-restricted upon sale to ensure the continued affordability of this unit for the required term of affordability in accordance with Government Code 65915.

    a. Affordable Sales Price – means a sales price at which a moderate-income household can qualify for the purchase of target units, taking into account available financing, number of bedrooms and therefore, assumed household size, reasonable down payment, and affordable housing costs as defined in Health & Safety Code Section 50052.5. The affordable sales price for moderate income households must not exceed a price affordable to a persons and families whose income is at or below one hundred ten percent AMI.

Development Standards

46. The inclusionary unit must be constructed and finished in compliance with the approved Inclusionary Housing Plan. The unit is subject to the standards of Section 822.4.412 of the County Ordinance.
    a. The inclusionary unit must be constructed and occupied before or concurrently with the market rate units within the same residential development. A hold will be placed on the final inspection/occupancy for all building permits issued within the subdivision to ensure that the inclusionary/density bonus unit meets this requirement.

b. The average number of bedrooms for the inclusionary unit must be equivalent to the average number of bedrooms for market-rate units within the same residential development.

Marketing and Homebuyer Selection

47. It is anticipated that the Applicant will construct all project units and market them before construction completion. The Applicant shall submit documentation and other information to the County for review and approval at least 90 days prior to construction completion and prior to the Applicant's request for a final building inspection and final occupancy of the building. The documentation and information required for review and approval are listed in the most recent Inclusionary Housing Plan Checklist or Density Bonus Plan Checklist and include, but are not limited to, the following:
    a. Marketing Plan

    b. Homebuyer Selection Plan. The homebuyer selection plan should include a provision for a lottery process for the inclusionary/density bonus unit.

    c. Marketing Materials, including translated Marketing Materials in Spanish and Chinese.

    In addition to other marketing efforts proposed by the Applicant in the marketing plan, the inclusionary unit shall be marketed through local, non-profit, social service, faith-based, and other organizations with potential buyers as clients or constituents. Marketing materials shall be made available online for at least one month before the first sale and shared with County Housing staff to promote to its mailing lists. The Applicant shall translate marketing materials, and the marketing plan shall be submitted to the Department of Conservation and Development before marketing the inclusionary housing unit.

    Marketing may also include publicity through local television and radio stations as well as local newspapers, including the Contra Costa Times, Classified Flea Market, El Mensajero, La Opinion, Thoi Bao Magazine, Berkeley/Richmond/San Francisco Posts, Korea Times, El Mundo, Hankook Il Bo, and the Sing Tao Daily.

48. The developer shall refer all qualified homebuyers to a HUD Homebuyer Counselor prior to the sale of the inclusionary unit.

For-Sale Inclusionary/Density Bonus Unit Restrictions

49. The initial sale of a for-sale inclusionary unit shall occur only to a household that meets the following criteria:
    a. The household has not owned a residence within the previous three years; and

b. The household has no more than two hundred fifty thousand dollars in assets. The amount excludes assets reserved for a down payment and closing costs, assets in retirement savings accounts, and medical savings accounts.

c. The purchaser of the for-sale inclusionary/density bonus unit must agree to occupy the dwelling unit as their principal residence.

d. The term of affordability for the inclusionary/density bonus unit is 45 years.

The for-sale inclusionary unit may be resold after the initial sale to a moderate-income purchaser at a moderate-income sales price.

If a moderate-income purchaser cannot be found after diligently marketing the unit widely and after a period determined by DCD, the unit may be sold to an above-moderate-income purchaser at a market price, provided that the sale results in a recapture by the County of financial interest in the unit equal to the sum of:

The difference between the initial affordable sales price and the appraised market value of the unit at the time of the initial sale; and

The County's proportionate share of any appreciation since the time of the initial sale. Appreciation is the difference between the resale price to the above-moderate-income purchaser and the appraised market value at the initial sale. The County's proportionate share of appreciation is equal to the percentage by which the initial affordable sales price was less than the appraised market value at the time of the initial sale.

Prequalification of Homebuyers and Compliance Review

50. The Applicant is responsible for marketing and prequalifying potential homebuyers for income qualification. The Applicant shall submit for DCD's review and prequalification prior to the initial sale of the inclusionary/density bonus unit, and the Applicant shall submit to the Department of Conservation and Development for review and approval, all forms, and documentation demonstrating that the buyer of the unit is qualified as a moderate-income household. A hold shall be placed on the final inspection/ occupancy of all building permits associated with the construction of the residences in the project until documentation has been deemed adequate by the Department of Conservation and Development.

    To initiate this prequalification review, the applicant must file a COA Compliance Review Application if there is no open compliance review application for this project.

51. The Applicant is responsible for keeping the Department of Conservation and Development informed of the contact information of the owner or designee responsible for maintenance and compliance with this permit and how they may be contacted (i.e., mailing addresses, email addresses, and telephone numbers) at all times.
    a. Prior to the recordation of the Final Map, Parcel Map, or CDD stamp-approval of plans for issuance of building permits or grading permits for any portion of the residential

development, whichever comes first, and with filing a condition of approval compliance review, the Applicant shall provide the name of the contact representing the property owner for permit compliance and their contact information.

b. Should the contact subsequently change (e.g., new designee or owner), within 30 days of the change, the Applicant shall issue a letter to the Department of Conservation and Development with the name of the new party who has been assigned permit compliance responsibility and their contact information. Failure to satisfy this condition may result in the commencement of procedures to revoke the permit.

PUBLIC WORKS
CONDITIONS OF APPROVAL FOR SUBDIVISION CDSD20-09531

Applicant shall comply with the requirements of Title 8, Title 9, and Title 10 of the Ordinance Code. Any exception(s) must be stipulated in these Conditions of Approval. Conditions of Approval are based on the tentative map submitted to the Department of Conservation and Development on January 28, 2022.

COMPLY WITH THE FOLLOWING CONDITIONS OF APPROVAL PRIOR TO FILING OF THE PARCEL MAP.

General Requirements

52. In accordance with Section 92-2.006 of the Ordinance Code, this subdivision shall conform to all applicable provisions of the Subdivision Ordinance (Title 9). Any exceptions therefrom must be specifically listed in this conditional approval statement. The drainage, road and utility improvements outlined below shall require the review and approval of the Public Works Department and are based on the vesting tentative map received by the Department of Conservation and Development, Community Development Division, on January 28, 2022.

53. Improvement plans prepared by a registered civil engineer shall be submitted, if necessary, to the Public Works Department, Engineering Services Division, along with review and inspection fees, and secu¬rity for all improvements required by the Ordinance Code for the conditions of approval of this subdivision. Any necessary traffic signing and stripping shall be included in the improvement plans for review by the Transportation Engineering Division of the Public Works Department and the City of Pleasant Hill as applicable.

Roadway Improvements (Grayson Road)

54. The Applicant shall construct frontage improvements along Grayson Road in accordance with the recommendations of the City of Pleasant Hill. The applicant will need to demonstrate that the City of Pleasant Hill approves of the frontage improvements proposed under this project.

Access to Adjoining Property

55. The Applicant shall furnish proof to the Public Works Department of the acquisition of all necessary rights of way, rights of entry, permits and/or easements for the construction of off-site, temporary or permanent, public and private road and drainage improvements.

56. The Applicant shall obtain an encroachment permit from the City of Pleasant Hill for construction within the limits of the City of Pleasant Hill.

57. The Applicant shall only be permitted access at the locations shown on the approved site/development plan.

Abutters Rights

58. Applicant shall relinquish abutter's rights of access along Grayson Road with the exception of the proposed private road intersection.

Road Alignment/Intersection Design/Sight Distance:

59. Applicant shall provide sight distance at the private road intersection with Grayson Road for a design speed of 45 miles per hour. The applicant shall trim vegetation, as necessary, to provide sight distance at these driveways. Any new landscaping, signs, fencing, retaining walls, or other obstructions proposed at the driveways shall be setback to ensure that the sight lines are clear.

Private Road

60. Per the Vesting Tentative Map, Applicant shall construct an on-site roadway system to current County private road standards with a minimum pavement width of 28 feet, with 4.5-foot sidewalk (measured from the face of curb) within a minimum 42-foot access easement.

61. The Applicant shall construct the on-site roadways and the internal road network (serving the residential development) to current County private road standards. Although the proposed on-site roadways are shown as private, the pavement structural section shall conform to County public road standards.

62. Per the Vesting Tentative Map, applicant shall construct a paved turnaround at the end of the proposed private road subject to the review of the Fire District.

Street Lights:

63. Property owner(s) shall annex to the Community Facilities District (CFD) 2010-1 formed for Countywide Street Light Financing. Annexation into a street light service area does not include the transfer of ownership and maintenance of street lighting on private roads.

Bicycle - Pedestrian Facilities:

64. The Applicant shall design all public and private pedestrian facilities in accordance with Title 24 (for Accessibility) and the Americans with Disabilities Act. This shall include all sidewalks, paths, driveway depressions, and curb ramps. Adequate right-of-way shall be dedicated at the

curb returns to accommodate the returns and curb ramps; accommodate a minimum 4-foot landing on top of any curb ramp proposed.

Parking

65. Parking shall be prohibited on one side of on-site roadways where the curb-to-curb width is less than 36 feet and on both sides of on-site roadways where the curb-to-curb width is less than 28 feet. "No Parking" signs shall be installed along these portions of the roads subject to the review and approval of the Public Works Department.

Utilities/Undergrounding

66. The Applicant shall underground all new and existing utility distribution facilities, including those along the frontage of Grayson Road. Applicant shall provide joint trench composite plans for the underground electrical, gas, telephone, cable television and communication conduits and cables including the size, location and details of all trenches, locations of building utility service stubs and meters and placements or arrangements of junction structures as a part of the Improvement Plan submittals for the project. The composite drawings and/or utility improvement plans shall be signed by a licensed civil engineer.

Drainage Improvements:

67. Applicant shall collect and convey all stormwater entering and/or originating on this property, without diversion and within an adequate storm drainage facility, to a natural watercourse having definable bed and banks, or to an existing adequate public storm drainage system which conveys the stormwater to a natural watercourse, in accordance with Division 914 of the Ordinance Code. Applicant shall verify the adequacy at any downstream drainage facility accepting stormwater from this project prior to discharging runoff. If the downstream system(s) is inadequate to handle the existing and project condition for the required design storm event, applicant shall construct improvements to make the system adequate. Applicant shall obtain access rights to make any necessary improvements to off-site facilities.

68. The nearest public drainage facility is an existing storm drain located on Grayson Road. Applicant shall verify its adequacy prior to discharging run off.

Miscellaneous Drainage Requirements:

69. Applicant shall design and construct all storm drainage facilities in compliance with the Ordinance Code and Public Works Department design standards.

70. Applicant shall prevent storm drainage from draining across the sidewalk(s) and driveway(s) in a concentrated manner.

Floodplain Management:

71. A portion of the project property lies within a Special Flood Hazard Area (100 year flood boundary) as designated on the Federal Emergency Management Agency's Flood Insurance

Rate Maps. The applicant shall be aware of and comply with the requirements of the National Flood Insurance Program (Federal) and the County Floodplain Management Ordinance as they pertain to development and future construction of any structures on this property.

Creek Banks and Creek Structure Setbacks:

72. The Property owner shall relinquish "development rights" over that portion of the site that is within the structure setback area of Grayson Creek. The structure setback area shall be determined by using the criteria outlined in Chapter 914 14, "Rights of Way and Setbacks," of the Subdivision Ordinance. "Development rights" shall be conveyed to the County by grant deed.

73. The property owner shall be aware that the creek banks on the site are potentially unstable. The property owner shall execute a recordable agreement with the County which states that the developer and the property owner and the future property owner(s) will hold harmless Contra Costa County and the Contra Costa County Flood Control and Water Conservation District in the event of damage to the on-site and off-site improvements as a result of creek-bank failure or erosion.

National Pollutant Discharge Elimination System (NPDES):

74. The applicant shall be required to comply with all rules, regulations and procedures of the National Pollutant Discharge Elimination System (NPDES) for municipal, construction and industrial activities as promulgated by the California State Water Resources Control Board, or any of its Regional Water Quality Control Boards San Francisco Bay - Region II.

    Compliance shall include developing long-term best management practices (BMPs) for the reduction or elimination of stormwater pollutants. The project design shall incorporate, wherever feasible, the following long-term BMPs in accordance with the Contra Costa Clean Water Program for the site's stormwater drainage.

    - Minimize the amount of directly connected impervious surface area.
    - Install approved full trash capture devices on all catch basins (excluding catch basins within bioretention basins) as reviewed and approved by Public Works Department. Trash capture devices shall meet the requirements of the County's NPDES Permit.
    - Place advisory warnings on all catch basins and storm drains using current storm drain markers.
    - Construct concrete driveway weakened plane joints at angles to assist in directing run-off to landscaped/pervious areas prior to entering the street curb and gutter.
    - Distribute public information items regarding the Clean Water Program and lot specific IMPs to buyers.
    - Other alternatives comparable to the above as approved by Public Works.

Stormwater Management and Discharge Control Ordinance

75. The applicant shall submit a final Storm Water Control Plan (SWCP) and a Stormwater Control Operation and Maintenance Plan (O+M Plan) to the Public Works Department, which shall be reviewed for compliance with the County's National Pollutant Discharge Elimination System (NPDES) Permit and shall be deemed consistent with the County's Stormwater Management and Discharge Control Ordinance (§1014) prior to filing of the Final Map. All time and materials costs for review and preparation of the SWCP and the O+M Plan shall be borne by the applicant.

76. Improvement plans shall be reviewed to verify consistency with the final SWCP and compliance with Provision C.3 of the County's NPDES Permit and the County's Stormwater Management and Discharge Control Ordinance (§1014).

77. Stormwater management facilities shall be subject to inspection by the Public Works Department; all time and materials costs for inspection of stormwater management facilities shall be borne by the applicant.

78. Prior to filing of the Final Map, the property owner(s) shall enter into a Stormwater Management Facility Operation and Maintenance Agreement with Contra Costa County, in which the property owner(s) shall accept responsibility for and related to the operation and maintenance of the stormwater facilities, and grant access to relevant public agencies for inspection of stormwater management facilities.

79. Prior to filing of the Final Map, the property owner(s) shall annex the subject property into Community Facilities District (CFD) No. 2007-1 (Stormwater Management Facilities), which funds responsibilities of Contra Costa County under its NPDES Permit to oversee the ongoing operation and maintenance of stormwater facilities by property owners.

80. Any proposed water quality features that are designed to retain water for longer than 72 hours shall be subject to the review of the Contra Costa Mosquito & Vector Control District.

Drainage Area Fee Ordinance:

81. The Applicant shall comply with the drainage fee requirements for Drainage Area 62 as adopted by the Board of Supervisors prior to initiation of the use requested with this application. This fee shall be paid prior to filing of the Final Map.

ADVISORY NOTES

ADVISORY NOTES ARE NOT CONDITIONS OF APPROVAL; THEY ARE PROVIDED TO ALERT THE APPLICANT TO ADDITIONAL ORDINANCES, STATUTES, AND LEGAL REQUIREMENTS OF THE COUNTY AND OTHER PUBLIC AGENCIES THAT MAY BE APPLICABLE TO THIS PROJECT.

A. NOTICE OF OPPORTUNITY TO PROTEST FEES, ASSESSMENTS, DEDICATIONS, RESERVATIONS OR OTHER EXACTIONS PERTAINING TO THE APPROVAL OF THIS PERMIT.

Pursuant to California Government Code Section 66000, et seq., the applicant has the opportunity to protest fees, dedications, reservations or exactions required as part of this project approval. To be valid, a protest must be in writing pursuant to Government Code Section 66020 and must be delivered to the Community Development Division within a 90-day period that begins on the date that this project is approved. If the 90th day falls on a day that the Community Development Division is closed, then the protest must be submitted by the end of the next business day.

B. Applicant will be required to comply with the requirements of the Bridge/Thoroughfare Fee Ordinance for the Central Contra Costa Areas of Benefit, as adopted by the Board of Supervisors. Payment is required prior to issuance of a building permit.

C. This project may be subject to the requirements of the Department of Fish and Wildlife. It is the applicant's responsibility to notify the Department of Fish and Wildlife of any proposed construction within this development that may affect any fish and wildlife resources, per the Fish and Wildlife Code.

D. This project may be subject to the requirements of the Army Corps of Engineers. It is the applicant's responsibility to notify the appropriate district of the Corps of Engineers to determine if a permit is required, and if it can be obtained.

E. Further development of the parcel may need to comply with the latest Stormwater Management and Discharge Control Ordinance (§1014) and Municipal Separate Storm Sewer System (MS4) National Pollutant Discharge Elimination System (NPDES) Permit. This compliance may require a Stormwater Control Plan and an Operations and Maintenance Plan prepared in accordance with the latest edition of the Stormwater C.3 Guidebook. Compliance may also require annexation of the subject property into the Community Facilities District 2007-1 (Stormwater Management Facilities) and entering into a standard Stormwater Management Facilities Operation and Maintenance Agreement with Contra Costa County.

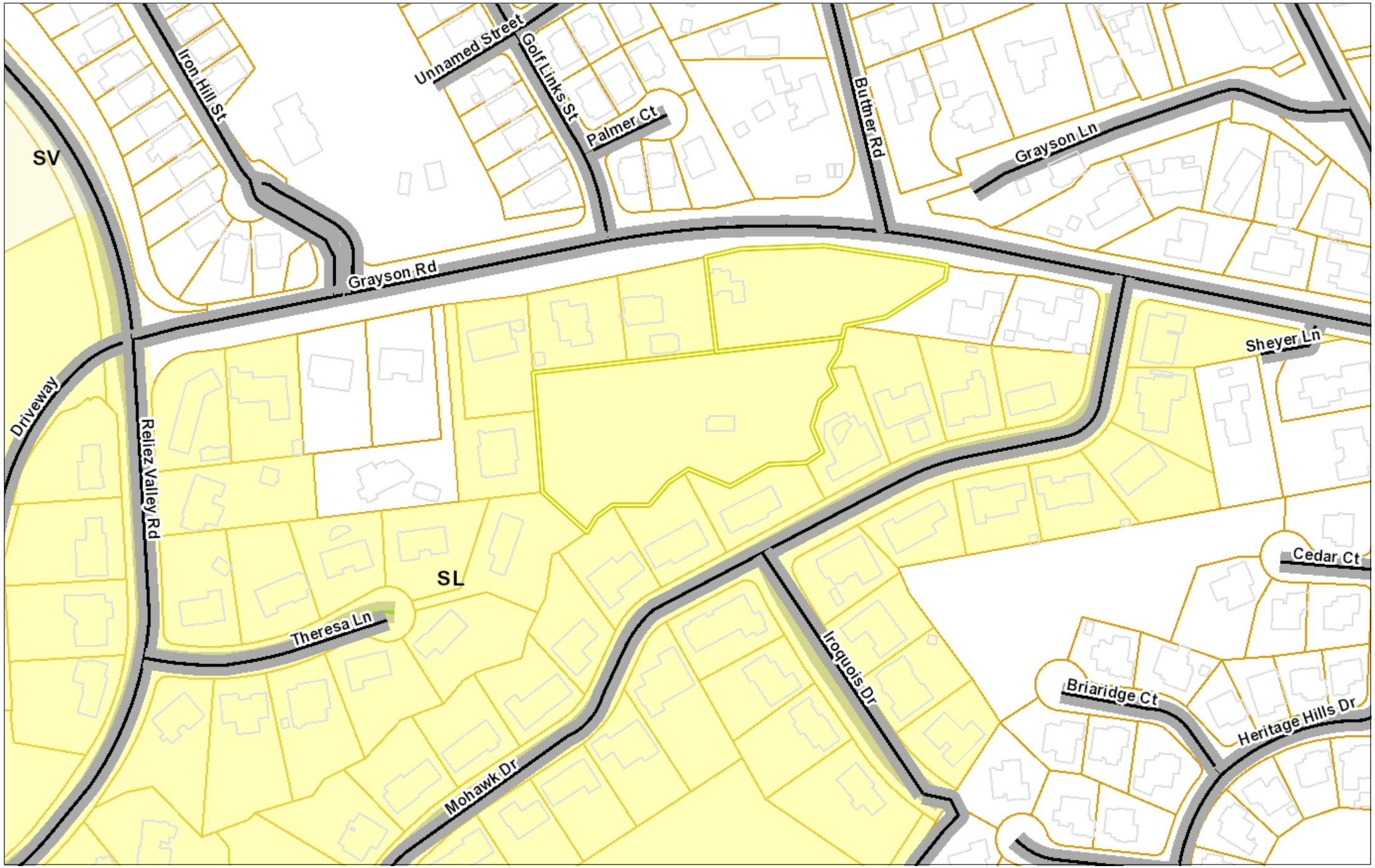
F. This project is subject to the development fees in effect under County Ordinance as December 17, 2020, the date the vesting tentative map application was accepted as complete by the Department of Conservation and Development. These fees are in addition to any other development fees, which may specified in the conditions of approval.

G. Additional requirements may be imposed by the following agencies and departments:

- Public Works Department
- Building Inspection Division
- Contra Costa Consolidated Fire Protection District
- Health Services Department
- Central Contra Costa Sanitary District
- East Bay Municipal Utility District

The Applicant is strongly encouraged to review these agencies' requirements prior to continuing with the project.

SL General Plan



Legend

- Building Outlines
- Highways
- Highways Bay Area
- Streets
- General Plan
  - SV (Single Family Residential - Ver
  - SL (Single Family Residential - Low
  - SM (Single Family Residential - Me
  - SH (Single Family Residential - Hig
  - ML (Multiple Family Residential - Lo
  - MM (Multiple Family Residential - M
  - MH (Multiple Family Residential - H
  - MV (Multiple Family Residential - V
  - MS (Multiple Family Residential - V
  - CC (Congregate Care/Senior Housi
  - MO (Mobile Home)
  - M-1 (Parker Avenue Mixed Use)
  - M-2 (Downtown/Waterfront Rodeo I
  - M-3 (Pleasant Hill BART Mixed Use
  - M-4 (Willow Pass Road Mixed Use)
  - M-5 (Willow Pass Road Commercia
  - M-6 (Bay Point Residential Mixed U
  - M-7 (Pittsburg/Bay Point BART Sta
  - M-8 (Dougherty Valley Village Cent
  - M-9 (Montalvin Manor Mixed Use)
  - M-10 (Willow Pass Business Park M
  - M-11 (Appian Way Mixed Use)
  - M-12 (Triangle Area Mixed Use)
  - M-13 (San Pablo Dam Road Mixed
  - M-14 (Heritage Mixed Use)
  - CO (Commercial)
  - OF (Office)
  - BP (Business Park)
  - LI (Light Industry)
  - HI (Heavy Industry)
  - AL, OIBA (Agricultural Lands & Off
  - CR (Commercial Recreation)
  - ACO (Airport Commercial)
  - LF (Landfill)

1: 2,257

0.1 0 0.04 0.1 Miles

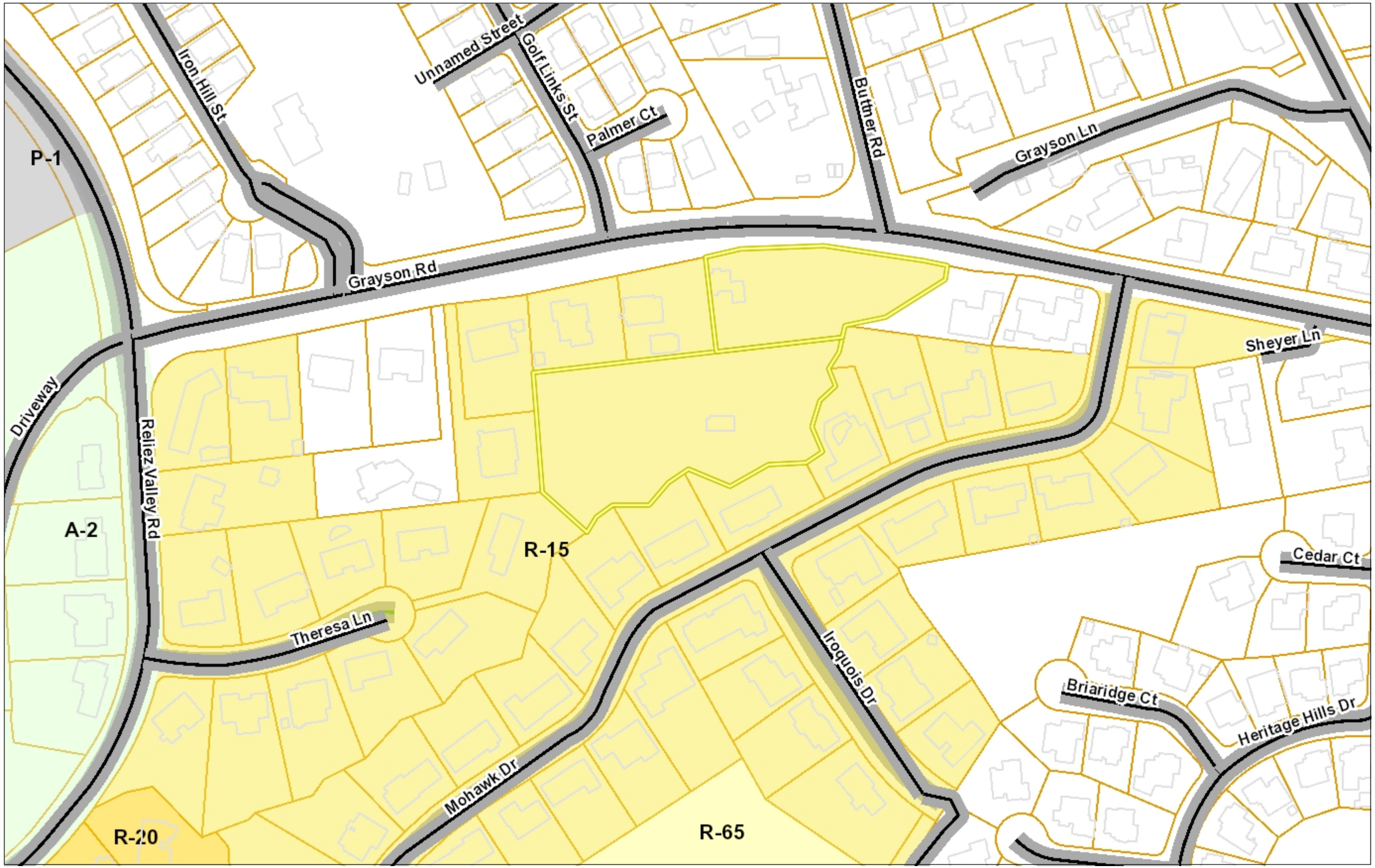
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Notes

Contra Costa County -DOIT GIS

R-15 Zoning



Legend

- Building Outlines
- Highways
- Highways Bay Area
- Streets
- Zoning
  - R-6 (Single Family Residential)
  - R-6, -FH -UE (Flood Hazard and A
  - R-6 -SD-1 (Slope Density Hillside D
  - R-6 -TOV -K (Tree Obstruction and
  - R-6, -UE (Urban Farm Animal Exclu
  - R-6 -X (Railroad Corridor Combinin
  - R-7 (Single Family Residential)
  - R-7 -X (Railroad Corridor Combinin
  - R-10 (Single Family Residential)
  - R-10, -UE (Urban Farm Animal Exc
  - R-12 (Single Family Residential)
  - R-15 (Single Family Residential)
  - R-20 (Single Family Residential)
  - R-20, -UE (Urban Farm Animal Exc
  - R-40 (Single Family Residential)
  - R-40, -FH -UE (Flood Hazard and A
  - R-40, -UE (Urban Farm Animal Exc
  - R-65 (Single Family Residential)
  - R-100 (Single Family Residential)
  - D-1 (Two Family Residential)
  - D-1 -T (Transitional Combining Dist
  - D-1, -UE (Urban Farm Animal Exclu
  - M-12 (Multiple Family Residential)
  - M-12 -FH (Flood Hazard Combining
  - M-17 (Multiple Family Residential)
  - M-29 (Multiple Family Residential)
  - F-R (Forestry Recreational)
  - F-R -FH (Flood Hazard Combining
  - F-1 (Water Recreational)
  - F-1 -FH (Flood Hazard Combining D
  - A-2 (General Agriculture)
  - A-2, -BS (Boat Storage Combining
  - A-2, -BS -SG (Boat Storage and So
  - A-2 -FH (Flood Hazard Combining D

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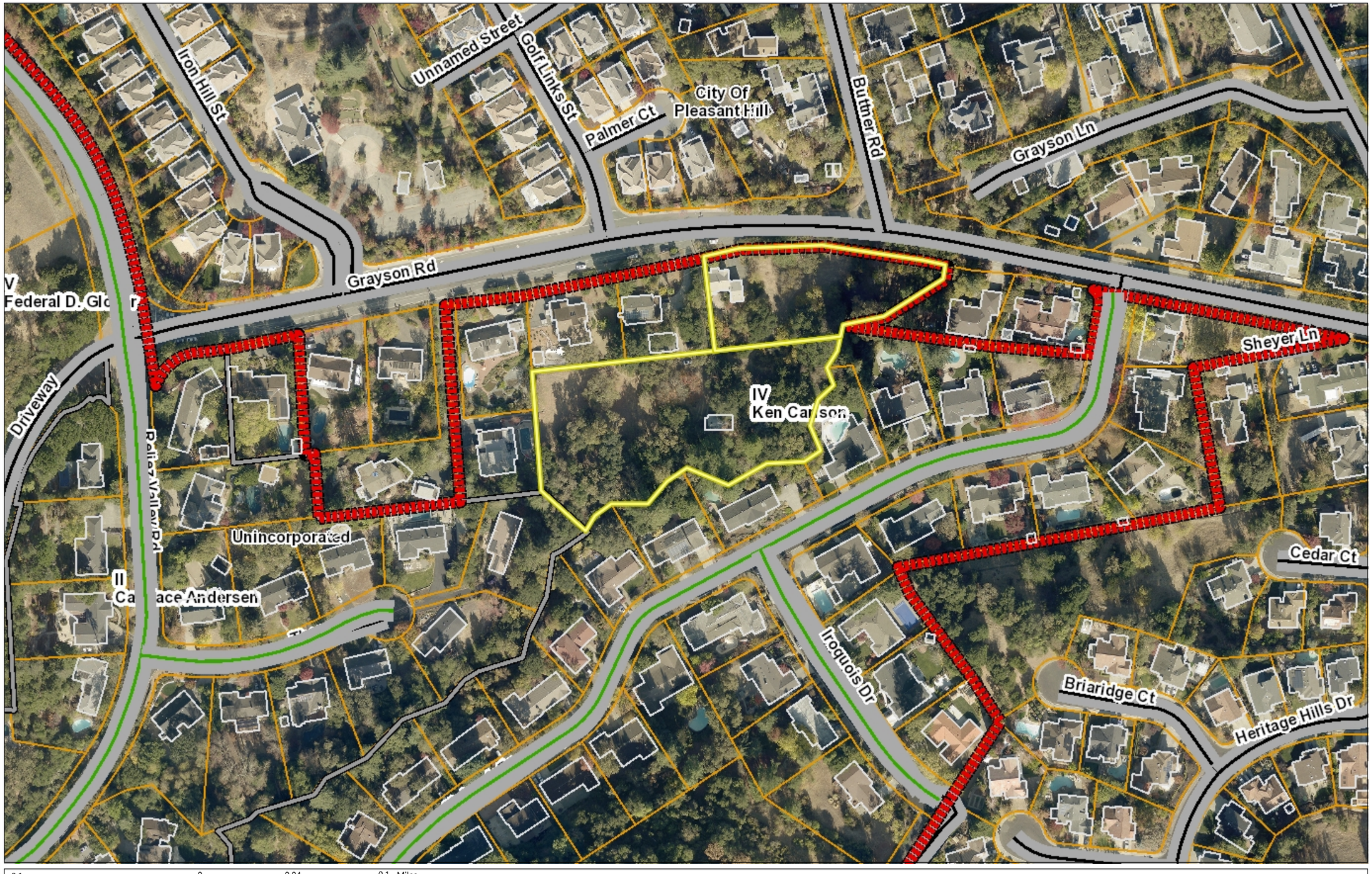
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Notes

Contra Costa County -DOIT GIS

Aerial



Legend

- Building Outlines
- Maintained Roads
- City Limits
- Unincorporated
- Highways
- Highways Bay Area
- Streets
- Maintained Roads
- Board of Supervisors' Districts
- Water Bodies
- County Boundary
- Bay Area Counties
- Assessment Parcels
- Aerials 2019
  - Red: Band_1
  - Green: Band_2
  - Blue: Band_3
- World Imagery
- Low Resolution 15m Imagery
- High Resolution 60cm Imagery
- High Resolution 30cm Imagery
- Citations

1: 2,257

0.1 0 0.04 0.1 Miles

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Notes

Contra Costa County -DOIT GIS

Department of Conservation and Development

30 Muir Road
Martinez, CA 94553

Phone: 1-855-323-2626

Contra Costa County

John Kopchik
Director

Aruna Bhat
Deputy Director

Deidra Dingman
Deputy Director

Jason Crapo
Deputy Director

Maureen Toms
Deputy Director

Gabriel Lemus
Assistant Deptuty Director

March 24, 2023

NOTICE OF PUBLIC REVIEW AND INTENT TO ADOPT

A PROPOSED MITIGATED NEGATIVE DECLARATION (Revised)

County File No. CDSD20-09531

Pursuant to the State of California Public Resources Code and the "Guidelines for Implementation of the California Environmental Quality Act of 1970" as amended to date, this is to advise you that the Community Development Division of the Department of Conservation and Development of Contra Costa County has prepared an initial study on the following project:

PROJECT NAME: Grayson Road 10-Lot Subdivision (County File #CDSD20-09531)

LOCATION: **The property is located at 1024 and 1026 Grayson Rd, Pleasant Hill, CA 94523 Assessor's Parcel Numbers: 166-030-001 and 166-030-002**

APPLICANT: Calibr Ventures c/o Andy Byde, 1908 Cambridge Place, Walnut Creek, CA 94598

LEAD AGENCY: Contra Costa County, Department of Conservation and Development (925)655-2872
30 Muir Road, Martinez, CA 94553

DESCRIPTION:

Project Description: The applicant is requesting approval of a vesting tentative map for a subdivision which proposes to subdivide the 3.05-acre project site into 10 lots ranging in size from 7,347 to 22,460 square feet. On each new lot, a 4- to 5-bedroom single-family residence ranging in size from approximately 2,900 to 3,500 square feet, is expected to be constructed. Two existing, vacant, residences would be demolished to accommodate the project. Implementation of the project could include more than 1,000 cubic yards of grading.

Associated access, drainage, and utility facilities would be constructed throughout the site. For access, a 28-foot roadway and 4.5-foot sidewalk would connect the lots to Grayson Road. Stormwater flows would be directed to a 2,021-square-foot bioretention basin located at the northeast corner of Lot 2. Treated stormwater will be discharged from the basin into a Contra Costa County maintained stormwater drainage system that currently exists under Grayson Road.

A riparian setback between the project's grading limits and Grayson Creek would be included as part of the project. To accommodate improvements, a tree permit would be included for the removal of 97 code-protected trees.

The home on Lot 1 would be restricted for-sale to a moderate-income household, therefore the project is eligible for a Density Bonus, waivers or reductions in development standards, incentives and concessions, and parking reductions under the California Density Bonus Law, Gov. Code Section 65915. By providing one lot of the nine base units for sale to a moderate income household, the Project qualifies for a 7% density bonus, resulting in one additional unit. In addition to the increased density of one unit (10 units total), the project is seeking waivers of development standards pertaining to: (a) a reduction in minimum lot size for Lots 1 and 4-10; (b) a reduction in the minimum lot width for Lots 1-10 to allow lot average widths as low as 56 feet; (c) a reduction in minimum lot depth for Lot 1; and (d) reduced residential setback requirement to allow 14-foot front setbacks. The project is seeking these reductions and waivers because application of the required standard would physically preclude the development of the project at the proposed density with the proposed one moderate income unit. Finally, the project is seeking a concession to allow for alternative roadway improvements along Grayson Road, including bicycle lane striping, where curb, 5-foot-wide sidewalk, necessary longitudinal and transverse drainage are required.

Site and Area Description: The 3.05-gross-acre project site is located on the south side of Grayson Road, opposite the intersection of Grayson Road and Buttner Road in unincorporated Pleasant Hill. The roughly L-shaped project site is comprised of two parcels: a northern parcel that fronts on Grayson Road, and a southern parcel that is bound by Grayson Creek to the south and east. Grayson Creek runs roughly east-west along the southern boundary of the project site, then takes a northward bend forming the east boundary. Other private properties with single-family residences abut the property to the north and west.

The immediate surrounding area is representative of single-family residential development in central Contra Costa County. Properties along Grayson Road are predominantly developed with single-family residences. Within a half-mile radius, developed parcels range in size from 4,000 square feet to 68,700 square feet, with a median size of approximately 13,000 square feet. The larger vicinity includes a mix of neighborhood-residential uses including single-family residences, churches, schools, and parks.

ENVIRONMENTAL EFFECTS:

The initial study for the proposed project identified potentially significant impacts in the environmental areas of Air Quality, Biological Resources, Cultural Resources, Geological Resources, and Tribal Cultural Resources. Environmental analysis determined that measures were available to mitigate potential adverse impacts to insignificant levels. As a result, a Mitigated Negative Declaration (MND) has been prepared pursuant to Public Resources Code Section 21080(c), 21063.5, and Article 6 of the California Environmental Quality Act (CEQA) Guidelines.

Pursuant to the requirements of CEQA (CEQA Guidelines Section 15071) the MND describes the proposed project; identifies, analyzes, and evaluates the potential significant environmental impacts, which may result from the proposed project; and identifies measures to mitigate adverse environmental impacts. The mitigations identified in this document and designed for the proposed project, will ensure that the project will not cause a significant impact on the environment.

A copy of the mitigated negative declaration and all documents referenced in the mitigated negative declaration may be reviewed on the Department of Conservation and Development webpage at the following address:

https://www.contracosta.ca.gov/4841/CEQA-Notifications

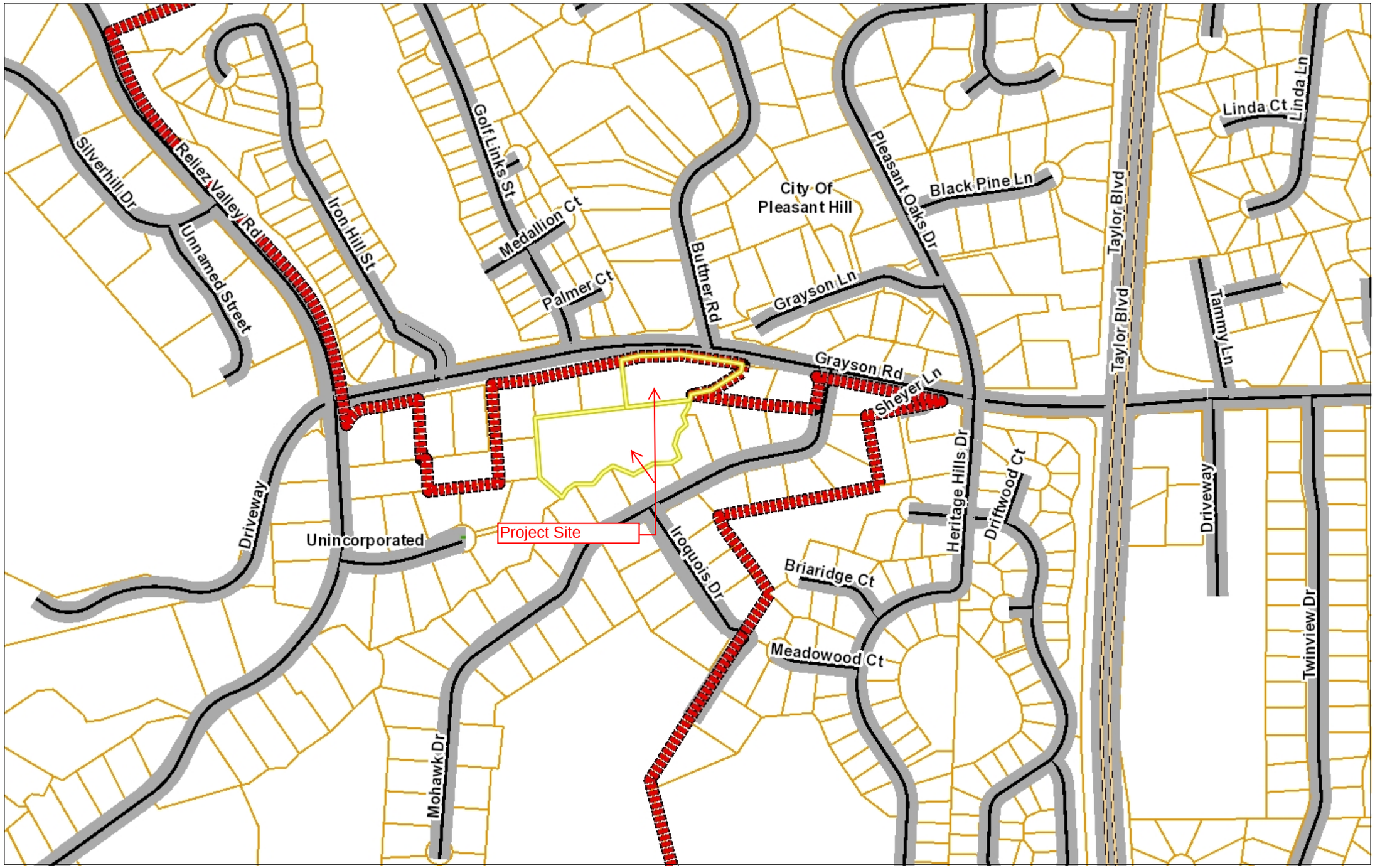
Public Comment Period - The period for accepting comments on the adequacy of the environmental documents extends to **Monday, April 24, 2023, at 5:00 P.M**. Following the close of the public comment period, the County will consider adopting the Mitigated Negative Declaration prior to consideration of the Vesting Tentative Map. Any comments should be in writing and submitted by email to joseph.lawlor@dcd.cccounty.us or by post to the following address:

Name: Joseph W. Lawlor Jr, AICP; Project Planner; (925) 655-2872
Community Development Division
Contra Costa County, Department of Conservation and Development
30 Muir Road, Martinez, CA 94553

Joseph W. Lawlor Jr, AICP
Project Planner

cc: County Clerk's Office (2 copies)
Adjacent Occupants and Owners Notification List
Attached: Vicinity Map

Vicinity Map



Legend

- City Limits
- Unincorporated
- Highways
- Highways Bay Area
- Streets
- Maintained Roads
- Water Bodies
- County Boundary
- Bay Area Counties
- Assessment Parcels

1: 4,514

0.1 0 0.07 0.1 Miles

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Notes

Contra Costa County -DOIT GIS

ENVIRONMENTAL CHECKLIST FORM

1.	**Project Title:**	Grayson Road 10-Lot Subdivision (County File #CDSD20-09531)
2.	**Lead Agency Name and Address:**	Contra Costa County Department of Conservation and Development 30 Muir Road Martinez, CA 94553
3.	**Contact Person and Phone Number:**	Joseph W. Lawlor Jr, AICP (925) 655-2872 joseph.lawlor@dcd.cccounty.us
4.	**Project Location:**	1024 and 1026 Grayson Road Pleasant Hill, CA 94523 Assessor's Parcel Numbers: 166-030-001 and 166-030-002
5.	**Project Sponsor's Name and Address:**	Calibr Ventures c/o Andy Byde 1908 Cambridge Place Walnut Creek, CA 94598
6.	**General Plan Designation:**	The project site is located within the Single-Family Residential – Low Density (SL) General Plan Land Use designation.
7.	**Zoning:**	The project site is located within the R-15 Single-Family Residential (R-15) District.

8. **Description of Project:** The applicant is requesting approval of a vesting tentative map for a subdivision which proposes to subdivide the 3.05 acre project site into 10 lots ranging in size from 7,347 to 22,460 square feet. On each new lot, a 4- to 5-bedroom single-family residence ranging in size from approximately 2,900 to 3,500 square feet, is expected to be constructed. Two existing, vacant, residences would be demolished to accommodate the project. Implementation of the project could include more than 1,000 cubic yards of grading.

Associated access, drainage, and utility facilities would be constructed throughout the site. For access, a 28-foot roadway and 4.5-foot sidewalk would connect the lots to Grayson Road. Stormwater flows would be directed to a 2,021-square-foot bioretention basin located at the northeast corner of Lot 2. Treated stormwater will be discharged from the basin into a Contra Costa County maintained stormwater drainage system that currently exists under Grayson Road.

Running southwest to northwest along the southern boundary of the project site is Grayson Creek, a perennial creek. The proposed project does not anticipate placing any development or infrastructure in Grayson Creek or the associated riparian corridor. A riparian setback between the project's grading limits and Grayson Creek would be included as part of the project. To accommodate improvements, a tree permit would be included for the removal of 97 code-protected trees.[1]

The home on Lot 1 would be restricted for-sale to a moderate-income household, therefore the project is eligible for a Density Bonus, waivers or reductions in development standards, incentives and concessions, and parking reductions under the California Density Bonus Law, Gov. Code Section 65915. By providing one lot of the nine base units for sale to a moderate income household, the Project qualifies for a 7% density bonus, resulting in one additional unit. In addition to the increased density of one unit (10 units total), the project is seeking waivers of development standards pertaining to: (a) a reduction in minimum lot size for Lots 1 and 4-10; (b) a reduction in the minimum lot width for Lots 1-10 to allow lot average widths as low as 56 feet; (c) a reduction in minimum lot depth for Lot 1; and (d) reduced residential setback requirement to allow 14-foot front setbacks. The project is seeking these reductions and waivers because application of the required standard would physically preclude the development of the project at the proposed density with the proposed one moderate income unit. Finally, the project is seeking a concession to allow the installation of the complete frontage improvements be omitted in lieu of a reconstructed asphalt-concrete curb along the edge of pavement of Grayson Road along the project frontage as well as bicycle lane striping.

9. **Surrounding Land Uses and Setting:** The 3.05-gross-acre project site is located on the south side of Grayson Road, opposite the intersection of Grayson Road and Buttner Road in unincorporated Pleasant Hill. The roughly L-shaped project site is comprised of two parcels: a northern parcel that fronts on Grayson Road, and a southern parcel that is bound by Grayson Creek to the south and east. Grayson Creek runs roughly east-west along the southern boundary of the project site, then takes a northward bend forming the east boundary. Other private properties with single-family residences abut the property to the north and west.

The immediate surrounding area is representative of single-family residential development in central Contra Costa County. Properties along Grayson Road are predominantly developed with single-family residences. Within a half-mile radius, developed parcels range in size from 4,000 square feet to 68,700 square feet, with a median size of approximately 13,000 square feet. The larger vicinity includes a mix of neighborhood-residential uses including single-family residences, churches, schools, and parks.
Regional access to the site is provided via I-680 by way of Gregory Lane and Taylor Boulevard and is also provided via State Route (SR) 24 by way of Pleasant Hill Road/Taylor Boulevard. Local access to the project site would be provided via Grayson Road and a new private internal street.

[1] Tree #134 was authorized to be removed under an emergency tree removal by Contra Costa County on 10/28/21

10. Other Public Agencies Whose Approval is Required (e.g., permits, financing approval, or participation agreement.)

Contra Costa County Public Works Department, City of Pleasant Hill, Contra Costa County Fire District, Contra Costa County Local Area Formation District (LAFCO), East Bay Municipal Utility District, and Central Contra Costa Sanitary District.

11. Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code section 21080.3.1? If so, is there a plan for consultation that includes, for example, the determination of significance of impacts to tribal cultural resources, procedures regarding confidentiality, etc.?

Notice of the proposed project was sent to Native American tribes, as applicable for consultation with Native American tribes under Public Resources Code Sections 21080.3.1. A Tribal Consultation List from the Native American Heritage Commission, dated October 28, 2015, was used to identify tribes traditionally and culturally affiliated with the project area. No requests for consultation were received

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 Forestry Resources	☐ Air Quality
☒ Biological Resources	☒ Cultural Resources	☐ Energy
☒ Geology/Soils	☐ Greenhouse Gas Emissions	☐ Hazards & Hazardous Materials
☐ Hydrology/Water Quality	☐ Land Use/Planning	☐ Mineral Resources
☐ Noise	☐ Population/Housing	☐ Public Services
☐ Recreation	☐ Transportation	☒ Tribal Cultural Resources
☐ Utilities/Services Systems	☐ Wildfire	☐ Mandatory Findings of Significance

Environmental 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.

☒ 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.

Joseph W Lawlor Jr

Joseph W. Lawlor Jr, AICP, Senior Planner
Contra Costa County
Department of Conservation & Development

03/24/2023

Date

ENVIRONMENTAL CHECKLIST

EVALUATION OF ENVIRONMENTAL IMPACTS

1. *AESTHETICS –* *Except as provided in Public Resources Code Section 21099,* **would *the project*:**				
Environmental Issues	**Potentially Significant Impact**	**Less Than Significant With Mitigation Incorporated**	**Less Than Significant Impact**	**No Impact**
a) Have a substantial adverse effect on a scenic vista?	☐	☐	☐	☒
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	☐	☐	☐	☒
c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage points.) If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	☐	☐	☒	☐
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	☐	☒	☐	☐

SUMMARY: Less Than Significant

a) *Would the project have a substantial adverse effect on a scenic vista?* ***(No Impact)***

Figure 9-1 of the Open Space Element of the County General Plan identifies major scenic ridges and scenic waterways in the County. According to this map, there are no designated scenic vista points in the area of the project site and therefore the project would not displace or obstruct views from a scenic vista. Furthermore, existing views of, and from the project site, would not be affected by the project because the proposed residential development would be built primarily at lower-lying elevations consistent with the existing surrounding residential neighborhood.

b) *Would the project substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic building within a state scenic highway?* ***(No Impact)***

The Scenic Routes Map (Figure 5-4) of the County General Plan's Transportation and Circulation Element identifies scenic routes in the County, including both State Scenic Highways and County designated Scenic Routes. No scenic routes are located in the project vicinity. The nearest officially designated State Scenic Highway is a portion of State Route 24, located approximately 3.41 miles south of the project site. The second closest designated State Scenic Highway is a portion of Interstate 680, which is located approximately 3.9 miles south of the project site. The project site is not visible from

either State Route 24, Interstate 680, or any other more distant scenic highway. The site is surrounded by predominantly single-family residential development. The project is not located near any designated scenic highway and would not damage any scenic resources related to a scenic highway. The project would not impact trees, rock outcroppings or historic buildings considered to be significant scenic resources. Thus, no impact is expected on these resources.

c) *In non-urbanized areas, would the project substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage points.) If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality* ***(Less than Significant Impact)***

The project is located in an urbanized area as designated by the U.S. Census Bureau Urban Area Reference Maps. The visual character of the site would change with the eventual development of the proposed 10 lots. However, the proposed development is consistent with the General Plan designation of Single-Family Residential – Low Density and the surrounding residential neighborhood. Though the project would include waivers from development standards for the R-15 zoning district, the residential project would be consistent with other residential development in the area, and thus the impact to the visual character of the area is expected to be less than significant. Additionally, the applicant would be required to submit a landscape plan prior to the issuance of the first building permit, ensuring adequate planting of trees and other landscaping on the site. Lastly, with approval of the requested concessions, the proposed project would not conflict with applicable zoning and other regulations governing scenic quality and impacts would be less than significant.

d) *Would the project create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?* ***(Less Than Significant Impact with Mitigation)***

Minimal glare would be introduced in the area. The change in ambient nighttime light levels on the project site, and the extent to which project lighting would spill off the project site and affect adjacent light-sensitive areas, would determine whether the project could adversely affect nighttime views in the area. The new sources of light associated with the proposed new 10 homes would illuminate the surrounding properties and Grayson Creek; thus, the project lighting could create a potentially significant adverse environmental impact due to substantial new light. Consequently, the applicant is required to implement the following mitigation measures to reduce impacts on nighttime views.

Aesthetics 1: *Thirty days prior to application for a building permit for subdivision improvements, the applicant shall submit a Lighting Plan for review and approval by the CDD. At a minimum, the plan shall include the following measures:*

1. *All outdoor lighting, including façade, yard, security, and street lights, shall be oriented down, onto the project site or road.*

2. *Back shields or functionally similar design elements shall be installed on every lighting pole to reduce lighting from spilling off site, and to ensure that lighting remains within the project site.*

Implementation of this mitigation measure would reduce the impact on nighttime views to a less than significant level.

Sources of Information

- Contra Costa County General Plan, 2005-2020. *Open Space Element*.
- Contra Costa County General Plan, 2005-2020. *Transportation and Circulation Element.*
- U.S. Department Of Commerce, Economics & Statistics Administration, U.S. Census Bureau. *U.S. Census Bureau, TIGERweb., Accessed March 2023.*
- DeBolt Civil Engineering, March 2021. *Vesting Tentative Map, SD 20-9531*. (Project Plans)

2. *AGRICULTURAL AND FOREST RESOURCES – Would the project:*				
Environmental Issues	**Potentially Significant Impact**	**Less Than Significant With Mitigation Incorporated**	**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?	☐	☐	☐	☒
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	☐	☐	☐	☒
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g)?	☐	☐	☐	☒
d) Result in the loss of forest land or conversion of forest land to non-forest use?	☐	☐	☐	☒
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?	☐	☐	☐	☒

a) Would the project 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? ***(No Impact)***

As shown on the California Department of Conservation's Contra Costa County Important Farmland 2016 map, the project site includes land classified as "Urban And Built-Up Land." "Urban And Built-Up Land" is occupied by structures with a building density of at least one unit to one and one half acres, or approximately 6 structures to a 10-acre parcel, and is not considered farmland. Thus, the proposed project would not convert Prime Farmland, Unique Farmland, or Farmland of Statewide importance to a non-agricultural use; therefore, no impact is expected.

b) *Would the project conflict with existing zoning for agricultural use, or a Williamson Act contract?* ***(No Impact)***

The project site is within the R-15 Single-Family Residential district and has a Single-Family Low-Density General Plan Land Use designation. No agricultural uses are in the immediate vicinity of the project. Furthermore, the project site is not zoned for agricultural use, the project site is not included in a Williamson Act contract, and there is no reason to believe the project would conflict with any existing agricultural uses. Therefore, no impact is expected from a conflict with existing agricultural uses.

c) *Would the project conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g) or conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g)?* ***(No Impact)***

The project site is not considered forest land as defined by California Public Resources Code Section 12220(g), timberland as defined by California Public Resources Code Section 4526, or zoned Timberland Production as defined by Government Code section 51104(g). Furthermore, the project site is within the R-15 district and the proposed use is an allowed use within the zoning district. Thus, the project would not conflict with existing zoning for, or cause rezoning of forest land or timberland.

California Public Resources Code Section 12220, under the Forest Legacy Program Act, defines "forest land" as land that can support 10 percent native tree cover of any species, including hardwoods, under natural conditions, and that allows for management of one or more forest resources, including timber, aesthetics, fish and wildlife, biodiversity, water quality, recreation, and other public benefits.

Public Resources Code 4526, under the Forest Practice Act, defines "timberland" as land, other than land owned by the federal government and land designated by the State

Board of Forestry and Fire Protection as experimental forest land, which is available for, and capable of, growing a crop of trees of any commercial species used to produce lumber and other forest products, including Christmas trees. Commercial species are determined by the board on a district basis after consultation with the district committees and others.

California Government Code 51104, under the Timberland Productivity Act, defines "timberland" as privately owned land, or land acquired for state forest purposes, which is devoted to and used for growing and harvesting timber, or for growing and harvesting timber and compatible uses, and which is capable of growing an average annual volume of wood fiber of at least 15 cubic feet per acre. "Timberland production zone" or "TPZ" means an area which has been zoned pursuant to Section 51112 or 51113 of the Government Code and is devoted to and used for growing and harvesting timber, or for growing and harvesting timber and compatible uses, as defined in Public Resources Code 4526 or 12220. With respect to the general plans of cities and counties, "timberland preserve zone" means "timberland production zone." As stated in the Contra Costa County General Plan, no land is used for timber harvesting in the County.

d) *Would the project involve or result in the loss of forest land or conversion of forest land to non-forest use?* ***(No Impact)***

The project site is not considered forest land, as discussed in "c" above.

e) *Would the project involve other changes in the existing environment, which due to their location or nature, could result in conversion of farmland, to non-agricultural use?* ***(No Impact)***

The proposed project would add 10 single-family residences to a residentially zoned property in a residential area. This improvement would not remove any land from potential agricultural production. Thus, the project would have no impact on the conversion of farmland.

Sources of Information

- Contra Costa County Code, Title 8, Zoning Ordinance.
- Contra Costa County General Plan 2005-2020. *Land Use Element*.
- California Department of Conservation. Accessed July 19, 2021. *Contra Costa County Important Farmland 2016.*
- Contra Costa County Department of Conservation and Development. Accessed July 19, 2021. *2016 Agricultural Preserves Map*. http://www.co.contra-costa.ca.us/DocumentCenter/View/882/Map-of-Properties-Under-Contract?bidId=

3. *AIR QUALITY – Would the project:*				
Environmental Issues	**Potentially Significant Impact**	**Less Than Significant With Mitigation Incorporated**	**Less Than Significant Impact**	**No Impact**
a) Conflict with or obstruct implementation of the applicable air quality plan?	☐	☒	☐	☐
b) 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?	☐	☒	☐	☐
c) Expose sensitive receptors to substantial pollutant concentrations?	☐	☒	☐	☐
d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	☐	☒	☐	☐

***SUMMARY**:*

a) *Would the project conflict with or obstruct implementation of the applicable air quality plan?* ***(Less Than Significant Impact With Mitigation)***

Contra Costa County is within the San Francisco Bay air basin, which is regulated by the Bay Area Air Quality Management District (BAAQMD) pursuant to the Bay Area 2017 Clean Air Plan. The purpose of the Clean Air Plan is to bring the air basin into compliance with the requirements of Federal and State air quality standards. BAAQMD has prepared CEQA Guidelines to assist lead agencies in air quality analysis, as well as to promote sustainable development in the region. The CEQA Guidelines support lead agencies in analyzing air quality impacts. If, after proper analysis, the project's air quality impacts are found to be below the significance thresholds, then the air quality impacts may be considered less than significant. The Air District developed screening criteria to provide lead agencies and project applicants with a conservative indication of whether the proposed project could result in potentially significant air quality impacts. If all of the screening criteria are met by a proposed project, then the lead agency or applicant would not need to perform a detailed air quality assessment of their project's air pollutant emissions.

The proposed project could result in the future construction of ten single-family residences and associated development on the project site. This would be well below the BAAQMD screening criteria threshold of 56 dwelling units. Therefore, a detailed air quality analysis is not necessary. In addition to the screening threshold, a project must also include BAAQMD Best Management Practices (BMPs) for constriction to be consistent with the Clean Air Plan. Thus, the following Mitigation Measure *Air Quality 1* would be included as part of the project to ensure consistency with the plan.

Air Quality 1: *The following Bay Area Air Quality Management District, Basic Construction Mitigation Measures shall be implemented during project construction and shall be included on all construction plans.*

1. *All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day.*

2. *All haul trucks transporting soil, sand, or other loose material off-site shall be covered.*

3. *All visible mud or dirt tracked-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.*

4. *All vehicle speeds on unpaved roads shall be limited to 15 mph.*

5. *All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.*

6. *Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to five minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations [CCR]). Clear signage shall be provided for construction workers at all access points.*

7. *All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified visible emissions evaluator.*

8. *Post a publicly visible sign with the telephone number and person to contact at the lead agency regarding dust complaints. This person shall respond and take corrective action within 48 hours. The Air District's phone number shall also be visible to ensure compliance with applicable regulations.*

b) *Would the project 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?* ***(Less Than Significant Impact With Mitigation)***

The region is in nonattainment for the federal and state ozone standards, the state PM10 standards, and the federal and state PM2.5 standards. As discussed above, the proposed project would not result in significant emissions of criteria air pollutants during the construction period or during project operation. Although the proposed project would contribute small increments to the level of criteria air pollutants in the atmosphere, the project would have a less than significant adverse environmental impact on the level of any criteria pollutant, because it is below the screening threshold. Nevertheless, the applicant has provided the following emissions estimates for the project.

Construction Air Pollutant Emissions: ROG, NOX, PM10, and PM2.5

CalEEMod, Version 2020.4.0, was used to estimate the proposed project's construction emissions. CalEEMod provides a consistent platform for estimating construction and operational emissions from a wide variety of land use projects and is the model recommended by the BAAQMD for estimating project emissions. Estimated construction emissions have been compared with the applicable thresholds of significance established by the BAAQMD to assess ROG, NOX, exhaust PM10, and exhaust PM2.5 construction emissions to determine significance for this criterion.

As shown in the table below, the proposed project would be constructed in an estimated total of 320 workdays. For a more detailed description of the construction parameters used in estimating air pollutant emissions modeling, please refer to Appendix A of the applicant provided supplemental Initial Study document.

Construction Activity	Start Date	End Date	Working Days per Week	Total Number of Working Days
Demolition	3/1/2023	3/14/2023	5	10
Site Preparation	3/15/2023	3/28/2023	5	10
Grading	3/29/2023	7/18/2023	5	80
Building Construction	7/19/2023	4/23/2024	5	200
Paving	4/24/2024	4/30/2024	5	5
Architectural Coating	5/1/2024	5/21/2024	5	15
Source: CalEEMod Output Files, Appendix A.				

The following table presents the average daily construction emissions compared with the BAAQMD's significance thresholds.

Construction Activity	Air Pollutants[1] (tons/year)			
	ROG	NO_X	PM_{10} (Exhaust)	$PM_{2.5}$ (Exhaust)
Demolition	0.01	0.11	<0.01	<0.01
Site Preparation	0.01	0.14	<0.01	<0.01
Grading	0.07	0.72	0.03	<0.01
Building Construction 2023	0.10	0.90	0.04	0.04
Building Construction 2024	0.07	0.59	0.03	0.02
Paving	<0.01	0.02	<0.01	<0.01
Architectural Coating	0.08	0.01	<0.01	<0.01
Total Emissions (tons)	0.34	2.49	0.11	0.08
Daily Average				
Total Emissions (lbs)	689.56	4,985.60	222.08	161.96

Construction Activity	Air Pollutants[1] (tons/year)			
	ROG	NO_X	PM_{10} (Exhaust)	$PM_{2.5}$ (Exhaust)
Average Daily Emissions (lbs/day)[2]	2.15	15.58	0.69	0.51
Significance Threshold (lbs/day)	**54**	**54**	**82**	**54**
Exceeds Significance Threshold?	**No**	**No**	**No**	**No**

Notes:
lbs = pounds
NO_X = oxides of nitrogen
PM_{10} = particulate matter 10 microns in diameter
$PM_{2.5}$ = particulate matter 2.5 microns in diameter
ROG = reactive organic gases
[1] Totals may not add up due to rounding. Calculations use unrounded totals.
[2] Calculated by dividing the total lbs of emissions by the total number of nonoverlapping working days of construction (320 workdays).
Source: CalEEMod Output (see Appendix A).

As shown in the table, the construction emissions from all construction activities are below the recommended thresholds of significance; therefore, project construction would have less than significant impact related to emissions of ROG, NOX, exhaust PM10, and exhaust PM2.5. As previously discussed, the proposed project would implement Mitigation Measure *Air Quality 1* for dust control to reduce potential impacts related to fugitive dust emissions during project construction. Given the project is below the numeric threshold for number of units and screening threshold for individual emissions, project construction would have a less than significant impact with mitigation.

Operational Air Pollutant Emissions: ROG, NOX, PM10, and PM2.5

Operational emissions would include area, energy, and mobile sources. Area sources include emissions from architectural coatings, consumer products, and landscape equipment, while energy sources include emissions from the combustion of natural gas for water and space heating. Mobile sources include exhaust and road dust emissions from the vehicles that would travel to and from the project site. Pollutants of concern include ROG, NOX, PM10, and PM2.5.

The applicant analyzed project operations based on a 2024 starting date, the first calendar year of potential operation. The major sources for proposed operational emissions of ROG, NOX, PM10, and PM2.5 include motor vehicle traffic, use of natural gas, and the occasional repainting of buildings.

The average daily and annual emissions are presented in the following table. Operational emissions of the respective pollutants were calculated using CalEEMod, Version 2020.4.0. For detailed assumptions used to estimate emissions, see Appendix A of the applicant provided supplemental Initial Study document.

Emissions Source	Criteria Pollutants			
	ROG	NO_X	PM_{10} (Total)	$PM_{2.5}$ (Total)
Annual Emissions Summary (tons/year)				
Area	0.22	0.00	0.01	0.01
Energy	0.00	0.02	0.00	0.00
Mobile (Motor Vehicles)	0.04	0.04	0.08	0.02
Total Project Emissions	**0.26**	**0.06**	**0.09**	**0.04**
Thresholds of Significance	**10**	**10**	**15**	**10**
Exceeds Significance Threshold?	**No**	**No**	**No**	**No**
Average Daily Emissions Summary (lbs/day)				
Project Emissions (lbs/year)	527	128	189	72
Average Daily Project Emissions (lbs/day)[1]	**1.44**	**0.35**	**0.52**	**0.20**
Thresholds of Significance	**54**	**54**	**82**	**54**
Exceeds Significance Threshold?	**No**	**No**	**No**	**No**

Notes:
NO_X = nitrous oxides.
PM_{10} = particulate matter 10 microns or less in diameter
$PM_{2.5}$ = particulate matter 2.5 microns or less in diameter
ROG = reactive organic gases
[1] For average daily emissions, the proposed project is assumed to operate 365 days per year. Therefore, the annual tonnage of emissions is multiplied by 2,000 pounds per ton to identify total pounds of emissions and divided by 365 days per year to identify average daily emissions.
Source: CalEEMod Output (see Appendix A).

As shown in the table, the proposed project would not exceed the BAAQMD's thresholds of significance during operation, indicating that ongoing project operations would not be considered to have the potential to generate a significant quantity of air pollutants. Therefore, long-term operational impacts associated with criteria pollutant emissions generated by the proposed project would be less than significant.

Operational Carbon Monoxide Hotspot

The CO emissions from traffic generated by the proposed project could be a concern at the local level. Congested intersections can result in the potential for high, localized concentrations of CO, known as a CO hotspot.

The BAAQMD recommends a screening analysis to determine whether a project has the potential to contribute to a CO hotspot. The screening criteria identify when site-specific CO dispersion modeling is necessary. The proposed project would result in a less than significant impact to air quality for local CO if all the following screening criteria are met:

1. The project is consistent with an applicable Congestion Management Program established by the county congestion management agency for designated roads or

highways, regional transportation plan, and local congestion management agency plans; and

2. The project traffic would not increase traffic volumes at affected intersections to more than 44,000 vehicles per hour; and

3. The project traffic would not increase traffic volumes at affected intersections to more than 24,000 vehicles per hour where vertical and/or horizontal mixing is substantially limited (e.g., tunnel, parking garage, bridge underpass, natural or urban street canyon, below-grade roadway).

As indicated by the Transportation Planning Division in the letter titled, "County File #SD20-9531 – 30-Day Comments," the proposed project would not exceed the County adopted Transportation Analysis Guidelines VMT screening threshold. Per the Transportation Analysis Guidelines, projects of 20 residential units or less would be expected to have less than significant VMT impacts. As a result, since the proposed project would develop 10 residential units, the proposed project would be below the screening threshold. Therefore, the proposed project would be consistent with the Contra Costa County guidelines and the applicable congestion management agency.

As described previously, the proposed project would not meet the County Transportation Analysis Guidelines threshold and as such, no transportation impact analysis was required for the proposed project, because the project would be expected to result in less than significant impacts related to VMT. Thus, the proposed project's anticipated trip generation would not be expected to result in a significant increase in traffic volumes on nearby intersections. Therefore, the addition of proposed project traffic volumes would not result in nearby intersections experiencing traffic volumes of 44,000 or more vehicles per hour.

CO hotspots can still occur when a transportation facility's design or orientation prevents the adequate dispersion of CO emissions from vehicles, resulting in the accumulation of local CO concentrations. The design or orientation of a transportation facility that may prevent the dispersion of CO emissions include tunnels, parking garages, bridge underpasses, natural or urban canyons, below-grade roadways, or other features where vertical or horizontal atmospheric mixing is substantially limited. However, adjacent roadways that would receive new vehicle trips generated by the proposed project do not include transportation facilities where vertical or horizontal atmospheric mixing is substantially limited. Grayson Road would receive vehicle trips generated by the proposed project and is an exposed surface roadway with none of the design features discussed above that could prevent atmospheric mixing.

Therefore, the proposed project is considered consistent with the local Congestion Management Program. Based on the above criteria, the proposed project would not exceed the CO screening criteria and would have a less than significant impact related to CO.

c) *Would the project expose sensitive receptors to substantial pollutant concentrations?* ***(Less Than Significant With Mitigation)***

Subdivision of the 3.05-acre Project Site, and future occupancy of the 10 single-family residences would not cause any localized emissions that could expose sensitive receptors (e.g., nearby residences, schools) to unhealthy long-term air pollutant levels. As detailed in section b) above, the emissions from construction of the project are expected to be below BAAQMD screening criteria pollutants. Construction activities, however, could result in localized emissions of dust and diesel exhaust that could result in temporary impacts to nearby single-family residences. The applicant has provided an air quality analysis for these impacts which provides the following information.

Air dispersion modeling was utilized to assess the project's potential health risks using American Meteorological Society/EPA Regulatory Model (AERMOD) Version 22112, which is the air dispersion model accepted by the EPA and the BAAQMD for preparing HRAs. As previously discussed, project construction is anticipated to start in March 2023 and conclude in May 2024. The following AERMOD modeling parameters were utilized to identify the DPM concentration at identified receptors.

1. Sensitive receptors (e.g., schools, daycare facilities, hospitals, care facilities, residences) in the immediate project vicinity are represented in the model with discrete Cartesian receptors at a flagpole height of 1.5 meters. No schools, daycares, or community centers, are located within 1,250 feet of the proposed project site. The closest sensitive receptors to the project site represented in the air dispersion modeling include the following:

a. Single-family residences immediately adjacent to the project site boundary to the north, east, south, and west.

2. AERMOD's default regulatory dispersion option was selected.

3. The Urban dispersion coefficient was used as greater than 50 percent of the land surrounding the project site is currently developed.

4. Emissions were characterized in the model using various area and volume sources to represent different activities. The following describes the emission sources utilized in the model for each model scenario.

a. On-site construction activities are represented with one polygon area source across the entire project site.

b. Off-site construction hauling and vendor truck operation for project construction is represented with line volume sources on Grayson Road and parts of Reliz Valley Road.

Off-site emissions were adjusted to account for off-site emissions that would occur within 1,000 feet of the project site (see Off-Site PM2.5 Exhaust Adjustment Sheet in Appendix A).

5. Meteorological data from the Livermore Municipal Airport Air Monitoring Station was used in AERMOD. This station was selected as it resembles physical site characteristics and elevation generally representative of the project site. Data from the station was pre-processed by the BAAQMD. The model used the most recent six years of data (2012 to 2017).

The MIR during project construction were found at a residence immediately adjacent to the project site to the east of the northeast corner of the project site (located at 37°56'52.4"N 122°05'38.5"W). The following table presents a summary of the proposed project's construction cancer risk, chronic non-cancer hazard, and annual PM2.5 concentration impacts at each MIR. As discussed in b) above, Mitigation Measure *Air Quality 1* would be required to reduce fugitive dust emissions during construction.

Construction and grading activities would produce combustion emissions from various sources, including heavy equipment engines, paving, and motor vehicles used by the construction workers. Dust would be generated during site clearing, grading, and construction activities, with the most dust occurring during grading activities. The amount of dust generated would be highly variable and would be dependent on the size of the area disturbed, amount of activity, soil conditions, and meteorological conditions. Although grading and construction activities would be temporary, such activities could have a potentially significant adverse environmental impact during project construction. Consequently, the applicant would be required to implement the recommended BAAQMD mitigation measures to reduce construction dust and exhaust impacts outlined in Mitigation Measure *Air Quality 1*.

Impact Scenario	Cancer Risk (risk per million)	Chronic Non-Cancer Hazard Index	Annual $PM_{2.5}$ Concentration ($\mu g/m^3$)
Residential MIR[1]	44.45	0.04123	0.20616
BAAQMD Thresholds of Significance	**10**	**1**	**0.3**
Exceeds Individual Source Threshold?	**Yes**	**No**	**No**

Notes:
μ/m^3 = micrograms per cubic meter
BAAQMD = Bay Area Air Quality Management District
MIR = Maximally Impacted Sensitive Receptor
[1] The Off-Site Residential MIR represents a residence immediately adjacent to the project site to the east of the northeast corner of the project site (located at 37°56'52.4"N 122°05'38.5"W).
Source: Appendix A Applicant Supplemental Initial Study.

As shown in the table, the proposed project could result in potentially significant health impacts to the maximally impacted receptor prior to the incorporation of cleaner than average on-site construction equipment. Therefore, Mitigation Measure *Air Quality 2*

would be required to reduce health risk impacts to sensitive receptors from construction of the proposed project.

Implementation of this mitigation measure would reduce the impact on the sensitive receptors during project construction to a less than significant level. The following table summarizes the health and hazard impacts at the maximum impacted sensitive receptor from construction of the project after the implementation of Mitigation Measure *Air Quality 2*, which would require the use of off-road construction equipment that meet emissions standards for Tier IV engines for all equipment with engines greater than 50 horsepower, as detailed below.

Impact Scenario	Cancer Risk (risk per million)	Chronic Non-Cancer Hazard Index	Annual $PM_{2.5}$ Concentration ($\mu g/m^3$)
Residential MIR[1]	6.49	0.00602	0.03011
BAAQMD Thresholds of Significance	**10**	**1**	**0.3**
Exceeds Individual Source Threshold?	**No**	**No**	**No**

Notes:
μ/m^3 = micrograms per cubic meter
BAAQMD = Bay Area Air Quality Management District
MIR = Maximally Impacted Sensitive Receptor
[1] The Off-Site Residential MIR represents a residence immediately adjacent to the project site to the east of the northeast corner of the project site (located at 37°56'52.4"N 122°05'38.5"W).
Source: Appendix A.

> ***Air Quality 2:*** *During construction activities, all off-road equipment with engines greater than 50 horsepower shall meet either United States Environmental Protection Agency (EPA) or California Air Resource Board (ARB) Tier IV off-road emission standards. The construction contractor shall maintain records documenting compliance with this requirement, including equipment lists. Off-road equipment descriptions and information may include but are not limited to equipment type, equipment manufacturer, equipment identification number, engine model year, engine certification (Tier rating), horsepower, and engine serial number.*

Though the project is under the screening threshold for an air quality analysis, the applicant performed a cumulative Health Risk Assessment that examined the cumulative impacts of the proposed project's construction emissions and sources of TAC emissions within 1,000 feet of the project site. As noted in the table below, the cumulative impacts from the project construction and existing sources of TACs would be less than the BAAQMD's cumulative thresholds of significance. Thus, the cumulative health risk impacts from project construction would be less than significant.

Source/Impact Scenario	Source Type	Distance from MIR[1] (feet)	Cancer Risk (per million)	Chronic HI	$PM_{2.5}$ Concentration ($\mu g/m^3$)
Project MIR					
Project Construction (Unmitigated)	Diesel Construction Equipment	30	44.45	0.04123	0.20616
Project Construction (Mitigated)	Diesel Construction Equipment	30	6.49	0.00602	0.03011
Existing Stationary Sources					
Not Applicable	—	–	–	–	–
Roadways					
Air Basin Existing Major Roadway Network		–	1.16075	ND	0.02043
Grayson Road		40	9.11	ND	0.170
Rail					
Air Basin Railways		–	0.22829	ND	0.00036
Freeways					
Air Basin Highways		–	2.59105	ND	0.05598
Cumulative Health Risks					
Cumulative Maximum with Project DPM Emissions (Unmitigated)			**57.54**	**0.04**	**0.45**
Cumulative Maximum with Project DPM Emissions (Mitigated)			**19.58**	**0.01**	**0.28**
BAAQMD's Cumulative Thresholds of Significance			**100**	**10**	**0.8**
Threshold Exceeded in Any Scenario?			**No**	**No**	**No**

Notes:
BAAQMD = Bay Area Air Quality Management District
HI = Hazard Index
MIR = Maximally Impacted Sensitive Receptor
ND = no data available
$\mu g/m^3$ = micrograms per cubic meter
[1] The MIR above represents the greatest impacted MIR, which is the residence immediately adjacent to the east of the northeast corner for the project site (located at 37°56'52.4"N 122°05'38.5"W).
Source: Appendix A.

d) *Would the project result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?* ***(Less Than Significant Impact with Mitigations)***

The proposed project would not produce any major sources of odor and is not located in an area with existing issues (e.g. landfills, treatment plants). Therefore, the operation of the project would have a less than significant impact in terms of odors.

During construction and grading, diesel powered vehicles and equipment used on the site could create localized odors. These odors would be temporary; however, there could be a potentially significant adverse environmental impact during project construction due to the creation of objectionable odors. Consequently, the applicant is required to implement Mitigation Measure ***Air Quality 1*** above.

Implementation of this mitigation would reduce the impact from the creation of objectionable odors to a less than significant level

Sources of Information

- Bay Area Air Quality Management District. 2017. *Bay Area 2017 Clean Air Plan.*
- Bay Area Air Quality Management District. 2017. *Air Quality Guidelines.*
- First Carbon Solutions. *2023. Grayson Road Residential Project, Initial Study/Mitigated Negative Declaration, Contra Costa County, California.*

4. *BIOLOGICAL RESOURCES – Would the project:*				
Environmental Issues	**Potentially Significant Impact**	**Less Than Significant With Mitigation Incorporated**	**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?	☐	☒	☐	☐
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	☐	☒	☐	☐
c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	☐	☒	☐	☐
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 wildlife nursery sites?	☐	☒	☐	☐
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☒	☐	☐
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?	☐	☐	☐	☒

SUMMARY: Potentially significant unless mitigation incorporated.

a) *Would the project 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?* ***(Less Than Significant Impact with Mitigation)***

A Biological Resources Analysis Report (BRA) was prepared for the project by Olberding Environmental, Inc. (OBI) in May 2021, and subsequently updated in February 2022. A BRA Addendum was prepared by Johnson Marigot Consulting (JMC) LLC in November 2022, adding to and partially revising the BRA prepared by OBI in February 2022. As described in the BRA prepared by JMC, The project site supports four habitat types: mixed woodland (0.21 acre), riparian woodland (1.01 acres), Valley Oak woodland (1.18 acres), and developed land (0.21 acre). Grayson Creek flows along

the southern boundary of the project site from west to east through a riparian corridor. The project site currently contains 130 trees over 6 inches in diameter. A number of these trees are classified by the County as Protected Trees under the Contra Costa Tree Protection and Preservation Ordinance.

The Olberding BRA utilized the California Natural Diversity Database (CNBBD), maintained by the California Department of Fish and Wildlife (CDFW) and California Native Plant Society (CNPS) Inventory of Rare and Endangered Plants of California, to identify the likelihood that a plant or animal species would be present on the project site. According to the Orlberding report, four special-status plant species have a potential to occur on the project site: Congdon's tarplant (*Centromadia parryi ssp. congdonii*), Diablo helianthella (*Helianthella castanea*), Mount Diablo fairy-lantern (*Calochortus pulchellus*), and bent-flowered fiddleneck (*Amsinckia lunaris*). The April 2021 survey of the project site coincided with the blooming period for three of these species (*Diablo helianthella, Mount Diablo fairy lantern, bent-flowered fiddleneck*) and these species were not observed.

However, as described in the JMC Addendum, consistent with CDFW comments on the previously circulated IS/MND, in the absence of protocol-level rare plant surveys for the remaining three species, the presence of Diablo helianthella, Mount Diablo fairy-lantern, and bent-flowered fiddleneck cannot be ruled out. Since the proposed project would require grading within suitable habitat for special-status plants, grading activities within suitable habitat could result in direct impacts to special-status plants through habitat loss or degradation. Thus, implementation of the following Mitigation Measure *Biology 1* would require rare plant surveys in advance of construction commencement. Pursuant to the surveys, if State or federally listed plants are discovered on-site, the CDFW and/or United States Fish and Wildlife Service (USFWS) compensatory mitigations and avoidance and minimization measures will be requirements to minimize special-status plant habitat loss. If rare plant species are found, the mitigation measure requires seed and root stock salvaging to be conducted to preserve the special-status plants. With implementation of Mitigation Measure *Biology 1*, impacts to special-status plant species will be minimized to less than significant.

> ***Biology 1:*** *In the spring immediately prior to project implementation, protocol-level rare plant surveys shall be conducted on the project site. Rare plant surveys shall be conducted by a qualified botanist, in accordance with all applicable survey guidelines including those published by the United States Fish and Wildlife Service (USFWS), California Department of Fish and Wildlife (CDFW), and the California Native Plant Society (CNPS). If determined to be necessary by the qualified Botanist, reference site surveys shall be conducted to confirm plant phenology (flowering periods).*
>
> *If State or federally listed plants are observed on-site during protocol-level rare plant surveys, all compensatory mitigation requirements and additional avoidance and minimization measures identified by CDFW and/or USFWS shall be implemented. If CNPS-Ranked species are observed on-site during protocol-level rare plant surveys, salvage of seed and/or root stock shall be conducted under the direction a qualified Botanist and in coordination with a qualified plant conservation institution or native nursery.*

The JMC Addendum and Olberding BRA identified that the potential for wildlife to occur on the project site was based on the presence of suitable habitats and occurrences recorded by the CNDDB within the Walnut Creek quadrangle and eight surrounding quadrangles. A total of five bird species were identified to have a moderate to high potential to occur on the project site in a nesting or foraging capacity. The red-shouldered hawk (*Buteo lineatus*), red-tailed hawk (*Buteo jamaicensis*), and Cooper's hawk (*Accipiter cooperii*) all have a high potential to occur in a nesting and foraging capacity. The sharp-shinned hawk (*Accipiter striatus*) and American kestrel (*Falco sparverius*) have a moderate potential to occur in a nesting and foraging capacity. Three of the birds listed above (red-tailed hawk, red-shouldered hawk, Cooper's hawk, sharp-skinned hawk, and destrel) were present, and observed foraging on the project site. Additionally, a Cooper's hawk was observed on the project site exhibiting nesting behaviors. Based on this information and comments from CDFW on the previously circulated initial study, the following Mitigation Measures *Biology 2* and *Biology 3* would be incorporated as part of the project.

Biology 2: *All trees removed from the on-site riparian woodland shall be replaced in-kind and on-site to the greatest extent practicable at a 3:1 ratio for native trees, or out-of-kind at 1:1 ratio for non-native trees, to be replaced with native trees. A total of 18 native trees within the riparian woodland community are scheduled for removal – these trees would be replaced with approximately 54 native riparian woodland tree species including valley oak, coast live oak, California buckeye, and black walnut. A replacement tree planting plan shall be approved by the County along with landscape plans prior to issuance of building permits.*

All trees removed from the onsite valley oak woodland shall be replaced in-kind and onsite at a 3:1 ratio for native trees, or out-of-kind at 1:1 ratio for non-native trees, to be replaced with native trees. A total of 32 native and 8 non-native trees within the valley oak woodland community are scheduled for removal – these trees shall be replaced, onsite, with approximately 104 native valley oak woodland tree species such as valley oak, coast live oak, blue oak, California black oak, interior live oak, California buckeye, and/or California bay laurel. Replacement trees shall be planted as 15-gallon trees, except that up to 50 percent of the required replacement trees may be planted as 5-gallon trees if it is determined based on an arborist report that long-term tree health and survival will be improved by starting with a smaller container size. Trees planted shall be spaced in a manner that promotes their long-term growth habits. All installed plant material shall meet the American Nurseryman's Association Standards. Welded-wire cages shall be constructed around all tree plantings to protect them from deer herbivory. A replacement tree planting plan shall be approved by the County along with landscape plans prior to issuance of building permits.

Biology 3*: If vegetation removal, ground disturbance, or structure removal are scheduled to commence between February 1 and September 15, a preconstruction nesting bird survey of all suitable nesting habitat on the Project site and within the zone of influence (the area immediately surrounding the Project site that supports*

suitable nesting habitat that could be impacted by the proposed Project due to visual or auditory disturbance associated with the removal of vegetation and construction activities scheduled to occur during the nesting season) shall be conducted by a qualified biologist within 5 days prior to commencement of vegetation removal or ground disturbance. If no nesting birds are observed during the survey, the vegetation removal and/or ground disturbance may commence as planned. If nesting birds are observed during the survey, a non-disturbance buffer based on species, nest stage, and site conditions shall be established.

This buffer shall remain in place until such a time as the young have been determined (by a qualified Biologist) to have fledged. Nests shall be monitored daily by a qualified Biologist during project-related activities to determine the sufficiency of the buffer and whether it should be expanded to protect the nest based on disruptions to an individual bird's natural nesting behaviors. If the buffer is determined to be sufficient, monitoring shall be reduced to twice a week until fledging occurs. If any change in bird behavior is detected, active nest buffers will increase as determined by a qualified Biologist. Nesting bird surveys shall be repeated if there is a lapse in project activities of seven days or more.

CNDDB listed 5 occurrences of California red-legged frog (*Rana draytonii*) (CRLF) in the 5-mile radius of the project site. Additionally, during the April 2021 survey, the Project Biologist identified suitable habitat for the CRLF. Furthermore, USFWS designated CRLF critical habitat is located approximately 1.6 miles west of the project site. For these reasons, the Project Biologist stated that CRLF has a moderate potential to occur on the project site, and potential impacts to the species could occur. Amphibian and reptile special-status species such as the western pond turtle (Emys marmorata), Alameda whipsnake (Masticophis lateralis euryxanthus), and California red-legged frog (CRLF) (Rana draytonii) have the potential to disperse through the riparian corridor and upland areas. Thus, project grading could result in the disturbance or loss of special-status individuals. However, with the implementation of the following Mitigation Measures *Biology 4* and *Biology 5*, pre-construction surveys, exclusion fencing, Environmental Awareness training, and USFWS-approved capture and relocation if species are found would be implemented to minimize the impacts of project-related activities on special-status amphibians and reptiles within the riparian corridor to less than significant levels.

Biology 4: *A pre-construction survey for special-status reptile species shall be performed no more than 48 hours prior to ground disturbance or vegetation removal to determine presence/absence of Alameda whipsnake and western pond turtle. Worker Environmental Awareness training discussing the potential for these species shall be conducted by the qualified Biologist or Biological Monitor for all construction personnel working within the project site prior to construction.*

Biology 5: *Directed pre-construction surveys for the California red-legged frog (CRLF) shall be performed prior to construction activities. The creek channel and associated riparian woodland may serve as dispersal areas for CRLF. A qualified Biologist shall conduct a pre-construction survey of these habitats for CRLF preceding the commencement of construction activities to verify presence/absence of this species.*

In order to mitigate for potential impacts to California red-legged frog (CRLF) and western pond turtle, wildlife exclusion fencing (ERTEC fencing) shall be installed along the grading limit of the project site to prevent dispersal into the grading and work areas of the site from the creek channel and/or the riparian corridor. Fencing should be trenched into the ground bat a minimum of 6 inches and a lip should be formed along the top of the fence line. A qualified Biologist or Biological Monitor shall be on-site during initial ground-disturbing activities to inspect the work area and fence lines daily for special-status amphibians and other wildlife. Worker Environmental Awareness training discussing the potential for these species should be conducted by the qualified Biologist or Biological Monitor for all construction personnel working within the project site. If any CRLF or other listed amphibians are found during construction activities, the United States Fish and Wildlife Service (USFWS) should be consulted to approve capture and relocation by a qualified Biologist.

Additionally, Grading and excavation activities could expose soil to increased rates of erosion during construction periods. During construction, runoff from the project site could adversely affect aquatic life within the adjacent water features. Surface water runoff could remove particles of fill or excavated soil from the site, or could erode soil down-gradient, if the flow were not controlled. Deposition of eroded material in adjacent water features could increase turbidity, thereby endangering aquatic life, and reducing wildlife habitat. Implementation of appropriate mitigation measures would ensure that impacts to aquatic organisms would be avoided or minimized.

Biology 6: *A Storm Water Pollution Prevention Plan (SWPPP) and a Storm Water Management Plan (SWMP) shall be designed to ensure that best management practices (BMPs) are implemented so there are no impacts to water quality in Grayson Creek resulting from project construction or postconstruction storm water run-off.*

In addition, the CDFW will determine adequate protection measures through the Streambed Alteration Agreement (SAA). Implementation of all measures and conditions defined by CDFW to protect Grayson Creek and its associated riparian habitat, in addition to implementation of the discussed mitigation measures above would reduce impacts to special-status species within Grayson Creek and its associated habitats to a level considered less than significant under CEQA.

Several special-status species have the potential to occur within the upland areas of the project site (i.e., non-riparian vegetation and habitats). These upland areas may be used by foraging and nesting raptors species specified above. The project plans to remove 32 native and eight non-native trees within the upland community. Removal of these trees would impact raptor foraging and nesting bird habitat. However, with implementation of Mitigation Measure *Biology 2*, *Biology 3*, and *Biology 7* described below, removed trees within the valley oak woodland will be replaced, native vegetation within landscaping will be prioritized, and nesting bird surveys and non-disturbance buffers will be implemented if nesting birds are discovered. These measures would remediate for habitat loss and would minimize impacts to raptor foraging and nesting bird habitat in the uplands to less than significant.

Biology 7: *Vegetation planted within on-site undeveloped areas shall be comprised of native valley oak woodland species to the greatest extent practicable. Landscape plans shall prioritize native vegetation and shall be approved by the County prior to issuance of building permits.*

Mammals, such as the western red bat (Lasiurus blossevillii), hoary bat (Lasiurus cinereus), and Yuma myotis (Myotis yumanensis) could use large trees and existing residential buildings for roosting opportunities and foraging habitat within the site. Implementation of the project would result in the demolition of the existing residences along with 40 trees. Tree removal partnered with any project-related construction lighting would result in the disturbance of roosting bats and the loss of roosting and foraging bat habitat. Implementation of Mitigation Measure *Biology 8* would include surveys to identify roosting bats with a Bat Mitigation and Monitoring Plan implemented if roosting bats are discovered. Implementation of this measure would reduce impacts to roosting bats to less than significant.

Biology 8: *For all project activities planned in or adjacent to potential bat roosting habitat, such as structures and/or involving woody vegetation modification or removal of any and all trees, a qualified Biologist shall conduct daytime and evening acoustic surveys in addition to extensive visual surveys of potential habitat for special-status bats at least 7 days prior to initiation of project activities. If bats are found on-site, a qualified Biologist shall identify the species, estimated quantity present, roost type, and roost status, but shall avoid disturbing bats during surveys. A qualified Biologist shall also create a Bat Mitigation and Monitoring Plan if special-status bat species are detected prior to the start of project activities. The Bat Mitigation and Monitoring Plan shall include: (1) an assessment of all project impacts to special-status bats, including noise disturbance during construction; (2) effective avoidance and minimization measures to protect special-status bats; (3) and compensatory mitigation for permanent impacts to special-status bats or their nesting/roosting habitat. If structures, trees, or other refugia equivalents are slated for limbing, removal, or modification, the Bat Mitigation and Monitoring Plan shall include the following measures:*

- *To ensure that special-status bats have left potential roosting refugia, work shall occur over the course of two days. On the first day, smaller limbs or items from the identified trees or structures shall be brushed back or modified in the late afternoon. This disturbance should cause any potential roosting bats to seek other roosts during their nighttime foraging. The remainder of the refugia item can then be further limbed or removed as needed on the second day as late in the afternoon as feasible. If bats are found injured, or if bat mortality occurs during the course of tree work, a qualified Biologist shall record the species impacted, and the number of individuals documented.*

- *Tree limbing, modification, removal, or work on structural refugia shall not be performed under any of the following conditions: during any precipitation events, when ambient temperatures are below 4.5 degrees Celsius, when windspeeds exceed 11 miles per hour, and/or any other condition which may lead to bats seeking refuge.*

- *If special-status bats are found utilizing a tree, structure, or equivalent for roosting, the Bat Mitigation and Monitoring Plan shall include permanent artif,icial roosting habitat installation that shall be adjacent to, and sufficient for, the species observed and associated ecology thereof. Effective buffer zones for the installation and monitoring of the artificial roosts shall be determined and established by a qualified Biologist. Artificial roosts shall follow the 2018 Acceptable Management Practices for Bat Species Inhabiting Transportation Infrastructure.*

The Alameda whipsnake could also disperse through the site's upland habitat, and project grading could result in the disturbance or loss of this species. However, with the implementation of Mitigation Measure *Biology 4*, pre-construction surveys and Environmental Awareness training would help to identify and avoid dispersing individuals, minimizing the impacts of project-related activities on the Alameda whipsnake to less than significant.

As described in the JMC BRA Addendum, with the implementation of all mitigation measures and conditions defined through the SAA, or other permits related to the California Endangered Species Act (CESA) compliance, if determined necessary by the trustee agencies, the proposed project would not 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 CDFW or USFWS. Impacts would be considered less than significant with mitigation.

b) Would the project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?

As detailed in the JMC BRA Addendum, the project site contains two sensitive natural communities: Riparian Woodland and Valley Oak Woodland. Project implementation would require grading work within 0.21 acre of the riparian habitat located on the project site, resulting in habitat loss and disturbance. The mixture of oaks, bays, and buckeyes along with the dense cover of shrubby understory vegetation provide wildlife with many different food sources, nesting opportunities and cover from predators. Project implementation would result in removal of approximately 1.18 acres of valley oak woodland, which is considered a sensitive natural community and is an oak woodland protected under the Oak Woodland Conservation Act. Implementation of Mitigation Measure *Biology 2*, *Biology 6, and Biology 7* would include replacement of riparian trees removed from the project site, installation of erosion control measures, and implementation of post-construction measures for protection of the riparian corridor from site occupation. Impacts to riparian habitat would be reduced to a level considered less than significant pursuant to CEQA through avoidance and minimization of impacts to riparian habitat and/or compensatory mitigation for impacts to riparian trees.

In addition to the mitigations above, the CDFW would require a SAA. Implementation of all measures and conditions defined by CDFW to protect riparian habitats would reduce impacts to sensitive natural communities such as Grayson Creek and its associated habitat to a level considered less than significant under CEQA.

c) *Would the project have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?* ***(Less Than Significant Impact with Mitigation)***

Grayson Creek is a perennial creek that flows along the southern boundary of the project site from west to east through an oak woodland riparian corridor and is a jurisdictional water regulated under the authority of the Army Corps of Engineers, RWQCB, and CDFW. As previously discussed, project implementation would result in impacts regulated under CDFW's Fish and Game Code Sections 1600-1607, requiring an SAA. Implementation of all measures and conditions defined by the CDFW to protect Grayson Creek and its associated riparian habitat, in addition to implementation of Mitigation measures *Biology 2* and *Biology 6* would reduce impacts to Grayson Creek and its associated habitats and fish and wildlife resources to a level considered less than significant under CEQA.

d) *Would the project 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 wildlife nursery sites?* ***(Less Than Significant Impact with Mitigation)***

As detailed in the Olberding Biological Resources Analysis Report, and updated in the JMC Addendum, a riparian woodland corridor and upland non-riparian habitat are on the project site. The Grayson Creek corridor and its associated riparian habitat are presumed to act as a wildlife corridor and provides wildlife nursery sites. The Olberding BRA identifies the Grayson Creek corridor as providing potential suitable foraging and/or dispersal habitat for CRLF, Alameda whipsnake (Masticophis lateralis euryxanthus), and western pond turtle. Additionally, the Olberding BRA identifies suitable habitat for nesting birds and roosting bats within the Grayson Creek riparian corridor. It is presumed that the Grayson Creek riparian habitat would provide wildlife nursery sites due to the combination of presence of suitable nesting/roosting and aquatic habitats.

The project design incorporates a stream setback along the north side of the Grayson Creek corridor. While a majority of the Grayson Creek riparian corridor will be avoided by project activities, project implementation would require grading and the removal of trees within the Grayson Creek riparian wildlife corridor and nursery site. Grading activities within this wildlife corridor could result in direct impacts to terrestrial individuals using the corridor for dispersal. Tree removal would also result in the loss of nesting bird and roosting bat habitat.

The project design incorporates a stream setback along the north side of the Grayson Creek corridor. While a majority of the Grayson Creek riparian corridor will be avoided

by project activities, project implementation would require grading and the removal of trees within the Grayson Creek riparian wildlife corridor and nursery site. Grading activities within this wildlife corridor could result in direct impacts to terrestrial individuals using the corridor for dispersal. Tree removal would also result in the loss of nesting bird and roosting bat habitat.

Implementation of Mitigation Measures *Biology 2* through *Biology 6*, which require tree replacement for riparian trees removed from the project site, pre-construction surveys for dispersing, roosting, and/or nesting wildlife, and installation of wildlife exclusion fencing, and implementing post-construction measures for protection of the riparian corridor from site occupation would reduce impacts to wildlife corridors and nursery sites to less than significant through avoidance and minimization of impacts to species and habitat and/or compensatory mitigation for impacts to riparian trees.

Implementation of Mitigation Measure Biology 2 through Biology 6, which requires tree replacement for riparian trees removed from the project site, pre-construction surveys for dispersing, roosting, and/or nesting wildlife, installation of wildlife exclusion fencing, and implementing post-construction measures for protection of the riparian corridor from site occupation would reduce impacts to wildlife corridors and nursery sites to less than significant through avoidance and minimization of impacts to species and habitat and/or compensatory mitigation for impacts to riparian trees.

Additionally, adequate protection of all fish and wildlife resources, including wildlife movement corridors and nursery sites will be defined by the CDFW through the SAA. The SAA program is designed to avoid, minimize, and mitigate any impacts on stream-related resources to a less than significant level under CEQA, and no additional mitigation measures would be necessary. With compliance with all measures defined by the CDFW through the SAA, potential project-related impacts on Grayson Creek and associated fish and wildlife resources, including wildlife movement corridors, nursery sites and other biological resources associated with the riparian habitat are considered less than significant under CEQA Guidelines.

e) *Would the project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?* ***(Less Than Significant Impact with Mitigation)***

Vegetation and wildlife policies, including the removal of mature trees, and water resource policies are regulated by Contra Costa County through the Contra Costa General Plan and the Contra Costa Ordinance Code, including the Contra Costa County Tree Ordinance and Creek Setback Ordinance. The following describes the project's compliance with General Plan policies that are applicable to the proposed project.

Policy 8-6: Significant trees, natural vegetation, and wildlife populations generally shall be preserved. Multiple trees on the property will be preserved and others will be replaced. Specifically, a majority of the riparian habitat would be avoided. As described in the JMC Addendum, understory plants on-site would not be considered natural vegetation meriting protection. Implementation of Mitigation Measure *Biology 3* would reduce impacts to special-status plants through avoidance and *Biology 2* through

Biology 6 would reduce impacts to wildlife populations through avoidance and minimization of impacts to species and habitat and/or compensatory mitigation for impacts to trees.

Policy 8-7: Important wildlife habitats which would be disturbed by major development shall be preserved, and corridors for wildlife migration between undeveloped lands shall be retained. Project-related impacts to nesting birds, roosting bats, and dispersing reptiles and amphibians would be reduced to less than significant as discussed above.

Policy 8-8: Significant ecological resource areas in the County shall be identified and designated for compatible low-intensity land uses. Setback zones shall be established around the resource areas to assist in their protection. Areas determined to contain significant ecological resources, particularly those containing endangered species, are maintained throughout the County. Implementation of the project would include the preservation of trees and dedication of the creek area to the County ensuring continued preservation of the most valuable habitat portions of the property.

Policy 8-9: Areas determined to contain significant ecological resources, particularly those containing endangered species, shall be maintained in their natural state and carefully regulated to the maximum legal extent. Acquisition of the most ecologically sensitive properties within the County by appropriate public agencies shall be encouraged. As discussed above, the most valuable creek portion of the property would be dedicated to the County. Additionally, mitigation measures would avoid sensitive species and restore habitat impacted by the property, providing consistency with the policy by protecting the species and habitat.

Policy 8-10: Any development located or proposed within significant ecological resource areas shall ensure that the resource is protected. The project site does not occur within or near any County-designated ecologically significant resource areas. Furthermore, habitat areas on the property would be preserved or avoided to the extent possible.

Policy 8-12: Natural woodlands shall be preserved to the maximum extent possible in the course of land development. Implementation of Mitigation Measure Biology 2 and Biology 7, which would include replacement of trees removed from the project site would reduce impacts to valley oak woodland to less than significant.

Policy 8-15: Existing vegetation, both native and non-native, and wildlife habitat areas shall be retained in the major open space areas sufficient for the maintenance of a healthy balance of wildlife populations. Consistent with this policy, approximately 79 percent of the Grayson Creek riparian corridor would be avoided by project activities (0.80 acre of the 1.01 acres of riparian habitat occurring on-site).

Policy 8-21: The planting of native trees and shrubs shall be encouraged in order to preserve the visual integrity of the landscape, provide habitat conditions suitable for native wildlife, and ensure that a maximum number and variety of well-adapted plants are sustained in urban areas. Implementation of Mitigation Measure *Biology 2* and *Biology 7* would include replacement of trees removed from the project site with native

trees of the same species, if appropriate, landscape plans would prioritize native vegetation.

Policy 8-23: Runoff of pollutants and siltation into marsh and wetland areas from outfalls serving nearby urban development shall be discouraged. Where permitted, development plans shall be designed in such a manner that no such pollutants and siltation will significantly adversely affect the value or function of wetlands. In addition, berms, gutters, or other structures should be required at the outer boundary of the buffer zones to divert runoff to sewer systems for transport out of the area. The proposed project has been designed to treat and store stormwater on-site within a detention basin, with excess waters passing into the storm drainage system within Grayson Road. The project design likewise incorporates a 50-foot creek setback from the centerline of Grayson Creek to avoid impacts to Grayson Creek. Finally, Implementation of the Mitigation Measure *Biology 6* which would include installation of erosion control measures would further avoid project impacts to Grayson Creek.

Policy 8-78: Where feasible, existing natural waterways shall be protected and preserved in their natural state, and channels which already are modified shall be restored. A natural waterway is defined as a waterway which can support its own environment of vegetation, fowl, fish and reptiles, and which appears natural. The dedication of the creek area of the property to the County would ensure the preservation of the waterway in perpetuity.

Policy 8-86: Existing native riparian habitat shall be preserved and enhanced by new development unless public safety concerns require removal of habitat for flood control or other public purposes. The riparian corridor will be largely preserved with the dedication of the creek area to the County. Furthermore, implementation of the above biological mitigation measures and SAA conditions will ensure the riparian area that is impacted will be restored to preserve the habitat value of the riparian area.

Policy 8-87: On-site water control shall be required of major new developments so that no increase in peak flows occurs relative to the site's pre-development condition, unless the Planning Agency determines that off-site measures can be employed which are equally effective in preventing adverse downstream impacts. The proposed project has been designed to treat and store stormwater on-site within a retention basin, with excess waters passing into the storm drainage system within Grayson Road.

The proposed project plans on the removal of approximately 97 code-protected trees including native species such as coast live oak, valley oak, black walnut, and buckeye. Native trees and all trees greater than 6.5 inches in diameter at breast height (dbh) are considered to be protected under the Contra Costa County Tree Protection and Preservation Ordinance (Chapter 816-6, Ordinances 94-59, 94-22, Contra Costa County Code).

With implementation of mitigation measures, the Project is not expected to conflict with local policies and ordinances protecting biological resources, including the Contra Costa County tree protection and setback ordinances:

Biology 9: *During project implementation, the applicant shall implement the following Tree Preservation Guidelines, as detailed in the Revised Arborist Report Dated May 6, 2020 prepared by Traverso Tree Service, specially:*

Pre- Grading Phase

a. Mulch from tree removals may be spread out under the driplines of trees that will be retained, keeping at least 12" away from the trunks.
b. Prior to construction or grading, contractor shall install protection fencing to construct a temporary Tree Protection Zone (TPZ) around each tree or grove of trees to be saved.
c. TPZ fencing shall encompass the driplines and be approved by the project arborist.
d. TPZ fencing shall remain in an upright sturdy manner from the start of grading until the completion of construction. Fencing shall not be adjusted or removed without consulting the project arborist.

Grading and Construction Phase

a. The project arborist shall be on-site during excavation/grading within driplines, especially trees: #'s 102, 137, 138, 154, 157, 159, 160, 160b, 162, 163, 173, 173c, 182, 183, 185, 186, 189.
b. Should roots > 2" be encountered, arborist shall cleanly prune roots with a handsaw or sawzall, and immediately re-cover. Irrigate as necessary.
c. If needed, canopy pruning shall be performed by personnel certified by the International Society of Arboriculture (ISA). All pruning shall adhere to ISA and American National Standards Institute (ANSI) Standards and Best Management Practices.
d. Project arborist to set guidelines prior to pruning.
e. Should Tree Protection Zone (TPZ) encroachment be necessary, the contractor shall contact the project arborist for consultation and recommendations.
f. Contractor shall keep TPZs free of all construction-related materials, debris, fill soil, equipment, etc. The only acceptable material is mulch spread out beneath the trees.
g. Should any damage to the trees occur, the contractor shall promptly notify the project Arborist to appropriately mitigate the damage.

Landscaping Phase

a. The Tree Protection Zone (TPZ) fencing shall remain in place with the same restrictions until landscape contractor notifies and meets with the project arborist.
b. Avoid all fill work, grade changes, and trenching within driplines unless it is performed by hand, and approved by the project arborist.
c. Pipes shall be threaded under or through large roots without damaging them.
d. Contractor shall avoid trenching and grade changes within driplines.
e. All planting and irrigation shall be kept a minimum of 10' away from native oaks. All irrigation within the driplines shall be targeted at specific plants, such as drip emitters or bubblers. No overhead irrigation shall occur within the driplines of native oaks.

f. All planting within oak driplines shall be compatible with oaks, consisting of plant material that requires little to no water after two years' establishment. A list of oak compatible plants can be found in a publication from the California Oak Foundation, available at: http://californiaoaks.org/wpcontent-/uploads/2016/04/CompatiblePlantsUnderAroundOaks.pdf

When implemented, the prescribed mitigations would reduce potentially significant adverse impacts to protected trees to a level considered less than significant pursuant to CEQA.

f) *Would the project conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?* ***(No Impact)***

There is one adopted habitat conservation plan in Contra Costa County: the East Contra Costa County Habitat Conservation Plan / Natural Community Conservation Plan (HCP/NCCP). The plan was approved in May 2007 by the East Contra Costa County Habitat Conservancy, comprised of the cities of Brentwood, Clayton, Oakley, and Pittsburg, and Contra Costa County. The HCP/NCCP establishes a coordinated process for permitting and mitigating the incidental take of endangered species in East Contra Costa County. The plan lists Covered activities that fall into three distinct categories: (1) all activities and projects associated with urban growth within the urban development area (UDA); (2) activities and projects that occur inside the HCP/NCCP preserves; and (3) specific projects and activities outside the UDA. As the project does not fall into any of these categories, the project is not covered by, or in conflict with the adopted HCP.

Sources of Information

- California Department of Fish and Wildlife. https://map.dfg.ca.gov/lands/.
- Department of Conservation and Development, Site Visit Conducted by County Staff.
- Olberding Environmental, Inc., May 2021. *Biological Resources Analysis*
- DeBolt Civil Engineering, March 2021. *Vesting Tentative Map, SD 20-9531.* (Project Plans)
- Traverso Tree Service, May 6, 2020. *Revised Arborist Report for the Development of 1024-1026 Grayson Road*.
- Johnson Marigot Consulting (JMC) LLC. November 2022. *Biological Resources Addendum.*
- First Carbon Solutions. *2023. Grayson Road Residential Project, Initial Study/Mitigated Negative Declaration, Contra Costa County, California.*

5. *CULTURAL RESOURCES – Would the project:*				
Environmental Issues	**Potentially Significant Impact**	**Less Than Significant With Mitigation Incorporated**	**Less Than Significant Impact**	**No Impact**
a) Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?	☐	☐	☒	☐
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	☐	☒	☐	☐
c) Disturb any human remains, including those interred outside of formal cemeteries?	☐	☒	☐	☐

SUMMARY: Potentially significant unless mitigation incorporated.

a) Would the project cause a substantial adverse change in the significance of a historical resource pursuant to California Environmental Quality Act Guidelines Section 15064.5? ***(Less Than Significant Impact)***

Historical resources are defined in the California Environmental Quality Act Guidelines Section 15064.5 as resources that fit any of the following definitions:

- Is listed in the California Register of Historic Places and has been determined to be eligible for listing by the State Historic Resources Commission;
- Is included in a local register of historic resources, and identified as significant in a historical resource survey that has been or will be included in the State Historic Resources Inventory; or
- Has been determined to be historically or culturally significant by a lead agency.

The archaeological sensitivity map of the County's General Plan (Figure 9-2), identifies the project area as "Largely Urbanized Area," which may contain significant archeological resources. While unlikely since the site is fully disturbed, subsurface construction activities always have the potential to damage or destroy previously undiscovered historic and prehistoric resources. Historic resources can include wood, stone, foundations, and other structural remains; debris-filled wells or privies; and deposits of wood, glass, ceramics, and other refuse. If during project construction, subsurface construction activities damaged previously undiscovered historic and prehistoric resources, there could be a potentially significant impact.

An Archaeological Survey Report and Historic Resources Evaluation Report, dated February 8, 2007, was prepared for the Project by Suzanne Baker of Archaeological/Historical Consultants. The following are excerpts from the Archaeological Survey and Historic Resources Evaluation Report.

On February 5, 2007, Suzanne Baker of Archaeological/Historical Consultants conducted an on-foot archaeological reconnaissance of the project site. The ground was covered in systematic transects two to four meters apart. The ground surface was inspected for evidence of cultural occupation, including midden soil, shell, bone, modified lithic materials, fire- cracked rock, and historic debris and features. Soil was friable, medium brown clay silt containing only a little rock, principally angular pebbles. The two houses occupy much of the project site's high ground. These and accompanying landscaping, driveways and outbuildings, such as sheds; were the principal impediments to surface observation. Vegetation also obscured the banks of the creek. This included trees, shrubs, and especially, dense groundcover like ivy, vincula, and berry vines. In the rest of the project site, ground visibility was somewhat obscured by a light spring grass cover. Grass was, however, kicked aside at intervals and there were numerous ground squirrel burrows that provided open surfaces for soil observation. Ground visibility in general ranged from fair to good in the open areas of much of the project site. Aside from introduced plants adjacent to the houses and some oleander shrubs and a line of small oak trees parallel and adjacent to Grayson Road, most vegetation occurred along the creek. This was a mix of native riparian species, including live oak, buckeye, blackberry, and introduced species, such as eucalyptus and pine trees, ivy and vincula. A few live oaks stand in the field at the west end of the project area. There are also several redwood trees near the creek, but it is unclear if these are native or were planted by the residents. There are redwoods in some of the drainages in the interior valleys of Contra Costa County.

Findings

No prehistoric or historic (over 50 years of age) archaeological sites or materials were found during the course of reconnaissance. Two residential structures over 50 years of age exist on the project site. The residence at 1024 Grayson Road was built about 1948 and that at 1026 Grayson Road in 1955. These were recorded on DPR 523 forms, photographed, and evaluated (refer to Appendix 1 in the report).

Significance Criteria

The significance criteria for the California Register of Historic Places and the National Register of Historic Places are essentially the same. Section 101 of the Historic Preservation Act of 1966 authorizes the Secretary of the Interior to "expand and maintain a national register of districts, sites, buildings, structures, and objects significant in American history, architecture, archaeology, and culture..." Part 60.4 of Chapter 1 of Title 36 of the Code of Federal Regulations outlines the criteria for evaluation of properties for nomination to the National Register of Historic Places (NRHP). The quality of significance in American history, architecture, archaeology, and culture is present in districts, sites, buildings, structures, and objects of State and local importance that possess integrity of location, design, setting, materials, workmanship, feeling, and association, including:

a) That are associated with events that have made a significant contribution to the broad patterns of our history; or
b) That are associated with the lives of persons significant in our past; or

c) That embody the distinctive characteristics of a type, period, or method of construction, or that possess high artistic value, or that represent a significant and distinguishable entity whose components may lack individual distinction; or
d) That have yielded, or maybe likely to yield information important in prehistory or history (36 CFR 60. 4).

Integrity involves the authenticity of a given property and its ability to convey its significance. The seven aspects of integrity location, setting, design, workmanship, materials, feeling and association are used to measure and property' s integrity.

Neither structures at 1024 and 1026 Grayson Road is considered eligible for the California or National Registers of Historic Places. Although both have relatively good historic integrity, they are not associated with events or persons significant in local history (Criteria A and B) and are not architecturally significant (Criterion C).

An updated record search and literature review for the project site and its 0.5-mile radius were conducted on September 21, 2022, at the NWIC, located at Sonoma a State University in Rohnert Park, California. The purpose of this review was to access existing cultural resource survey reports, archaeological site records, historic aerial photographs, and historic maps to evaluate whether any previously documented prehistoric or historic archaeological sites, architectural resources, cultural landscapes, or other resources exist within or near the project site.

The results of the NWIC indicated that there is one recorded historic-era resource within the project site (the two existing residences) and two prehistoric resources within a 0.5-mile radius of the project site. In addition, there is one area-specific survey report within the project site and 10 reports within a 0.5-mile search radius. However, as discussed above, No prehistoric or historic (over 50 years of age) archaeological sites or materials were found during the course of reconnaissance.

On September 22, 2022, the applicant’s consultant First Carbon Solutions (FCS) contacted the NAHC to determine whether any sacred sites were located within the project site or its vicinity. A response was received on October 17, 2022, indicating that the Sacred Lands File search failed to locate the presence of Native American cultural resources within the project site. The NAHC included a list of 15 tribal representatives available for consultation. To ensure that all Native American knowledge and concerns over potential Tribal Cultural Resources (TCRs) that may be affected by the proposed project are addressed, a letter containing proposed project information was sent to each tribal representative on December 5, 2022. No responses have been received to date. NAHC correspondence and copies of the NAHC letters can be found in Appendix C of the FCS draft report.

On June 10, 2021, the County, pursuant to Public Resources Code 21080.3.1 and AB 52, sent notification letters to the Wilton Rancheria Tribe. The County did not receive a response.

b) Would the project cause a substantial adverse change in the significance of an archaeological resource pursuant to California Environmental Quality Act Guidelines Section 15064.5? ***(Less Than Significant Impact with Mitigation)***

As stated previously, the project site does not appear to host any historic archaeological resources. However, subsurface construction activities always have the potential to damage or destroy previously undiscovered historic and prehistoric resources. In keeping with the CEQA guidelines, if archaeological remains are uncovered, work at the place of discovery should be halted immediately until a qualified archaeologist can evaluate the finds. If during project construction, subsurface construction activities damaged previously undiscovered historic and prehistoric resources, there could be a potentially significant impact. Mitigation Measure *Cultural Resources 1* would reduce the potentially significant impact to a less than significant level.

With the implementation of Cultural Resources 1 impacts will be less than significant.

> ***Cultural Resources 1:*** *All project-related ground disturbance shall be monitored by an archaeologist who meets the Secretary of the Interior's professional qualification standards for archaeology. In the event that significant cultural resources are discovered during construction activities, the applicant/project owner or sponsor shall ensure that operations within a 100-foot radius of the find shall cease and the archaeologist will be consulted to determine whether the resource requires further study. The standard inadvertent discovery clause shall be included on the grading plans submitted to the City to inform contractors of this requirement. Potentially significant cultural resources consist of but are not limited to stone, bone, fossils, wood, or shell artifacts or features, including hearths, structural remains, or historic dumpsites. The archaeologist shall make recommendations to the City concerning appropriate measures, which shall be implemented by the applicant/project owner or sponsor to protect the discovered resources, including but not limited to recordation on appropriate California Department of Parks and Recreation (DPR) forms, evaluation, or excavation of the finds in accordance with CEQA Guidelines, Section 15064.5.*

c) *Would the project disturb any human remains, including those interred outside of formal cemeteries?* ***(Less Than Significant with Mitigation)***

The discovery of human remains is always a possibility during ground-disturbing activities. With adherence to existing regulations and with the incorporation of Mitigation Measure *Cultural Resources 2* impacts will be less than significant.

> ***Cultural Resources 2:*** *In the event of accidental discovery or recognition of any human remains, CEQA Guidelines Section 15064.5, Health and Safety Code Section 7050.5, and Public Resources Code Sections 5097.94 and 5097.98 shall be followed. If during the course of construction activities there is accidental discovery or recognition of any human remains, the following steps shall be taken:*
>
> *1. There shall be no further excavation or disturbance within 100 feet of the remains until the County Coroner is contacted to determine if the remains are Native American and if an investigation of the cause of death is required. If the coroner determines the remains to be Native American, the coroner shall contact the Native American Heritage Commission (NAHC) within 24 hours, and the NAHC shall identify the person or persons it believes to be the Most Likely Descendant (MLD)*

of the deceased Native American. The MLD may make recommendations to the landowner or the person responsible for the excavation work within 48 hours, for means of treating or disposing of, with appropriate dignity, the human remains and any associated grave goods as provided in Public Resources Code section 5097.98.

2. Where the following conditions occur, the landowner or his or her authorized representative shall rebury the Native American human remains and associated grave goods with appropriate dignity either in accordance with the recommendations of the most likely descendant or on the project site in a location not subject to further subsurface disturbance:

- *The NAHC is unable to identify a most likely descendent or the most likely descendent failed to make a recommendation within 48 hours after being notified by the commission.*
- *The descendant identified fails to make a recommendation.*
- *The landowner or his authorized representative rejects the recommendation of the descendant, and mediation by the NAHC fails to provide measures acceptable to the landowner.*

With the implementation of Mitigation Measure *Cultural Resources 2* impacts will be less than significant.

Sources of Information

- Contra Costa County General Plan 2005-2020. *Open Space Element*.
- Archaeological/Historical Consultants, February 2007. *Archaeological Survey and Historic Resources Evaluation Report.*
- DeBolt Civil Engineering, 2021. *Vesting Tentative Map, SD 20-9531*. (Project Plans)
- First Carbon Solutions. *2023. Grayson Road Residential Project, Initial Study/Mitigated Negative Declaration, Contra Costa County, California.*

6. *ENERGY – Would the project:*				
Environmental Issues	**Potentially Significant Impact**	**Less Than Significant With Mitigation Incorporated**	**Less Than Significant Impact**	**No Impact**
a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	☐	☐	☒	☐
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	☐	☐	☒	☐

***SUMMARY**:*

a) Would the project result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation? ***(Less Than Significant Impact)***

Environmental effects related to energy include the project's energy requirements and its energy use efficiencies by amount and fuel type during construction and operation; the effects of the project on local and regional energy supplies; the effects of the project on peak and base period demands for electricity and other forms of energy; the degree to which the project complies with existing energy standards; the effects of the project on energy resources; and the project's projected transportation energy use requirements and its overall use of efficient transportation alternatives, if applicable. The following factors demonstrate a project's significance in relation to these effects: (1) Why certain measures were incorporated in the project and why other measures were dismissed; (2) The potential of siting, orientation, and design to minimize energy consumption, including transportation energy, increase water conservation and reduce solid-waste; (3) The potential for reducing peak energy demand; (4) Alternate fuels (particularly renewable ones) or energy systems; and (5) Energy conservation which could result from recycling efforts.

New energy consumption includes energy required for operation of the expected new residence and transportation system (private and commercial vehicles), as well as energy used for construction and maintenance of the proposed project. Issues related to energy use include the levels of consumption of non-renewable and renewable energy sources for the construction and operation of the proposed project.

The proposed project's energy demand would be typical for a development of this scope and nature, and would comply with current state and local codes concerning energy consumption, including Title 24 of the California Code of Regulations, enforced by the Building Inspection division. That the Legislature added the energy analysis requirement in CEQA at the same time that it created an Energy Commission authorized to impose building energy standards indicates that compliance with the building code is a necessary but not exclusive means of satisfying CEQA's independent requirement to

analyze energy impacts broadly. Thus, this report also considers energy consumption related to transportation and efficiency measures not included in the building design.

The project is located in a urban residential neighborhood, within walking distance of a commercial district, and within biking distance of the Pleasant Hill Bart Station. The close proximity to these amenities could reduce the automobile trip generation from the project; thus, reducing energy consumption.

Other measures that are included in the project that demonstrate the projects efficiency include a photovoltaic (PV) system as required by Title 24 (Energy Code). In addition vegetated landscaping, which would reduce the contamination and quantity of stormwater discharge from the site. Furthermore, compliance with the State Model Water Efficient Landscape requirements indicates that water related energy use would not be considered wasteful, inefficient, or unnecessary.

The anticipated construction schedule for the proposed project is estimated to last approximately 14 months. Dependent on which years the project is constructed, construction energy demand would likely decrease because of improvements in technology and more stringent regulatory requirements as older, less efficient equipment is replaced by newer and cleaner equipment. The proposed project would require demolition, site preparation, grading, building construction, architectural coating, and paving activities. Project construction would require energy for the manufacture and transportation of building materials, preparation of the site (e.g., site clearing, and grading), and the actual construction of the building. Petroleum-based fuels such as diesel fuel and gasoline would be the primary sources of energy for these tasks.

The types of on-site equipment used during construction of the proposed project could include gasoline- and diesel-powered construction and transportation equipment, including trucks, bulldozers, frontend loaders, forklifts, and cranes. Construction equipment is estimated to consume a total of 38,214 gallons of diesel fuel over the entire construction duration.

Fuel use associated with construction vehicle trips generated by the proposed project was also estimated; trips include construction worker trips, haul truck trips for material transport, and vendor trips for construction material deliveries. Fuel use from these vehicles traveling to the project site was based on (1) the projected number of trips the proposed project would generate during construction, (2) average trip distances by trip type, and (3) fuel efficiencies estimated in the ARB Emissions Factors model (EMFAC) mobile source emission model. In total, the proposed project is estimated to generate 156,684 VMT and a combined 7,516 gallons of gasoline and diesel for vehicle travel during construction.

Other equipment could include construction lighting, field services (office trailers), and electrically driven equipment such as pumps and other tools. Singlewide mobile office

trailers, which are commonly used in construction staging areas, generally range in size from 160 square feet to 720 square feet. A typical 720-square-foot office trailer would consume approximately 10,616 kilowatt-hours (kWh) during the 14-month construction.

The proposed project's construction is not anticipated to result in unusually high energy use. Limitations on idling of vehicles and equipment and requirements that equipment be properly maintained would result in fuel savings. Similarly, compliance with State regulations would limit idling from both on-road and off-road diesel-powered equipment and are enforced by the ARB. Additionally, the overall construction schedule and process is already designed to be efficient to avoid excess monetary costs. For example, equipment and fuel are not typically used wastefully due to the added expense associated with renting the equipment, maintaining it, and fueling it. Therefore, the opportunities for future efficiency gains during construction are limited.

The proposed 10 single-family homes would consume energy as part of building operations, such as building heating and cooling, and transportation activities from residents' personal vehicles. Although the BAAQMD 2022 GHG thresholds prohibit natural gas in new development, the proposed project applicant received a notice of completeness for their application on December 17, 2020, which demonstrates the proposed project was designed prior to the new thresholds. As such, natural gas appliances would be included in the proposed project design. Energy consumption of the proposed project is summarized in following table.

Annual Project Energy Consumption

Energy Consumption Activity	Annual Consumption
Electricity Consumption	78,105 kWh/year
Natural Gas Consumption	385,911 kBTU/year
Total Fuel Consumption	7,341 gallons/year
Notes: kBTU = kilo-British Thermal Unit kWh = kilowatt-hour Source: Appendix A of FCS Draft IS/MND Report	

Operation of the proposed project is estimated to consume 78,105 kWh of electricity and 385,911 kBTU of natural gas on an annual basis. The proposed project would be considered to result in a potentially significant impact if it would result in wasteful, inefficient, or unnecessary consumption of energy resources. The proposed project would not exceed the County adopted Transportation Analysis Guidelines VMT screening threshold. Per the Transportation Analysis Guidelines, projects of 20 residential units or less would be expected to have less than significant VMT impacts. As a result, since the proposed project would develop 10 residential units, the proposed project would be below the screening threshold. Therefore, the proposed project's

operational fuel consumption would not be significant because the proposed project would be consistent with County screening thresholds. Furthermore, the proposed project would include rooftop photovoltaic (PV) solar systems on each of the 10 homes, which would further reduce electricity demand. Considering the above analysis, the proposed project would not result in the wasteful, inefficiency, or unnecessary consumption of energy resources. This impact would be less than significant.

Given the above considerations, the project would have a less than significant impact due to energy consumption.

b) *Would the project conflict with or obstruct a state or local plan for renewable energy or energy efficiency?* ***(Less Than Significant Impact)***

The Contra Costa County Climate Action Plan includes a number of Green House Gas (GHG) emission reduction strategies. The strategies include measures such as implementing standards for green buildings and energy-efficient buildings, reducing parking requirements, and reducing waste disposal. Green building codes and debris recovery programs are among the strategies currently implemented by the County.

The project would not conflict with the policies outlined in the CAP. Furthermore, as the polices in the CAP are recommendations and not requirements, the project would not conflict with the CAP. Thus, the project would not be considered to have a significant impact. Furthermore, as previously stated, the proposed project's energy demand would be typical for a development of this scope and nature, and would comply with current state and local codes concerning energy consumption, including Title 24 of the California Code of Regulations, enforced by the Building Inspection division.

The proposed project would be served with electricity provided by PG&E or MCE. As MCE is an optional provider PG&E has been described below. In 2021, PG&E obtained 48 percent of its electricity from renewable energy sources, while the remaining electricity was sourced from nuclear (39 percent), large hydroelectric (4 percent), and natural gas (9 percent). PG&E also offers a Solar Choice 50 percent option that sources 71 percent of its power mix from eligible renewable energy sources, and a Solar Choice 100 percent option that sources 94 percent of its power mix from eligible renewable energy sources. Therefore, the proposed project's electricity provider meets the State's current objective of 33 percent. The proposed project's electricity provider would also be required to meet the State's future objective of 60 percent of in-State electricity sales being generated from renewable energy sources by 2030. As stated above, the buildings would be designed in accordance with California Code of Regulations Title 24, California's Energy Efficiency Standards for Residential Buildings as applicable. These standards include minimum energy efficiency requirements related to building envelope, mechanical systems (e.g., heating, ventilation, and air conditioning [HVAC] and water heating systems), and indoor and outdoor lighting. For example, the proposed project would install solar PV systems capable of generating on-site renewable

electricity per year and low-flow plumbing fixtures and irrigation heads that are compliant with Title 24 Standards.

Sources of Information

- Contra Costa County, 2015. *Municipal Climate Action Plan*.
- First Carbon Solutions. *2023. Grayson Road Residential Project, Initial Study/Mitigated Negative Declaration, Contra Costa County, California.*

7. *GEOLOGY AND SOILS – Would the project:*				
Environmental Issues	**Potentially Significant Impact**	**Less Than Significant With Mitigation Incorporated**	**Less Than Significant Impact**	**No Impact**
a) Directly or indirectly cause 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?	☐	☐	☒	☐
ii) Strong seismic ground shaking?	☐	☒	☐	☐
iii) Seismic-related ground failure, including liquefaction?	☐	☒	☐	☐
iv) Landslides?	☐	☐	☒	☐
b) Result in substantial soil erosion or the loss of topsoil?	☐	☐	☒	☐
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?	☐	☒	☐	☐
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?	☐	☐	☒	☐
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	☐	☐	☐	☒
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	☒	☐	☐

SUMMARY

a) Would the project directly or indirectly cause 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? ***(Less Than Significant Impact)***

The California Geological Survey (CGS) has delineated Alquist-Priolo (A-P) zones along the known active faults in California. The nearest fault considered active by CGS is the Concord fault, which is mapped approximately 4.5 miles east of the project site. However, because the site is not within the Concord A-

P zone, the risk of fault rupture is generally regarded as low. As a result, the potential impact from surface fault rupture would be less than significant.

ii) *Strong seismic ground shaking?* ***(Less Than Significant Impact With Mitigation)***

Figure 10-4 (Estimated Seismic Ground Response) of the County General Plan Safety Element identifies the site in an area rated "Lowest" damage susceptibility. The risk of structural damage from ground shaking is regulated by the building code and the County Grading Ordinance. The building code requires use of seismic parameters which allow structural engineers to design structures based on soil profile types and proximity of faults deemed capable of generating strong violent earthquake shaking. Quality construction, conservative design and compliance with building and grading regulations can be expected to keep risks within generally accepted limits. In addition, Mitigation Measure *Geology 1* would require that all recommendations in the Geotechnical Exploration regarding site grading, demolition, foundation design, and construction are incorporated into project plans. Implementation of Mitigation Measure *Geology 1* would ensure project design and construction plans take into consideration the unique site-specific seismic conditions to ensure the proposed structures can withstand seismic activities. Therefore, with implementation of Mitigation Measure *Geology 1* and compliance with CBC requirements, the project impacts would be considered less than significant.

Geology 1: *Prior to issuance of grading permits, the project applicant shall incorporate all recommendations provided in the project-Geotechnical Exploration into project plans, which shall be subject to review and approval by the County Geologist, or designee, prior to permit issuance. The geotechnical recommendations shall be implemented including general earthwork recommendations for site preparation, conditioning of expansive soils, removal of buried structures, removal of fill and disturbed soil, surface and subsurface drainage, biofiltration facilities, foundations, concrete flatwork, retaining walls, spread and pier footings, pavement areas, utility trenches, project review, and construction monitoring. Additionally, these include recommendations related to structural design, foundation design, foundation systems, slabs, moisture barriers, seismic design, walls, footings, slabs and walkways, concrete design, corrosion, pavement design, as well as lot maintenance, and future plan reviews.*

iii) *Seismic-related ground failure, including liquefaction?* ***(Less Than Significant Impact With Mitigation)***

Soil liquefaction results from loss of strength during cyclic loading, such as imposed by earthquakes. The soil considered most susceptible to liquefaction is clean, loose, saturated, uniformly graded fine sands below the groundwater

table; however, low-plasticity silt and clay can also experience liquefaction (or cyclic-softening) under certain conditions. When seismic ground shaking occurs, the soil is subjected to cyclic shear stresses that can cause excess hydrostatic pressures to develop and liquefaction of susceptible soil to occur.

According to the US Geological Survey (USGS) seismic hazard map (Figure 6), the site is mostly included in the "very low" liquefaction risk area. However, the south and southeast boundary of the site is mapped as "moderate" liquefaction risk area. In our explorations, we encountered relatively low-blow-count loose material at a depth between approximately 15 to 20 feet below the ground surface at the location of Boring 1-B1 (ENGEO 2019, pg. 25). Therefore, ENGEO performed liquefaction and cyclic softening analysis to evaluate the potential for these seismic hazards and potential effects at the project site.

Boulanger and Idriss (2008) found that for practical purposes, soil can be divided into either "sand-like" or "clay-like" behavior. Where sand-like soil can experience "liquefaction" and clay-like soil can experience "cyclic failure or softening". In general, sand-like soil tends to be gravel, sand, and very low-plasticity silt, whereas clay-like soil comprises clay and plastic silt.

In order to evaluate the clay-like, intermediate, and sand-like behavior of the fined-grained soil at the site, ENGEO plotted PI and liquid limit (LL) of the tested soil relative to the soil behavior limits. Based on site-specific study of the liquefaction hazard, ENGEO conlcuded that the magnitude of the liquefaction/cyclic softening settlement is limited and can be accommodated by the proposed shallow foundation system, such as post tension slab foundations. Additionally, the site specific design required by Mitigation Measure *Geology 1* would require implementation of measures to address any liquefaction concerns. Thus, the environmental impact from seismic-related ground failure would be considered to be less than significant.

iv) Landslides? ***(Less Than Significant Impact)***

In 1975 the United States Geological Survey (USGS) issued photo-interpretation maps of landslide and other surficial deposits of Contra Costa County. This mapping is presented on page 10-24 of the Safety Element of the County General Plan. According to this USGS map, there are no suspected landslides in proximity of the proposed project. Within the site area being considered for development no landslides were identified. Four "definite or probable" landslides are mapped within 1,000 feet of the project site but none poses a hazard to the property. Detailed analysis of the site by Purcell, Rhoades & Associates confirms there are no slides on the parcel. In addition ENGEO conducted a subsequent geotechnical exploration, including borings of the site and determined that no slides occurred on the project site. Thus, a less than significant impact can be expected regarding landslide hazards.

b) *Would the project result in substantial soil erosion or the loss of topsoil?* ***(Less Than Significant Impact)***

During construction, the proposed project would include grading and excavation that would expose a substantial amount of soil. Because the proposed project would disturb more than one acre of land, it would be required to obtain a Construction General Permit from the California State Water Resources Control Board (State Water Board) and to comply with its conditions and requirements, which are designed to minimize potential erosion issues. The proposed project would comply with the terms of the County's National Pollutant Discharge Elimination System (NPDES) permit and the County Ordinance Code Chapter 1014-4, which requires the preparation and implementation of a SWPPP. The SWPPP includes Best Management Plans (BMPs) to ensure reduction of pollutants from construction activities potentially entering surface waters. Additionally, implementation of the SWPPP would also prevent pollutants from entering surrounding water courses in the project vicinity by preventing pollutants from moving off-site.

Furthermore, the proposed project would be consistent with Ordinance Code Division 716, Grading. Division 716 of the Ordinance Code provides regulations to ensure that soil would not be stripped and removed from lands, which can create hazards related to subsidence and faulty drainage. It also ensures grading is regulated to control erosion and sedimentation to protect water quality of water courses and water bodies. For example, Article 716-8.8 of the Ordinance Code would require that all erodible cut slopes more than 5 feet in height and fill slopes more than 3 feet in height be protected against erosion by planting with grass or ground cover plants, subject to review and recommendations provided by a County building official. Furthermore, the proposed project would be landscaped and would not leave disturbed soils exposed. Therefore, impacts would be less than significant.

c) *Would the project 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?* ***(Less Than Significant Impact With Mitigation)***

As discussed in a) iii above, the project site is in an area that has "moderate to low" liquefaction potential. Building and grading regulations can be expected to keep risks within generally acceptable limits. Furthermore, the site specific recommendations from the Geotechnical report required by Mitigation Measure Geology 1, would ensure any potential geological impacts are mitigated to a less than significant level. Thus, the environmental impact from an unstable geologic unit or soil would be considered to be less than significant.

d) *Would the project be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?* ***(Less Than Significant Impact with Mitigation)***

With regard to its engineering properties, the surficial clayey soil which potentially indicates high expansion potential. Expansive soil can shrink and swell as a result of moisture changes. This shrinking and swelling can cause heaving and cracking of slabs-on-grade, pavements, and structures founded on shallow foundations. Therefore, construction of at-grade improvements will need to consider the potential impacts of expansive soil.

Successful construction on expansive soil requires special attention during grading. It is imperative to keep exposed soil moist by occasional sprinkling. If the soil is dry, it is extremely difficult to remoisturize the soil (because of their clayey nature) without excavation, moisture conditioning, and recompaction. Building damage due to volume changes associated with expansive soil can be reduced by: (1) using a rigid mat foundation that is designed to resist the settlement and heave of expansive soil, (2) deepening the foundations to below the zone of moisture fluctuation, i.e. by using deep footings or drilled piers, and/or (3) using footings at normal shallow depths but bottomed on a layer of select fill having a low expansive potential. Conventional grading operations, incorporating fill placement specifications tailored to the expansive characteristics of the soil, and use of a mat foundation such as a post-tensioned are common, generally cost-effective measures to address the expansive potential of the foundation soils. Detailed foundation design criteria are provided by the project geotechnical report (ENGEO). It should be recognized that expansive soils are an engineering issue, and not a land use or feasibility issue.

Thus, the environmental impact from a moderately expansive soil would be considered to be less than significant with incorporation of Mitigation Measure *Geology 1*.

e) *Would the project have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?* ***(No Impact)***

The project does not require a septic or wastewater-disposal system; the site receives waste water and sanitary service from the Central Contra Costa Sanitary District, who have reviewed the project and stated that sufficient capacity exists to accommodate the project, therefore, no impact is expected.

f) *Would the project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?* ***(Less Than Significant Impact)***

Similar to archaeological resources, there is a possibility that previously undiscovered buried fossils and other paleontological resources could be present and accidental discovery could occur. If during project construction, subsurface construction activities damaged previously undiscovered historic and prehistoric resources, there could be a potentially significant impact. Mitigation Measure *Cultural Resources 1 and Geology 2*

would reduce the potentially significant impact to a less than significant level. No unique geologic features exist on the site. Thus, a less than significant impact would be expected with the included mitigations.

Geology 2: *The project applicant shall retain a qualified Paleontologist to conduct paleontological monitoring during all earth-disturbing construction activities. Should any significant fossils (I.e., bones, teeth, or unusually abundant and well-preserved invertebrates or plants) be unearthed, the construction crew shall not attempt to remove them, as they could be extremely fragile and prone to crumbling, and to ensure their occurrence is properly recorded; instead, all work in the immediate vicinity of the discovery shall be diverted at least 15 feet until a professional paleontologist assesses the find and, if deemed appropriate, salvages it in a timely manner. All recovered fossils shall be deposited in an appropriate repository, such as the University of California Museum of Paleontology (UCMP), where they would be properly curated and made accessible for future study.*

Sources of Information

- ENGEO, October 4, 2019. *Preliminary Geotechnical Investigation 1024 and 1026 Grayson Road.*
- Geologic Peer Review dated October 27, 2006. prepared by Darwin Myers Associates
- Geologic Peer Review dated February 10, 2020. prepared by Darwin Myers Associates
- Purcell and Rhodes, 2006. *Geotechnical Reconnaissance*
- California Geological Survey, 1992. *Earthquake Zones of Required Investigation.*
- Contra Costa County General Plan, 2005-2020. *Safety Element.*
- *United States Department of Agriculture, Natural Resources Conservation Service. 2019. Web Soil Survey. Accessed June 4, 2019.* *https://websoilsurvey.sc.egov.usda.gov/App/WebSoilSurvey*
- DeBolt Civil Engineering, 2021. *Vesting Tentative Map, SD 20-9531.* (Project Plans)
- First Carbon Solutions. *2023. Grayson Road Residential Project, Initial Study/Mitigated Negative Declaration, Contra Costa County, California.*

8. *GREENHOUSE GAS EMISSIONS – Would the project:*				
Environmental Issues	**Potentially Significant Impact**	**Less Than Significant With Mitigation Incorporated**	**Less Than Significant Impact**	**No Impact**
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	☐	☐	☒	☐
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	☐	☐	☒	☐

***SUMMARY**:*

a) Would the project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment? ***(Less Than Significant Impact)***

Greenhouse gases are gases that trap heat in the atmosphere and contribute to global climate change. Greenhouse gases include gases such as carbon dioxide, methane, nitrous oxide, and various fluorocarbons commonly found in aerosol sprays. Typically, a single residential or commercial construction project in the County would not generate enough greenhouse gas (GHG) emissions to substantially change the global average temperature; however, the accumulation of GHG emissions from all projects both within the County and outside the County has contributed and will contribute to global climate change.

Senate Bill 97 directed the Governor's Office of Planning and Research (OPR) to develop CEQA Guidelines for evaluation of GHG emissions impacts and recommend mitigation strategies. In response, OPR released the Technical Advisory: CEQA and Climate Change, and proposed revisions to the State CEQA guidelines (April 14, 2009) for consideration of GHG emissions. The California Natural Resources Agency adopted the proposed State CEQA Guidelines revisions on December 30, 2009 and the revisions were effective beginning March 18, 2010.

The bright-line numeric threshold of 1,100 MT CO2/yr is a numeric emissions level below which a project's contribution to global climate change would be less than "cumulatively considerable." This emissions rate is equivalent to a project size of approximately 60 single-family dwelling units. Future construction and operation of the 10 new residences (8 net new residences as 2 existing homes will be demolished) would generate some GHG emissions; however, the amount generated would not result in a significant adverse environmental impact. As the project does not exceed the screening criteria, the project would not result in the generation of GHG emissions that exceed the threshold of significance.

Furthermore, the applicant has provided the following GHG emissions analysis for the project. The proposed project would emit GHG emissions during construction from the

off-road equipment, worker vehicles, and any hauling that may occur. The BAAQMD does not presently provide a construction GHG emission threshold but recommends that construction GHG emissions be quantified and disclosed. The BAAQMD also recommends that lead agencies (in this case, Contra Costa County) determine the level of significance of construction GHG emissions.

Construction GHG Emissions

Construction Phase	MT CO_2e per year
Demolition	18
Site Preparation	17
Grading	111
Building Construction 2023	179
Building Construction 2024	124
Paving	4
Architectural Coating	2
Total Construction Emissions	**456**
Construction Thresholds[1]	**1,100**
Exceed Threshold?	**No**

Notes:
MT CO_2e = metric tons of carbon dioxide equivalent
Totals may not add up due to rounding.
[1] Construction-related threshold was obtained from SMAQMD's CEQA Guidelines.
Source: CalEEMod Output (Appendix A) of the FCS Draft IS/MND Report.

As shown in the above Table, the proposed project is expected to emit approximately 456 MT CO2e during construction, which would result in approximately 380 MT CO2e per year (456 divided by 1.2 years). Because the annual average and the total construction emissions would be less than the applied threshold of significance, the project's construction-related GHG impacts would be less than significant.

In order to determine the efficiency thresholds, first FCS determined the 2024 and 2030 CAP reduction target. As shown in Table 3.8 of the Contra Costa County CAP, the County set a 2020 reduction target of 1,193,070 MT CO2e and in 2035 of 596,540 MT CO2e. In order to determine the 2024 and 2030 reduction targets, FCS calculated the yearly GHG reductions that the County would need to make to reach their 2035 calculated reduction target of 596,540 MT CO2e. This calculation showed that the County would need to reduce annual GHG emissions by 36,939 MT CO2e per year. By 2024, after 4 years of projected reduction at a rate of 36,939 MT CO2e, the County would need to emit no more than 1,045,314 MT CO2e and by 2030 after 10 years of reductions, the County would need to emit no more than 751,133 MT CO2e to meet SB 32 goals of GHG emissions 40 percent below the 1990 levels. Next, the County's GHG reduction target of 1,045,314 MT CO2e in 2024 and 751,133 MT CO2e in 2030 is divided by the estimated 2024 and 2030 unincorporated Contra Costa County service

population. According to the Contra Costa County CAP Table 3.4, in 2024 unincorporated Contra Costa County would contain 168,072 residents and 48,378 jobs and 173,500 residents and 50,330 jobs in 2030. As a result, the 2024 efficiency threshold of 4.8 MT CO2e/service population/year and 2030 efficiency threshold of 3.4 MT CO2e/service population/year demonstrates the necessary County per capita GHG emissions needed to be consistent with SB 32 GHG reduction goals.

Operational GHG emissions by source are shown in the below Table. The proposed project was analyzed assuming full buildout in the year 2024 immediately following construction.

Operational GHG Emissions

Emission Source	Year 2024 Total Emissions (MT CO_2e per year)[1]	Year 2030 Total Emissions (MT CO_2e per year)[1]
Area	2	2
Energy	24	24
Mobile (Vehicles)	70	59
Waste	6	6
Water	1	1
Total Project Emissions	***103***	***92***
Service Population[2]	28	28
SB 32 Efficiency Threshold	**4.8 MT CO_2e/service population/year**	**3.4 MT CO_2e/service population/year**
Project Emission Generation (MT CO_2e/service population/year)	**3.7[3]**	**3.3[4]**
Exceeds Threshold?	**No**	**No**

Notes:
MT CO_2e=metric tons of carbon dioxide equivalent
[1] Emission totals may not sum exactly due to rounding.
[2] Calculation: 2.78 persons per household x 10 dwelling units = 27.8 service population
[3] Calculation: 103 MT CO_2e per year/28 residents = 3.7 MT CO_2e/service population/year
[4] Calculation: 91 MT CO_2e per year/28 residents = 3.3 MT CO_2e/service population/year
Source: CalEEMod Output (Appendix A) of the FCS Draft IS/MND Report
California Department of Finance. E-5 City/County Population and Housing Estimates, 1/1/2022. Website: https://dof.ca.gov/forecasting/demographics/estimates/. Accessed November 7, 2022.

As shown in the table, the proposed project would result in operational GHG Emissions of 103 MT CO2e in 2024 and 92 MT CO2e in 2030, which when divided by the service population of 28 residents, would result in 3.7 MT CO2e/service population/year in 2024 and 3.3 MT CO2e/service population/year. Consequently, the proposed project would not exceed the efficiency thresholds and demonstrates that the proposed project would contribute toward meeting the County's CAP GHG reduction targets and SB 32 GHG emission reduction goals. Therefore, the proposed project would not generate significant amounts of greenhouse gas emissions, and impacts would be less than significant.

b) *Would the project conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?* ***(Less Than Significant Impact)***

At a regional scale, the BAAQMD adopted the Bay Area 2017 Clean Air Plan that addresses GHG emissions as well as various criteria air pollutants. The BAAQMD Plan included a number of pollutant reduction strategies for the San Francisco Bay air basin, many of which would be included in the project through Title 24 energy efficiency requirement for the expected new residence.

Within Contra Costa County, the Contra Costa County Board of Supervisors convened a Climate Change Working Group (CCWG) in May 2005, to identify existing County activities and policies that could reduce GHG emissions. In November 2005, the CCWG presented its Climate Protection Report to the Board of Supervisors, which included a list of existing and potential GHG reduction measures. This led to the quantification of relevant County information on GHGs in the December 2008 Municipal Climate Action Plan.

In April 2012, the Board directed the Department of Conservation and Development to prepare a Climate Action Plan (CAP) to address the reduction of GHG emissions in the unincorporated areas of the County. In December 2015, the Climate Action Plan was adopted by the Board of Supervisors. The Climate Action Plan includes a number of GHG emission reduction strategies. The strategies include measures such as implementing standards for green buildings and energy-efficient buildings, reducing parking requirements, and reducing waste disposal. Green building codes and debris recovery programs are among the strategies currently implemented by the County.

The project does not conflict with the policies outlined in the CAP. The project will incorporate Contra Costa County Climate Action Plan (CCC) emission reduction measures (as referenced in Appendix E "Developer Checklist" of the CCC). Implementation of these emission reduction measures is considered a Qualified GHG Reduction Strategy under the CCC and therefore meets the BAAQMD's GHG threshold. Furthermore, as other measures identified in the CAP are recommendations and not requirements, the project would not conflict with the CAP and thus would not be considered to have a significant impact.

The 2017 Climate Change Scoping Plan Update addressing the SB 32 targets was adopted on December 14, 2017. The table below provides an analysis of the proposed project's consistency with the 2017 Scoping Plan Update measures. As shown in the table, many of the measures are not applicable to the proposed project, and the proposed project is consistent with strategies that are applicable.

Consistency with SB 32 2017 Scoping Plan Update

2017 Scoping Plan Update Reduction Measure	Project Consistency
SB 350: 50 Percent Renewable Mandate. Utilities subject to the legislation will be required to increase their renewable energy mix from 33 percent in 2020 to 50 percent in 2030.	**Not applicable.** This measure would apply to utilities and not to individual development projects. The proposed project would purchase electricity from PG&E subject to the SB 350 Renewable Mandate.
SB 350: Double Building Energy Efficiency by 2030. This is equivalent to a 20 percent reduction from 2014 building energy usage compared to current projected 2030 levels.	**Not applicable.** This measure applies to existing buildings. New structures are required to comply with Title 24 Energy Efficiency Standards that are expected to increase in stringency over time. The proposed project would comply with the applicable Title 24 Energy Efficiency Standards in effect at the time building permits are received.
Low Carbon Fuel Standard. This measure requires fuel providers to meet an 18 percent reduction in carbon content by 2030.	**Not applicable.** This is a statewide measure that cannot be implemented by a project applicant or lead agency. However, vehicles used by future residents at the project site would benefit from the standards.
Mobile Source Strategy (Cleaner Technology and Fuels Scenario). Vehicle manufacturers will be required to meet existing regulations mandated by the LEV III and Heavy-Duty Vehicle programs. The strategy includes a goal of having 4.2 million Zero-Emission Vehicles (ZEVs) on the road by 2030 and increasing numbers of ZEV trucks and buses.	**Not applicable.** This measure is not applicable to the proposed project; however, vehicles accessing the project site would benefit from the increased availability of cleaner technology and fuels. In addition, as stipulated by the most recently adopted California Building Code, Title 24, new one-family dwellings, such as the proposed project, would be required to implement the applicable provisions of Title 24, California Building Code to support future electric vehicle supply equipment (EVSE).
Sustainable Freight Action Plan. The plan's target is to improve freight system efficiency 25 percent by increasing the value of goods and services produced from the freight sector, relative to the amount of carbon that it produces by 2030. This would be achieved by deploying over 100,000 freight vehicles and equipment capable of zero-emission operation and maximize near zero-emission freight vehicles and equipment powered by renewable energy by 2030.	**Not Applicable.** The proposed project is residential in nature and would not have any major freight vehicles operational.
Short-Lived Climate Pollutant (SLCP) Reduction Strategy. The strategy requires the reduction of SLCPs by 40 percent from 2013 levels by 2030 and the reduction of black carbon by 50 percent from 2013 levels by 2030.	**Consistent.** Consistent with BAAQMD Regulation 6, Rule 3, no wood-burning devices are proposed as part of the proposed project. Therefore, the proposed project would not include major sources of black carbon.

2017 Scoping Plan Update Reduction Measure	Project Consistency
SB 375 Sustainable Communities Strategies. Requires Regional Transportation Plans to include a Sustainable Communities Strategy for reduction of per capita VMT.	**Not applicable.** The proposed project does not include the development of a Regional Transportation Plan.
Post-2020 Cap-and-Trade Program. The Post 2020 Cap-and-Trade Program continues the existing program for another 10 years. The Cap-and-Trade Program applies to large industrial sources such as power plants, refineries, and cement manufacturers.	**Not applicable.** The proposed project is not one targeted by the cap-and-trade system regulations, and, therefore, this measure does not apply to the proposed project. However, the post-2020 Cap-and-Trade Program indirectly affects people and entities who use the products and services produced by the regulated industrial sources when increased cost of products or services (such as electricity and fuel) are transferred to the consumers.
Natural and Working Lands Action Plan. The ARB is working in coordination with several other agencies at the federal, State, and local levels, stakeholders, and with the public, to develop measures as outlined in the Scoping Plan Update and the governor's Executive Order B-30-15 to reduce GHG emissions and to cultivate net carbon sequestration potential for California's natural and working land.	**Not applicable**. The proposed project is in a built-up urban area and would not be considered natural or working lands.
Source of ARB 2017 Scoping Plan Update Reduction Measures: California Air Resource Board (ARB). 2017. California's 2017 Climate Change Scoping Plan. November. Website: https://ww3.arb.ca.gov/cc/scopingplan/scoping_plan_2017.pdf. Accessed October 25, 2022.	

Sources of Information

- Bay Area Air Quality Management District, 2017. *Bay Area 2017 Clean Air Plan.*
- Bay Area Air Quality Management District, 2017. *Air Quality Guidelines.*
- Contra Costa County Code, *Title 8. Zoning Ordinance*.
- Contra Costa County, 2008. *Municipal Climate Action Plan*. Contra Costa County, 2015. *Climate Action Plan.*
- First Carbon Solutions. *2023. Grayson Road Residential Project, Initial Study/Mitigated Negative Declaration, Contra Costa County, California.*

9. HAZARDS AND HAZARDOUS MATERIALS – *Would the project:*				
Environmental Issues	**Potentially Significant Impact**	**Less Than Significant With Mitigation Incorporated**	**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?	☐	☐	☒	☐
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?	☐	☐	☒	☐
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☐	☐	☒
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 create a significant hazard to the public or the environment?	☐	☐	☐	☒
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 or excessive noise for people residing or working in the project area?	☐	☐	☐	☒
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☐	☒	☐
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?	☐	☐	☒	☐

***SUMMARY**:*

a) Would the project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials? ***(Less Than Significant Impact)***

Subsequent to approval of the Tentative Vesting Parcel Map, it is expected that two existing single-family residence would be demolished and 10 new single family homes constructed on Lots 1-10. There would be associated use of fuels, lubricants, paints, and other construction materials during the construction period. The use and handling of hazardous materials during construction would occur in accordance with applicable federal, state, and local laws, including California Occupational Health and Safety Administration (Cal/OSHA) requirements. With compliance with existing regulations, the project would have a less than significant impact from construction.

Project operation would involve the routine transport, use, and disposal of hazardous materials in very small quantities as they relate to household use. Contra Costa County regulates household hazard disposal, and the home's occupants would be responsible for proper handling and disposal of household materials. For example, household hazardous substances can be dropped off for free at one of the Contra Costa County Household Hazardous Waste Drop-off Facilities, located throughout the County. Because any hazardous materials used for household operations would be in small quantities, long-term impacts associated with handling, storing, and dispensing of hazardous materials from project operation would be considered less than significant.

b) *Would the project create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the likely release of hazardous materials into the environment?* ***(Less Than Significant Impact)***

The proposed residential use of the site would not involve handling, use, or storage of substances that are acutely hazardous.

The lot currently hosts two single family residences. No evidence reviewed by staff suggests that the project would include foreseeable conditions involving the likely release of hazardous materials into the environment. Thus, with compliance with existing regulations, the project would have a less than significant impact. Historic aerials of the project site dated 1939 through 2018 show that the project site was used for agricultural purposes between 1939 and the 1940s. The houses, which would be demolished as part of the proposed project, were constructed in 1948 and 1959, respectively. Because of the age of the on-site structures, asbestos containing material (ACM) or lead-based paint (LBP) could be present. Because of the potential for ACMs and lead-based paints, the applicant would be required to retain a qualified hazardous materials contractor to remove and dispose of ACMs and LBPs in accordance with federal and State regulations.

During project demolition and construction activities, there is always a limited risk of the accidental release of hazardous materials such as gasoline, oil, or fluids from construction equipment. However, use of these materials would be conducted in compliance with applicable federal, State, and local regulations, policies, and ordinances set forth by the EPA, State Water Board, DTSC, Cal/OSHA, Caltrans, RCRA, Contra Costa Environmental Health Department, and the CCCFPD. These include, but are not limited to, the following:

- California Health and Safety Code Sections 25270.7, 25270.8, and 25507;
- California Vehicle Code Section 23112.5;
- California Public Utilities Code Section 7673 (PUC General Orders #22-B, 161);
- California Government Code Sections 51018 and 8670.25.5(a);

- California Water Code Sections 13271 and 13272;
- California Labor Code Section 6409.1(b)10; and
- NPDES Construction General Permit requirements.

Compliance with the provisions of these regulations would help minimize the risk of accidental release of hazardous materials into the environment and that appropriate remediation measures are implemented in the event of an accidental release. As such, impacts related to the release of hazardous materials into the environment would be less than significant.

c) *Would the project emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?* ***(No Impact)***

The nearest school is the private school, Pleasant Hill Adventist Academy, located approximately a quarter mile east of the project site. As the project would not be expected to release hazardous materials into the environment, no impact on the school is expected. In addition, while construction of the proposed project could create hazardous emissions during construction, these emissions would be temporary, and the project applicant is required to comply with all safe transport, handling, and disposal requirements and regulations. Operation of the proposed single-family homes would not result in the emission or handling of large quantities of hazardous materials, substances, or waste.

d) *Would the project 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?* ***(No Impact)***

The project site currently contains two single-family residences. A review of regulatory databases maintained by County, State, and federal agencies found no documentation of hazardous materials violations or discharge on the project site. The site is not listed on the State of California Hazardous Waste and Substance Sites (Cortese) List. California Government Code section 65962.5 requires the California Environmental Protection Agency to develop at least annually an updated Cortese List. The Cortese List is a planning document with hazardous material contaminated site information, used by the State, local agencies and developers to comply with the California Environmental Quality Act. Because the project is not located on a listed hazardous materials site the project will not result in a significant hazard to the public or the environment.

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 or excessive noise for people residing or working in the project area?* ***(No Impact)***

The project site is not within an airport influence area, not within an airport safety zone, and outside of the 55-60 dB CNEL airport noise contour. Thus, there would be no hazard related to a public airport or public use airport.

f) Would the project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? ***(Less Than Significant Impact)***

The proposed project would not impair implementation of or physically interfere with the County's adopted emergency response plan related to Grayson Road or the project site. Thus, project impacts on emergency response would be a less than significant.

The proposed access road off of Grayson Road and the additional 10 single-family residences (8 net new single-family residences) located on the proposed private access road is not expected to have any significant impact on emergency evacuation plans within the area. As described in the Public Services section, the project site is in close proximity to both the Office of the Sheriff and CCCFPD stations. The CCCFPD would review project plans prior to project approval to ensure that adequate emergency access to the proposed buildings would be adequate. Construction and operation of the proposed project would not interfere with access to Grayson Road, which would be the project area's most likely evacuation route. Therefore, adjacent neighborhoods would not be impeded by the proposed project's construction. Impacts would be less than significant.

g) Would the project expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires? ***(Less Than Significant Impact)***

The project site is currently in a developed area within the urbanized community of Contra Costa County, which is designated as an "urban unzoned" area by the California Department of Forestry and Fire Protection (DFFP). The DFFP's Very High Fire Hazard Severity Zone Map's, adopted in 2007, characterize this area as a Non-Very High Fire Hazard Severity Zone area. The recently updated draft 2022 maps from the DFFP now characterize the site as in a High Fire Hazard Severity Zone. While the project is located in an High Fire Hazard Severity Zone, the project site is located in an area that is mostly surrounded by other residential development, which reduces wildfire risks. Additionally, the proposed project would result in the removal of vegetation across the vacant site, further reducing the risk of wildfires.

The proposed project would be designed and managed according to regulations provided in the County Ordinance 2019-37, the CCCFPD Ordinance, which would include design standards and management regulations, such as weed abatement and brush clearance regulations, subject to review by the CCCFPD Engineering Unit. Compliance with these regulations, as well as the proposed project design and vegetation removal, the proposed project would have not result in the exposure of people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires. Impacts would be less than significant.

Sources of Information

- California Department of Forestry and Fire Protection (CalFire). 2009. *Very High Fire Hazard Severity Zones in LRA Map.*
- Contra Costa County, 2000. *Contra Costa County Airport Land Use Compatibility Plan.*
- Contra Costa County General Plan, 2005-2020. *Transportation and Circulation Element.*
- DeBolt Civil Engineering, 2021. *Vesting Tentative Map, SD 20-9531.* (Project Plans)
- First Carbon Solutions. *2023. Grayson Road Residential Project, Initial Study/Mitigated Negative Declaration, Contra Costa County, California.*

10. *HYDROLOGY AND WATER QUALITY – Would the project:*				
Environmental Issues	**Potentially Significant Impact**	**Less Than Significant With Mitigation Incorporated**	**Less Than Significant Impact**	**No Impact**
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	☐	☐	☒	☐
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	☐	☐	☒	☐
c) Substantially alter the existing drainage pattern of area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:	☐	☐	☒	☐
i) Result in substantial erosion or siltation on- or off-site?	☐	☐	☒	☐
ii) Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	☐	☐	☒	☐
iii) 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?	☐	☐	☒	☐
iv) Impede or redirect flood flows?	☐	☐	☒	☐
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	☐	☐	☒	☐
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	☐	☐	☒	☐

***SUMMARY**:*

a) *Would the project violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?* ***(Less Than Significant Impact)***

The proposed project would comply with applicable water quality and discharge requirements. Contra Costa County, the Contra Costa County Flood Control and Water Conservation District, and 16 incorporated cities in the county have formed the Contra Costa Clean Water Program. In 2015, the Regional Water Quality Control Board for the San Francisco Bay Region (RWQCB) adopted the National Pollutant Discharge Elimination System (NPDES) Municipal Regional Permit (MRP Order No. R2-2015-0049) for the Program, which regulates discharges from municipal storm drains. Provision C.3 of the Municipal Regional Permit places requirements on site design to minimize creation of impervious surfaces and control stormwater runoff. The County

has the authority to enforce compliance with its Municipal Regional Permit through the County's adopted C.3 requirements. The C.3 requirements stipulate that projects creating and/or redeveloping at least 5,000 square feet of impervious surface shall treat stormwater runoff with permanent stormwater management facilities, along with measures to control runoff rates and volumes.

The proposed project would add an estimated 50,825 square feet of new impervious surface area. The C.3 requirements stipulate that projects that create or replace 5,000 square feet or more of impervious surface must incorporate specific measures to reduce runoff, such as dispersion of runoff to vegetated areas, use of pervious pavement, installation of cisterns, and installation of bioretention facilities or planter boxes. Implementation of these measures would be required as a condition of approval.

Design of the new project will include the installation of a single C3 compliant low impact development (LID) flowthrough treatment planter to act as a source control, treating all replaced impervious surfaces prior to connecting to the public storm drain system. No direct storm water discharge would be placed within Grayson Creek. All storm water would be metered and cleaned by the C3 compliant LID flowthrough treatment planter.

With implementation of the practicable stormwater controls, the project would be compliant with applicable water quality standards or waste discharge requirements, resulting in a less than significant impact.

b) *Would the project substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?* ***(Less Than Significant Impact)***

The site is in the water service area from the East Bay Municipal Utility District (EBMUD). After construction of the new residence, water service to the building would be provided by EBMUD. Since any future water service at the site will be provided by EBMUD, no groundwater wells will be required.

The design of the C3 compliant LID flowthrough treatment planter would maintain existing ground water recharging that currently occurs on the site resulting in a less than significant impact.

c) *Would the project substantially alter the existing drainage pattern of the area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:*

i) Result in substantial erosion or siltation on- or off-site? ***(Less Than Significant Impact)***

The proposed project would not substantially alter the drainage pattern of the area or change the course of Grayson Creek. In the preliminary stormwater review, the grading pattern of the property will follow the existing drainage pattern and will ultimately connect to an existing drainage located along the northeast side of the project site after the water is detained and treated in a C3

compliant LID flowthrough treatment planter. Accordingly, the proposed project would not substantially alter the drainage pattern of the site or area or result in substantial erosion or siltation. The additional impervious surface flows will be directed to a single C3 compliant LID flowthrough treatment planter to act as a source control, treating all replaced impervious surfaces prior to connecting to the public storm drain system. No direct storm water discharge would be placed within Grayson Creek. All storm water would be metered and cleaned by the C3 compliant LID flowthrough treatment planter, prior to the indirect discharge into Grayson Creek.

With implementation of the practicable stormwater controls, the project would not result in substantial erosion or siltation, resulting in a less than significant impact.

ii) Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site? ***(Less Than Significant Impact)***

As described previously, the proposed project would not substantially alter the existing drainage pattern of the site or area nor would it substantially increase the rate or amount of surface runoff. Thus, the project would not result in any significant impacts associated with an increase in the volume of runoff that would result in onsite or off-site flooding.

iii) 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? ***(Less Than Significant Impact)***

The project site includes 3.05 acres of gently sloping terrain adjacent to an existing creek (Grayson Creek). Higher elevations along the westerly boundary are at approximate elevation of 116 feet (local datum) and 110 along Grayson Road. The site slopes southeasterly to Grayson Creek with top of bank elevations at approximately 90 feet, with creek waterlines around elevation 80. Grayson Creek drains northeasterly along the project's boundary. An existing 24" reenforced concrete pipe within Grayson Road currently collects stormwater runoff from upstream properties. The 24" storm drain pipe connects to 2 6x6 concrete boxes under Grayson Creek and discharges water directly to Grayson Creek.

The project will connect into the existing 24" storm drain pipe within Grayson Road, just to the east of storm drain man hole (SDMH) #32. The existing 24" storm drain pipe will remain undisturbed by development of the site. According to the Hydrology and Stormwater Detention Report, the 24-inch pipe has adequate capacity to capture this amount of stormwater runoff. This would ensure that project runoff would not exceed existing conditions. Therefore, impacts would be less than significant, and no mitigation would be necessary.

iv) Impede or redirect flood flows? ***(Less Than Significant Impact)***

As described above, Grayson Creek, which runs through portions of the project site, is in a FEMA Flood Zone A, meaning it is an area subject to inundation by a 1 percent annual-chance flood event. With construction of the proposed project, the runoff rate at the project site would increase by 41.2 percent without stormwater detention. Given this volume of stormwater, a 555-cubic-foot detention basin would be required by the County. However, most runoff on the project site would be directed to a 674-cubic-foot bioretention basin located adjacent to Lot 2 for treatment. Once treated, runoff would be directed to the public storm drainpipe beneath Grayson Road. A portion of the runoff would bypass this treatment system and instead enter the existing 24-inch pipe in Grayson Road. According to the Hydrology and Stormwater Detention Report, the 24-inch pipe has adequate capacity to capture this amount of stormwater runoff, even in a 100-year storm event. This would put the proposed project in compliance with the CCCWP, which requires that runoff be reduced to at or below existing conditions. Therefore, impacts would be less than significant.

d) *In flood hazard, tsunami, or seiche zones, would the project risk release of pollutants due to project inundation?* ***(Less Than Significant Impact)***

According to Flood Insurance Rate Map (FIRM) 06013C0280G, all of the proposed improvements from the project are located in area that is outside of the Special Flood Hazard Area. Additionally, as discussed above, the proposed project would utilize a bioretention basin with capacity beyond what is required, as well as the existing 24-inch pipe in Grayson Road to treat storm waters. The proposed stormwater treatment system would have adequate capacity for a 100-year storm event. The proposed project would not be susceptible to inundation by seiche or tsunami. The California Geological Survey (2009) has projected and mapped the tsunami hazard posed by a tidal wave that passes through the Golden Gate and into San Francisco Bay, San Pablo Bay and Carquinez Strait. The project site is not included in the inundation area on any tsunami hazard map.

e) *Would the project conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?* ***(Less Than Significant Impact)***

As stated above, the proposed project would comply with applicable water quality and discharge requirements and will not install or utilize any groundwater wells on the Project site. Provision C.3 of the Municipal Regional Permit places requirements on site design to minimize creation of impervious surfaces and control stormwater runoff. Thus the project would not conflict with or obstruct implementation of a water quality control plan.

The Sustainable Groundwater Management Act (SGMA), effective January 1, 2015, established a framework of priorities and requirements to facilitate sustainable groundwater management throughout the State. The intent of SGMA is for groundwater to be managed by local public agencies and newly-formed Groundwater Sustainability Agencies (GSAs) to ensure a groundwater basin is operated within its sustainable yield through the development and implementation of a Groundwater Sustainability Plans

(GSP). The project is located near the San Ramon Valley and Ygnacio Valley Basins, both of which are Very Low Priority groundwater basins based on the Groundwater Basin Prioritization by the State Department of Water Resources (DWR). No sustainable groundwater management plan has been prepared for the basins due to their low priority status.

Sources of Information

- California Department of Water Resources. *https://water.ca.gov/Programs/Groundwater-Management*
- Federal Emergency Management Agency (FEMA). *National Flood Insurance Rate Map (FIRM). https://www.fema.gov/national-flood-insurance-program-flood-hazard-mapping*.
- Debolt Civil Engineering. 2021. *Preliminary Hydrology and Storm Water Detention Report for 1024 and 1026 Grayson Road SD 20-9531*
- Debolt Civil Engineering. 2021. *Preliminary Storm Water Control Plan for 1024 and 1026 Grayson Road SD 20-9531*
- DeBolt Civil Engineering, 2021. *Vesting Tentative Map, SD 20-9531*. (Project Plans)
- First Carbon Solutions. *2023. Grayson Road Residential Project, Initial Study/Mitigated Negative Declaration, Contra Costa County, California.*

11. *LAND USE AND PLANNING – Would the project:*				
Environmental Issues	**Potentially Significant Impact**	**Less Than Significant With Mitigation Incorporated**	**Less Than Significant Impact**	**No Impact**
a) Physically divide an established community?	☐	☐	☐	☒
b) Cause a significant environmental impact due to conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	☐	☐	☒	☐

SUMMARY*:*

a) Would the project physically divide an established community? ***(No Impact)***

Development of the proposed project would not physically divide an established community. The proposed project will occur on a developed parcel within a residential portion of unincorporated Pleasant Hill.

b) Would the project cause a significant environmental impact due to conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect? ***(Less Than Significant Impact)***

General Plan

The proposed project would conform to the applicable General Plan land use designation of SL, Single-Family Low Density, 1.0-2.9 units per acre. The project proposes to utilize a Density Bonus pursuant to the State Density Bonus Law, under Government Code Section 65915.

Conservatively calculating the Project's density based on the net project site acreage of approximately 2.76 acres (2.76 acres x 2.9 du/ac =8.004 du), each fractional unit rounds to the next whole unit, or 9 base units pursuant to Government Code Section 65915(5).

The home on Lot 1 would be restricted for-sale to a moderate-income household (12% of 9 base lots), therefore the project is eligible for a Density Bonus, waivers or reductions in development standards, incentives and concessions, and parking reductions under the California Density Bonus Law, Gov. Code Section 65915, subdivision (b)(1)(D). By providing one lot of the nine base units for sale to a moderate income household, the Project qualifies for a 7% density bonus, resulting in one additional unit (9 du x.07 = 9.63, which rounds up to 10). (Gov. Code, § 65915(f)(4), (5).)

The density of the proposed project would be 3.62 dwelling units per net acre, which would be deemed consistent with the SL Land Use designation density range of 1 to 2.9 dwelling units per acre as a result of the utilization of a Density Bonus.

Government Code Sections 65915(j)(1) and 65915(C)(5) state that either granting a density bonus, concession, incentive, or waiver, "Shall not require or be interpreted, in and of itself, to require a general plan amendment, local coastal plan amendment, zoning change, study, or other discretionary approval." This language means that the applicant's requests made pursuant to the Density Bonus Law do not require a General Plan Amendment to accommodate the additional density in the proposed project.

Category	Totals
Total Area =	3.05 Acres
Private Right-of-way =	0.29 Acres
Net Area=	2.76 acres
2.76 Net Acres X 2.9 = base units	9 base units
1 moderate unit / base units=	11.11% (rounds up to 12%)[2]
10% moderate income density bonus=	7%
Density Bonus Calculation 9 (base units) x .07= (9.63) Bonus	10 units

[2] Government Code section 65915(f)(5).

The County's land use compatibility standards contained in Figure 11-6 of the Noise Element, ambient noise environments are considered normally acceptable for new single-family residential land use development with noise levels ranging up to 60 A-weighted decibel (dBA) Community Noise Equivalent Level (CNEL)/day/night average sound level (Ldn). Environments with noise levels from 55 dBA to70 dBA CNEL/Ldn are considered conditionally acceptable for new single-family land use development; and such development should be undertaken only after a detailed analysis of the noise reduction requirements is made and needed noise insulation features are included in the design. Environments with noise levels from 70 dBA to 75 dBA CNEL/Ldn are considered normally unacceptable for new single-family land use development, and clearly unacceptable for levels above 75 dBA CNEL/Ldn.

Two noise measurement surveys were taken to determine existing noise levels at the project site. The dominant noise source in the project vicinity was found to be traffic noise on adjacent roadways and lawnmowing. The noise survey documented that existing ambient noise levels on the project site range from 61 dBA equivalent continuous sound level (Leq), as measured at approximately 20 feet from the edge of Grayson Road, to 47 dBA Leq at the project boundary adjoining 2043 Mohawk Drive property. The noise measurement survey files are included in the FCS Draft IS/MND report. These noise measurements were taken during the peak noise hours of the day, and represent the expected highest hourly average noise levels that are experienced on the project site. Resulting 24-hour average noise levels would be even lower when averaged with quieter hours of the day. Therefore, the existing ambient noise environment of the project site is within the conditionally acceptable range for new residential land use development. For conditionally acceptable noise environments, new construction or development should be undertaken only after a detailed analysis of the noise reduction requirements is made and needed noise insulation features included in the design. Conventional construction, but with closed windows and fresh air supply systems, will normally suffice.

Based on the EPA's Protective Noise Levels, with a combination of walls, doors, and windows, standard construction in accordance with building code requirements for multi-family residential developments would provide 25 dBA in exterior-to-interior noise reduction with windows closed and 15 dBA or more with windows open. The proposed project will include alternative ventilation systems such as mechanical air conditioning whick will allow windows to remain closed for prolonged periods of time, sufficiently reducing traffic noise levels to meet the interior noise level standard of 45 dBA CNEL (i.e., 61 dBA - 25 dBA = 36 dBA).

Zoning

The project would be considered consistent with the R-15 Single-family zoning district as a result of the utilization of the Density Bonus, pursuant to Government Code sections 65915(j)(1) and 65915(C)(5) and County Ordinance Code Section 822-2. The State Density Bonus Law provides for unlimited number of waivers of development standards in order to construct the project at the proposed density. (See Gov. Code, § 65915(b)(1), (e)(1).) Where a development standard would physically prevent the project from being

built at the permitted density and with the granted concessions/incentives, the developer may propose to have those standards waived or reduced.

The applicant is seeking waivers of development standards pertaining to:

(a) a reduction in minimum lot size for Lots 1 and 4-10;
(b) a reduction in the minimum lot width for Lots 1-10 (instead of 100 feet);
(c) a reduction in minimum lot depth for Lot 1;
(d) a reduction in minimum front yard and side yard setback and
(e) a waiver of the setback requirement for retaining walls.

The proposed lot sizes, lot width, depth, and setbacks, are shown in **Table 1** on the following page. The project is seeking these reductions and waivers as application of the required standard would physically preclude the development of the project at the proposed density with the proposed one moderate income unit and with the application of the available incentives, concessions, and density bonus.

Finally, the project is seeking a concession to allow the installation of the complete frontage improvements be omitted in lieu of a reconstructed asphalt-concrete curb along the edge of pavement of Grayson Road along the project frontage as well as bicycle lane striping.

The project would be considered consistent with the General Plan and the R-15 Single-family zoning district as a result of the utilization of the Density Bonus, pursuant to Government Code sections 65915(j)(1) and 65915(C)(5), accordingly there is no significant impact resulting from the project.

Sources of Information

- Contra Costa County Code, Title 8, Zoning Ordinance.
- DeBolt Civil Engineering, 2022. *Vesting Tentative Map, SD 20-9531.* (Project Plans)
- Contra Costa County General Plan 2005-2020. *Land Use Element*.
- California Government Code Section 65915
- First Carbon Solutions. *2023. Grayson Road Residential Project, Initial Study/Mitigated Negative Declaration, Contra Costa County, California*

Table 1

1024 & 1026 Grayson Rd. Proposed Alternative Development Standards (R-15 Standards)						
Lot #	**Area (15,000 Sq. Ft.)**	**Depth (100 Ft. Min.)**	**Average Width (100 Ft. Min.)**	**Front Yard Setback (20 feet)**	**Side Yard Setback (25 feet aggregate, no yard less than 10 feet)**	**Retaining Walls 6' or less**
Lot 1	7,347	87.45	84.01	20' feet to face of garage; 14' Feet to living area	15 feet aggregate, (no yard less than 5 feet)	0'
Lot 2	22,460	331	67.85	20' feet to face of garage; 14' Feet to living area	15 feet aggregate, (no yard less than 5 feet)	0'
Lot 3	15,236	270	56.43	20' feet to face of garage; 14' Feet to living area	15 feet aggregate, (no yard less than 5 feet)	0'
Lot 4	14,257	144	99.01	20' feet to face of garage; 14' Feet to living area	15 feet aggregate, (no yard less than 5 feet)	0'
Lot 5	14,713	195	75.45	20' feet to face of garage; 14' Feet to living area	15 feet aggregate, (no yard less than 5 feet)	0'
Lot 6	11,261	163	69.09	20' feet to face of garage; 14' Feet to living area	15 feet aggregate, (no yard less than 5 feet)	0'
Lot 7	11,360	166	68.43	20' feet to face of garage; 14' Feet to living area	15 feet aggregate, (no yard less than 5 feet)	0'
Lot 8	13,388	185	72.37	20' feet to face of garage; 14' Feet to living area	15 feet aggregate, (no yard less than 5 feet)	0'
Lot 9	13,655	173	78.93	20' feet to face of garage; 14' Feet to living area	15 feet aggregate, (no yard less than 5 feet)	0'
Lot 10	14,013	220	63.70	20' feet to face of garage; 14' Feet to living area	15 feet aggregate, (no yard less than 5 feet)	0'

12. *MINERAL RESOURCES – Would the project:*				
Environmental Issues	**Potentially Significant Impact**	**Less Than Significant With Mitigation Incorporated**	**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?	☐	☐	☐	☒
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?	☐	☐	☐	☒

***SUMMARY**:*

a) Would the project 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? ***(No Impact)***

Known mineral resource areas in the County are shown on Figure 8-4 (Mineral Resource Areas) of the General Plan Conservation Element. No known mineral resources have been identified in the project vicinity, and therefore the proposed project would not result in the loss of availability of any known mineral resource.

b) Would the project 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? ***(No Impact)***

The project site is not within an area of known mineral importance according to the Conservation Element of the General Plan, and therefore, the project would not impact any mineral resource recovery site.

Sources of Information

- Contra Costa County General Plan, 2005-2020, *Conservation Element.*

13. ***NOISE – Would the project result in:***				
Environmental Issues	**Potentially Significant Impact**	**Less Than Significant With Mitigation Incorporated**	**Less Than Significant Impact**	**No Impact**
a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	☐	☐	☒	☐
b) Generation of excessive groundborne vibration or groundborne noise levels?	☐	☐	☒	☐
c) For a project located within the vicinity of a private airstrip or 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?	☐	☐	☐	☒

SUMMARY*:*

a) *Would the project result in generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?****(Less Than Significant Impact)***

Activities at the future 10-lot subdivision are not expected to expose persons to, or generate, noise levels in excess of the Community Noise Exposure Levels shown on Figure 11-6 of the General Plan Noise Element. Figure 11-6 shows that levels of 60 dB or less are normally acceptable and noise levels between 60 dB to 70 dB are conditionally acceptable in residential areas. Types and levels of noise generated from the residential uses associated with the future residence would be similar to noise levels from the existing residential developments in the area. Thus, project noise impacts to the existing surrounding land uses would be less than significant.

Furthermore, the Noise Element of the General Plan establishes the following noise policies that may be applicable to the project.

Policy 11-1 New projects shall be required to meet acceptable exterior noise level standards as established in the Noise and Land Use Compatibility Guidelines contained in Figure 11-6 [of the Noise Element]. These guidelines, along with the future noise levels shown in the future noise contours maps, should be used by the County as a guide for evaluating the compatibility of “noise-sensitive” projects in potentially noisy areas.

Policy 11-2 The standard for outdoor noise levels in residential areas is an Ldn of 60 dB. However, an Ldn of 60 dB or less may not be achievable in all residential areas due to economic or aesthetic constraints. One example is small balconies associated with multi-family housing. In this case, second and third story balconies may be difficult to control to the goal. A common outdoor use area that meets the goal can be provided as an alternative.

Policy 11-8 Construction activities shall be concentrated during the hours of the day that are not noise-sensitive for adjacent land uses and should be commissioned to occur during normal work hours of the day to provide relative quiet during the more sensitive evening and early morning periods.

Construction of the proposed project is expected to require the use of scrapers, dozers, water trucks, haul trucks, and pickup trucks. The maximum noise level generated by each scraper is assumed to be 85 dBA Lmax at 50 feet from this equipment. Each dozer would also generate 85 dBA Lmax at 50 feet. The maximum noise level generated by graders is approximately 85 dBA Lmax at 50 feet. A characteristic of sound is that each doubling of sound sources with equal strength increases a sound level by 3 dBA. Assuming that each piece of construction equipment operates at some distance from the other equipment, a reasonable worst-case combined noise level during this phase of construction would be 90 dBA Lmax at a distance of 50 feet from the acoustic center of a construction area. The effect on sensitive receptors is evaluated below.

The closest noise-sensitive receptors to the proposed project site are single-family residences located directly east of the project site. The calculated reasonable worst-case noise levels could result in hourly average noise levels of up to 80 dBA Leq, at the façade of the nearest receiving residential land use when equipment operate at the nearest project boundary for a full hour. However, these reasonable worst-case construction noise levels would occur only periodically throughout the day as construction equipment operate along the nearest project boundaries. Additionally, these noise levels would drop off at a rate of 6 dBA per doubling of distance as the equipment moves over the project site.

Based on the EPA's Protective Noise Levels, with a combination of walls, doors, and windows, standard construction in accordance with building code requirements for residential developments would provide a minimum of 25 dBA in exterior-to-interior noise reduction with windows closed. During the calculated loudest phase of construction described above the interior noise levels of the nearest off-site residences would be reduced to below 55 dBA Leq, which would not be considered a substantial noise impact for daytime noise levels.

The County of Contra Costa restricts construction activities to the hours of the day that are not noise-sensitive for adjacent land uses and should be commissioned to occur during normal work hours of the day to provide relative quiet during the more sensitive evening and early morning periods. Therefore, restricting construction activity to

daytime hours, as well as implementing the best management noise reduction techniques and practices outlined in Mitigation Measure *Noise 1*, would ensure that construction noise would not result in a substantial temporary increase in ambient noise levels that would result in annoyance or sleep disturbance of nearby sensitive receptors. Therefore, with implementation of Mitigation Measure *Noise 1*, temporary construction noise impacts would be reduced to less than significant.

Noise 1*: To reduce potential construction noise impacts, the following multi-part mitigation measure shall be implemented for the proposed project:*

- *The construction contractor shall ensure that 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 ensure that unnecessary idling of internal combustion engines (i.e., idling in excess of 5 minutes) is prohibited.*
- *The construction contractor shall utilize "quiet" models of air compressors and other stationary noise sources where such market available technology exists.*
- *At all times during project grading and construction, the construction contractor shall ensure that stationary noise-generating equipment shall be located as far as practicable from sensitive receptors and placed so that emitted noise is directed away from the nearest residential land uses.*
- *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 would determine the cause of the noise complaints (starting too early, bad muffler, etc.) and establish reasonable measures necessary to correct the problem. The construction contractor shall visibly post a telephone number for the disturbance coordinator at the construction site.*
- *The construction contractor shall limit noise producing construction activities to the hours between 7:00 a.m. and 7:00 p.m., Monday through Friday, and between 8:00 a.m. and 7:00 p.m. on Saturday. No such activities shall be permitted on Sundays or federal holidays.*

As shown in the analysis by FCS, the calculated reasonable worst-case operational noise levels from proposed mechanical ventilation equipment operations would not exceed existing measured ambient noise levels in the project area, and would therefore not result in a substantial permanent increase in noise levels in excess of established standards. Therefore, the impact of mechanical ventilation equipment operational noise levels on off-site sensitive receptors would be less than significant.

A significant impact would occur if implementation of the proposed project would result in a substantial increase in traffic noise levels compared with traffic noise levels existing without the project. As noted in the characteristics of noise discussion, audible increases in noise levels generally refer to a change of 3 dBA or more, as this level has been found to be barely perceptible to the human ear in outdoor environments. A change of 5 dBA is considered the minimum readily perceptible change to the human ear in outdoor

environments. Therefore, for purposes of this analysis, an increase of 5 dBA or greater above existing noise levels would be considered a substantial permanent increase in traffic noise levels. Another characteristic of noise is that a doubling of sound sources with equal strength is required to result in a perceptible increase (defined to be a 3 dBA or greater) in noise levels.

The Institute of Transportation Engineers (ITE) peak period trip generation rates for single-family dwelling residences estimate of 1.0 trip per dwelling unit. The proposed project would develop 10 single-family residences, meaning it would generate an additional 10 AM and 8 PM new peak period trips. These peak-hour trips would not double the existing peak-hour or daily average traffic volumes on Grayson Road adjacent to the project site. As a result, the proposed project would not result in even a 3 dBA increase in traffic noise levels along any roadway segment in the project vicinity, and any increase would be well below the 5 dBA increase that would be considered substantial. Therefore, impacts from project-related traffic noise levels would not result in a substantial permanent increase in traffic noise levels in excess of applicable standards, and the impact would be less than significant.

b) *Would the project result in generation of excessive groundborne vibration or groundborne noise levels?* ***(Less than Significant)***

Project construction would not include any components (e.g. pile-driving) that would generate excessive groundborne vibration levels. Thus, project noise impacts associated with groundborne vibration would be less than significant.

c) *For a project located within the vicinity of a private airstrip or 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?* ***(No Impact)***

As discussed in Section 9.e, the project site is not within an airport influence area, not within an airport safety zone, and outside of the 55-60 dB CNEL airport noise contour. Thus, the project would not expose people residing or working in the project area to excessive noise levels from an airport use.

Sources of Information

- Contra Costa County General Plan, 2005-2020, Noise *Element.*
- Contra Costa County, 2000. *Contra Costa County Airport Land Use Compatibility Plan.*
- First Carbon Solutions. *2023. Grayson Road Residential Project, Initial Study/Mitigated Negative Declaration, Contra Costa County, California*

14. *POPULATION AND HOUSING – Would the project:*				
Environmental Issues	**Potentially Significant Impact**	**Less Than Significant With Mitigation Incorporated**	**Less Than Significant Impact**	**No Impact**
a) Induce substantial unplanned population growth in an area, either directly (e.g., by proposing new homes and businesses) or indirectly (e.g., through extension of roads or other infrastructure)?	☐	☐	☒	☐
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	☐	☐	☒	☐

***SUMMARY**:*

a) *Would the project induce substantial unplanned population growth in an area, either directly (e.g., by proposing new homes and businesses) or indirectly (e.g., through extension of roads or other infrastructure)?* ***(Less Than Significant)***

According to the California Department of Finance (CDF), the County's estimated population as of January 1, 2022 was approximately 1,156,555. The unincorporated area of the County had an estimated population of 176,941 as of January 1, 2022. The County has an average of 2.79 persons per household as of January 2022.

The proposed project would result in the development of eight additional single-family residences (net), which would directly increase the unincorporated Pleasant Hill area population by an estimated 28 persons, based on the Census 2010 estimate of 2.79 people per household for Contra Costa County. The development is limited to the project site, and would not be expected to lead to indirect population growth. Further, due to its small scope and size (less than .02% of the estimated annual population growth for the unincorporated County), the project would have a less than significant impact on population growth in the area.

b) *Would the project displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?* ***(Less Than Significant)***

The project site is currently occupied by two unoccupied single-family residences which would be demolished, and the proposed project is expected to result in the construction of ten new single family residences (eight net). Therefore, the project would have no impact on housing displacement.

Sources of Information

- Contra Costa County, Census 2010. Accessed June 6, 2019. http://www.bayareacensus.ca.gov/counties/ContraCostaCounty.htm

15. ***PUBLIC SERVICES – 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:*

Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Fire Protection?	☐	☐	☒	☐
b) Police Protection?	☐	☐	☒	☐
c) Schools?	☐	☐	☒	☐
d) Parks?	☐	☐	☒	☐
e) Other public facilities?	☐	☐	☒	☐

SUMMARY*:*

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?* ***(Less Than Significant Impact)***

Fire protection services for the County are provided by the CCCFPD, which has 36 stations serving the County, including two stations within two miles of the project site. The nearest station to the project site is located at Station 5 at 205 Boyd Road in the City of Pleasant Hill, approximately 1.72 miles from the project site. The expected time of travel from Station 5 to the project site is approximately 4 to 5 minutes. Another fire station, Station 2, is located at 2012 Geary Road in the City of Pleasant Hill, approximately 1.74 miles south of the project site.

In 2018, the CCCFPD had an average response time of 5 minutes and 35 seconds, which is above the target total response time of 5 minutes set by the County's General Plan. According to the General Plan Goal 7-Y, upgrades to facilities and staff are regularly reviewed for the CCCFPD to achieve the target response time.

As described in Section 2.14 Population and Housing, the proposed project is expected to generate approximately 28 new residents in the County. This is less than a 0.02 percent increase in population growth for unincorporated areas of the County. The proposed project would add less than 0.01 percent to the total population and would therefore have a negligible impact on the CCCFPD's ability to provide adequate fire protection and emergency medical services to its service area. The proposed project

would also be reviewed by the County Fire Marshall for compliance with Title 7, Division 722 of the Ordinance Code, also known as the County's Fire Code. The proposed project would also submit applicable fire prevention fees required by CCCFPD Ordinance 2021-18. As such, impacts from the proposed project to fire protection services would be less than significant.

b) *Police Protection?* ***(Less Than Significant Impact)***

Law enforcement services are provided by the Contra Costa County Office of the Sheriff. The Office of the Sheriff serves over 1.1 million residents throughout the County, including the 164,000 residents from unincorporated areas. In 2021, the Office of the Sheriff received over 381,605 calls for service, of which nearly 78,223 were 911 calls. The Muir Station, which serves the project site is located at 1980 Muir Road in the City of Martinez, approximately 2.94 miles north of the project site. Muir Station is staffed by one Lieutenant, five Sergeants, 23 Deputies, one Community Service Officer, one Crime Prevention Specialist, and three volunteers.

The Office of the Sheriff aims to have a maximum response time goal for priority 1 or 2 calls of five minutes for 90 percent of all emergency responses in central business district, urban and suburban areas.

As described in Section 2.14 Population and Housing, the proposed project is expected to generate approximately 28 new residents in the County, which is less than a 0.003 percent increase above the 1.1 million people currently served by the Office of the Sheriff. Other General Plan Public Protection Policies 7-57 through to 7-61 would prevent future growth that exceeds the community capability to provide police services. For example, Policy 7-57 required a Sheriff facility standard of 155 square feet of station area per 1,000 population. Additionally, all future developments, including the proposed project, are required to pay Land Development Fees in relation to police protection services. As such impacts from the proposed project to police protection services would be less than significant.

c) *Schools?* ***(Less Than Significant Impact)***

The Mount Diablo Unified School District (MDUSD) currently serves the project area, in addition to the Cities of Clayton, Concord, Pleasant Hill, Pittsburg, Walnut Creek, portions of the City of Martinez and the unincorporated communities of Bay Point, Lafayette, and Pacheco. In 2021, the MDUSD enrolled 29,582 students. The County has approximately 22.2 percent of its population under the age of 18. The nearest schools to the project site include:

• Strandwood Elementary School, located approximately 1.05 miles east of the project site;
• Pleasant Hill Middle School, located approximately 1.68 miles southeast of the project site; and

• College Park High School located approximately 1.62 miles northeast of the project site.

As noted above, the proposed project includes the development of 10 single-family residential housing units, which would result in approximately 28 new residents to the County and a direct impact to the local school population. As described above, approximately 22.2 percent of the County is under the age of 18. Therefore, we can estimate that the proposed project would result in approximately six new students in the MDUSD, resulting in a negligible increase of approximately 0.02 percent in MDUSD's 29,582 student population. In addition, the MDUSD regularly reviews its capacity and staffing with the County Office of Education to meet the demands of the communities it services. Therefore, the proposed project would not generate a significant demand for new or expanded school facilities, and the impacts would be less than significant.

d) *Parks?* ***(Less Than Significant Impact)***

The nearest park facilities to the project site include Rodgers-Smith Park, Pinewood Park, Shannon Hills Park, Brookwood Park, and Dinosaur Hill Park, all of which are located within 1 mile of the project site and serviced by the Pleasant Hill Recreation and Park District. The Pleasant Hill Recreation and Park District served a population of approximately 41,241 as of 2019 and is expecting to observe an increased demand in parks to 46,688 people in 2032, a total increase of 5,447 people. In addition, portions of Briones Regional Park are within 1 mile of the project site. Briones Regional Park is serviced by the East Bay Regional Park District. The East Bay Regional Park District serves Alameda and Contra Costa counties, which represent a combined population of 2,809,969.

The proposed project would generate approximately 28 new residents to the unincorporated area around the project site. Parks in the surrounding area would be directly impacted by the additional demand generated by the proposed project's residents. As noted above, there are multiple parks within a 1-mile radius of the project site, served by the Pleasant Hill Recreation and Park District (Park District). As described above, the Park District served a population of approximately 41,241 in 2019 and is expecting to observe an increased demand in parks to 46,688 people in 2032, a total increase of 5,447 people. Therefore, the demand that would be generated by 28 residents from the proposed project would be accounted for by the Park District. The project site is also within a mile of Briones Regional Park, which is maintained by the East Bay Regional Park District (EBRPD).

The EBRPD serves Alameda and Contra Costa counties, which represents a combined population of 2,809,969. In addition, the EBRPD Master Plan recorded a growth in visitors of 4.6 percent in Alameda County and 10.6 percent in Contra Costa County from 2000 to 2010, and thus projected further park visitors as a management goal for the future. As such, existing park services would be able to serve the residents of the

proposed project and the proposed project would not result in the need for new park facilities. Therefore, impacts would be less than significant.

e) *Other public facilities?* ***(Less Than Significant Impact)***

Impacts to other public facilities, such as hospitals and libraries are usually caused by substantial increases in population. Implementation of the proposed project is not anticipated to induce population growth since only eight (net) new residence would result from project approval. The project is not anticipated to create substantial additional service demands besides those which have been preliminarily reviewed by various agencies of Contra Costa County, or result in adverse physical impacts associated with the delivery of fire, police, schools, parks, or other public services. Other public facilities such as libraries would be marginally impacted by the proposed project's generation of approximately 28 new residents. Library services to the County are provided by the Contra Costa County Library, which provides services to the project site through the Pleasant Hill branch on 2 Monticello Avenue, approximately 1.7 miles from the project site. The library system currently has approximately 350,000 active users.

In addition, the proposed project is consistent with its SL–Low land use designation, and the population increase of 28 persons is considered planned growth per the County's General Plan Housing Element. The Contra Costa County Library Strategic Plan states its intent, under Goal 1, Objective D, to increase the number of active users in the library system by 10 percent annually, which given the current userbase of would be an increase of approximately 35,000 users. Therefore, the increase of potential users from the proposed project's 28 expected new residents would already be accounted for by the Contra Costa County Library. Therefore, impacts would be less than significant.

Sources of Information

- Contra Costa County Fire Protection District. January 30, 20202. *Agency Comment Letter*.

16. *RECREATION*				
Environmental Issues	**Potentially Significant Impact**	**Less Than Significant With Mitigation Incorporated**	**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?	☐	☐	☒	☐
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?	☐	☐	☒	☐

***SUMMARY**:*

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? ***(Less Than Significant Impact)***

Major park facilities in the County are owned by the federal and State governments, along with an extensive system owned and operated by the EBRPD, as well as water district watershed recreation facilities. The General Plan Open Space Element Table 9-1, County Park Criteria, identifies a service standard of 2.50 acres per 1,000 population for neighborhood parks and 1.50 acres per 1,000 population for community parks. Though the project site is in the unincorporated County, it is within the Park District. The Park District is a Special District separate from the City of Pleasant Hill and other governments and governed under the Public Resources Code of the State of California and serves over 40,000 people. The Park District consists of 13 parks encompassing 126 acres as well as developed and undeveloped open space encompassing 115 acres. Park District facilities within 1 mile of the project site are listed below. The park nearest the project site is Rodgers-Smith Park, located approximately 0.41 mile to the east.

- Rodgers-Smith Park–730 Grayson Road, Pleasant Hill, CA
- Rodger's Ranch Heritage Center–315 Cortsen Road, Pleasant Hill, CA
- Dinosaur Hill Park–901 Taylor Boulevard Pleasant Hill, CA
- Brookwood Park–3250 Withers Avenue Lafayette, CA
- Pinewood Park–Monti Circle, Pleasant Hill, CA
- Shannon Hills Park–202 Devon Avenue, Pleasant Hill, CA
- Winslow Center–2590 Pleasant Hill Rd, Pleasant Hill, CA

Additionally, the project site is located approximately 0.81 mile east of the eastern boundary of Briones Regional Park. Briones Regional Park is a 6,256-acre regional park offering hiking, biking, horseback riding trails as well as bird watching, picnicking, archery range, group camping and other recreational activities. Briones Regional Park is managed by the EBRPD.

The proposed project is anticipated to generate approximately 28 new residents to the County, which would only slightly increase demand for existing park and recreation facilities in the vicinity of the project site. However, the project applicant would be required to pay the required park dedication and park impact fees collected to fund the acquisition and development of parks in the County to serve unincorporated County residents. Thus, the proposed project would have a less than significant impact on existing neighborhood and regional parks or other recreational facilities.

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?* ***(Less Than Significant Impact)***

Given the proximity of nearby parks, the new residents would likely use these nearby facilities. As described above, use of these public recreational facilities by the residents of the new dwelling units would incrementally increase use of the facilities, but would not be expected to result in the construction or expansion of recreational facilities.

17. *TRANSPORTATION – Would the project:*				
Environmental Issues	**Potentially Significant Impact**	**Less Than Significant With Mitigation Incorporated**	**Less Than Significant Impact**	**No Impact**
a) Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities?	☐	☐	☒	☐
b) Conflict or be inconsistent with CEQA Guidelines Section 15064.3(b)?	☐	☐	☒	☐
c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	☐	☐	☒	☐
d) Result in inadequate emergency access?	☐	☐	☒	☐

***SUMMARY**:*

a) Would the project conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities? ***(Less Than Significant Impact)***

Policy 4-c of the Growth Management Element of the Contra Costa County General Plan requires a traffic impact analysis of any project that is estimated to generate 100 or more AM or PM peak-hour trips. Based on the Institute of Transportation Engineers (ITE) peak period trip generation rates of 1.0 trip per dwelling unit for single-family residences, the proposed project consisting of the ten-lot subdivision, and the future construction of 10 single-family residence (8 net new units) would generate an additional eight AM and eight PM new peak period trips, and therefore, is not required to have a project-specific traffic impact analysis. Since the project would yield less than 100 peak-hour AM or PM trips, the proposed project would not conflict with the circulation system in the Pleasant Hill area.

The Complete Streets Policy, adopted by the Contra Costa County Board of Supervisors on July 12, 2016, requires Complete Streets infrastructure sufficient to enable reasonably safe travel along and across the right of way for each category of users be incorporated into all planning, funding, design, approval, and implementation processes for any construction, reconstruction, retrofit, maintenance, operations, alteration, or repair of streets (including streets, roads, highways, bridges, and other portions of the transportation system). Projects may seek exemptions from the policy based upon 4 potential exemptions outlined in Section C.1 of the policy. Specifically, this project has sought the exemption provided for in C.1(2): “inclusion of Complete Streets design principles would result in a disproportionate cost to the project.”

The proposed subdivision project includes a new 28-foot wide access road which would permit two 10-foot travel lanes and an 8-foot wide parking on one side of the street. Additionally a 5-foot wide, monolithic, elevated sidewalk would be constructed adjacent to the new road to provide access for pedestrians and persons with disabilities within the project. Along the project frontage, the project will provide a reconstructed asphalt-concrete curb along the edge of pavement of Grayson Road, as well as bicycle lane striping in-lieu of complete frontage improvements.

Improved frontage improvements are defined as curb, gutter pan, and a sidewalk. No complete frontage improvements exist along the southern portion of Grayson Road, from the intersection of Reliez Valley Road to the west and Heritage Hills Drive to the East (that road segment is in is in excess of 2,000 feet in length). Complete frontage improvements would be prohibitively expensive given the length of the project frontage (354 feet), the required grading, tree removal, and utility requirements. In addition, there is no sidewalk along the southern side of Grayson Road to connect with, in 1,000 feet in either direction. The adjacent properties that front along Grayson Road are not expected to develop in the future. Finally, existing Grayson Road has adequate width to support two travel lanes, parking, and a bike lane. Therefore the overall the surrounding circulation system is consistent with the Complete Streets policy and qualifies for an exemption as outlined in Section C.1(2) of the Policy.

Moreover, the Density Bonus law provides for regulatory incentives or concessions that result in identifiable and actual cost reductions to provide for affordable housing costs. (Gov. Code § 65915(d)(1)). The Density Bonus Law puts the burden of rejecting any proposed incentives or concessions on the County and requires the County to grant the concession or incentive requested by the applicant unless the County makes a written finding, based upon substantial evidence, of any of the following:

(A) The concession or incentive does not result in identifiable and actual cost reductions;
(B) The concession or incentive would have a specific, adverse impact upon public health and safety or the physical environment or on any real property that is listed in the California Register of Historical Resources and for which there is no feasible method to satisfactorily mitigate or avoid the specific, adverse impact without rendering the development unaffordable to low-income and moderate-income households;
(C) The concession or incentive would be contrary to state or federal law.

The Density Bonus application submitted to the County has requested that the installation of the complete frontage improvements be omitted in lieu of a reconstructed asphalt-concrete curb along the edge of pavement of Grayson Road along the project frontage as well as bicycle lane striping, as shown on the Tentative Map.

b) Would the project conflict or be inconsistent with CEQA Guidelines Section 15064.3(b)? ***(Less Than Significant Impact)***

The California Environmental Quality Act ("CEQA") Guidelines Section 15064.3(b) establishes criteria for determining the significance of transportation impacts. Vehicle Miles Traveled ("VMT") is the metric for measuring transportation impacts. The County adopted Transportation Analysis Guidelines (2020) providing technical assistance, thresholds of significance and mitigation measures for land development projects. Per County guidelines, projects of 20 residential units or less should be expected to cause a less-than-significant impact under CEQA. The project proposes 10 (eight net) residential units which is under the County guidelines VMT screening criteria threshold. Therefore, the project should be considered to have a less-than-significant impact under CEQA and would not require a VMT analysis.

c) Would the project substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? ***(Less Than Significant Impact)***

According to the project's Civil Engineer, the center line of the proposed project's access road from Grayson Road is located approximately 164 feet to the east of the existing Golf Links Street (located to the north) and 280-feet to the west of the existing Buttner road (located to the north east). Both of these roads are minor roads with low vehicle counts that have no through connections and serve only the single-family homes located directly on them. The proposed new access road is located in excess of 150 feet of either center line of Buttner and Golf Links roads, consistent with ITE (Institute of Transportation Engineers) recommendations for intersection separation on 35 MPH streets, such as Grayson Road. In addition, cars traveling either eastbound or westbound on Grayson road have over 500- feet of sight distance, which is more than adequate to provide for adequate stopping time on the 35 MPH designated Grayson road. Thus, the project would result in a less than significant impact due to design features or incompatible uses.

d) Would the project result in inadequate emergency access? ***(Less Than Significant Impact)***

The project is located in an urban residential neighborhood with available emergency services provided by the County Sheriff's Department and Contra Costa County Fire Protection District. Furthermore, prior to the County review of construction drawings for building permits, the Contra Costa County Fire Protection District would review the construction drawings and ensure that adequate emergency access to buildings on the project site could be provided. Thus, a less than significant impact is expected due to emergency access.

Sources of Information

- Contra Costa County Code, Title 8, Zoning Ordinance.
- Contra Costa County, July 12, 2016. *Complete Streets Policy*

- Contra Costa County, Department of Conservation and Development, Transportation Division, March 26 2021. Comment Letter
- DeBolt Civil Engineering, March 26 2021. *Vesting Tentative Map, SD 20-9531*. (Project Plans)
- DeBolt Civil Engineering, June 8, 2020. Response to Comments Letter to Joseph Lawlor
- Contra Costa County General Plan 2005-2020. *Land Use Element*.
- California Government Code Section 65915

18. ***TRIBAL CULTURAL RESOURCES – Would the project*** *cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:*

Environmental Issues	**Potentially Significant Impact**	**Less Than Significant With Mitigation Incorporated**	**Less Than Significant Impact**	**No Impact**
a) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k)?	☐	☒	☐	☐
b) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1?	☐	☒	☐	☐

SUMMARY*:*

Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:

a) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k)? ***(Less Than Significant Impact With Mitigations)***

As discussed in Sections 5.a through 5.c above, no historical resources are known to exist on the project site. On February 5, 2007, Suzanne Baker of Archaeological/ Historical Consultants conducted an on-foot archaeological reconnaissance of the project area. No prehistoric or historic (over 50 years of age) archaeological sites or materials were found on-site during the course of reconnaissance. Further, according to

the County's Archaeological Sensitivities map, Figure 9-2, of the County General Plan, the subject site is located in an area that is considered "largely urbanized," and is generally not considered to be a location with significant archaeological resources. Given all of these factors, there is little potential for the project to impact tribal cultural resources on the site.

Pertaining to the significance of tribal cultural resources, there are no onsite historical resources, pursuant to Public Resources Code section 5020.1(k) that are included in a local register of historic resources.

Nevertheless, the expected construction and grading could cause ground disturbance which may impact heretofore undocumented cultural resources. Implementation of Mitigation Measures *Cultural Resources 1* and *Cultural Resources 2* would reduce the impact on tribal cultural resources during project related work to a level that would be considered less than significant.

b) *A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1?* ***(Less Than Significant Impact With Mitigations)***

As discussed in Sections 5.a through 5.c above, no historical resources are likely to exist on the project site. Further, according to the County's Archaeological Sensitivities map, Figure 9-2, of the County General Plan, the subject site is located in an area that is considered "largely urbanized," and is not considered to be a location with significant archaeological resources. Thus, there is little potential for the project to impact tribal cultural resources on the site.

It is not likely that the project would cause a substantial adverse change in the significance of a tribal cultural resource that meets the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, for the reasons stated above.

Nevertheless, the expected construction and grading could cause ground disturbance which may impact heretofore undocumented cultural resources. Implementation of Mitigation Measure *Cultural Resources 1* and *Cultural Resources 2* would reduce the impact on tribal cultural resources during project related work to a less than significant level.

Sources of Information

- Contra Costa County General Plan 2005-2020. *Open Space Element*.
- Archaeological Survey and Historic Resources Evaluation Report prepared by Archaeological/Historical Consultants dated February 2007

19. *UTILITIES AND SERVICE SYSTEMS – Would the project:*				
Environmental Issues	**Potentially Significant Impact**	**Less Than Significant With Mitigation Incorporated**	**Less Than Significant Impact**	**No Impact**
a) Require or result in the relocation or construction of new or expanded water, wastewater treatment, or storm water drainage, electric power, natural gas, or telecommunication facilities, the construction or relocation of which could cause significant environmental effects?	☐	☐	☒	☐
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry, and multiple dry years?	☐	☐	☒	☐
c) Result in a determination by the wastewater treatment provider, which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	☐	☐	☒	☐
d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	☐	☐	☒	☐
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	☐	☐	☒	☐

***SUMMARY**:*

a) *Would the project require or result in the relocation or construction of new or expanded water, wastewater treatment, or storm water drainage, electric power, natural gas, or telecommunication facilities, the construction or relocation of which could cause significant environmental effects?* ***(Less Than Significant Impact)***

The project site has been previously developed and is currently connected to wastewater, electric, gas, and telecommunication facilities. Agency comment letter received by Central Contra Costa Sanitary District, East Bay Municipal Utility District (EBMUD), and the County Public Works Department have stated that adequate facilities would be available to accommodate the project. Thus, no significant environmental effects are expected from the construction of new facilities that would be required to provide services to the project.

b) *Would the project have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry, and multiple dry years?* ***(Less Than Significant Impact)***

The project site would receive water service from EBMUD. EBMUD has reviewed the project application documents regarding the provision of new water service pursuant to EBMUD water service regulations and stated that adequate water service is available. Accordingly, the impact of providing water service to the proposed project would be less than significant.

c) *Would the project result in a determination by the wastewater treatment provider, which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?* ***(Less Than Significant Impact)***

The project site is already serviced by Central Contra Costa Sanitary District. The district has provided comments stating that the project's addition of eight (net) new single family homes would not be expected to produce an unmanageable added capacity demand on the wastewater system. As proposed, the project would not result in the construction of new water or wastewater treatment facilities or the expansion of existing facilities.

d) *Would the project generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?* ***(Less Than Significant Impact)***

The proposed project would generate construction solid waste and post-construction operational solid waste. Construction waste would be hauled to one of the recycling centers and/or transfer stations located in the area. The recycling center and/or transfer station would sort through the material and pull out recyclable materials. Future construction of the proposed project would incrementally add to the construction waste headed to a landfill; however, the impact of the project-related incremental increase would be considered to be less than significant. Furthermore, construction on the project site would be subject to the CalGreen Construction and Demolition Debris Recovery Program administered by the CDD at the time of application for a building permit. The Debris Recovery Program would reduce the construction debris headed to the landfill by diverting materials that could be recycled to appropriate recycling facilities.

With respect to residential waste, the receiving landfill for operational waste is Keller Canyon, located at 901 Bailey Road in Bay Point. Keller Canyon is estimated to be at 15 percent of capacity. Residential waste from, the expected one new dwelling unit would incrementally add to the operational waste headed to the landfill; however, the impact of the project-related residential waste is considered to be less than significant. As is the case with construction debris, a portion of the residential waste is expected to be recycled, and would thereby reduce the residential waste headed to the landfill.

e) *Would the project comply with federal, state, and local management and reduction statutes and regulations related to solid waste?* ***(Less Than Significant Impact)***

The proposed project would be required to comply with applicable federal, state, and local laws related to solid waste. The project includes residential land uses that would not result in the generation of unique types of solid waste that would conflict with existing regulations applicable to solid waste.

Sources of Information

- Contra Costa County General Plan 2005-2020. Public Facilities Element
- East Bay Municipal Utility District, February 10, 2020. Comment Letter
- Central Contra Costa Sanitary District February 6, 2020. Comment Letter
- First Carbon Solutions. *2023. Grayson Road Residential Project, Initial Study/Mitigated Negative Declaration, Contra Costa County, California*

20. ***WILDFIRE –*** *If located in or near state responsibility areas or lands classified as very high fire hazard severity zones,* ***would the project:***				
Environmental Issues	**Potentially Significant Impact**	**Less Than Significant With Mitigation Incorporated**	**Less Than Significant Impact**	**No Impact**
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?	☐	☐	☒	☐
b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby, expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	☐	☐	☒	☐
c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	☐	☐	☒	☐
d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	☐	☐	☒	☐

SUMMARY*:*

If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:

a) Substantially impair an adopted emergency response plan or emergency evacuation plan? ***(Less than Significant)***

As discussed in section 9.g above, the project site is in a developed area within the urbanized community of Contra Costa County, which is designated as an "urban unzoned" area by the California Department of Forestry and Fire Protection. Additionally, the Department of Forestry and Fire Protection's Very High Fire Hazard Severity Zone Map characterizes this area as a Non-Very High Fire Hazard Severity Zone area. However, newly published draft maps identify the area as located in a High Fire Hazard Severity Zone.

As indicated in the Public Services Section above, the proposed project would be adequately served by police and fire services. Additionally, the proposed project would comply with County General Plan Policy 7-64, which requires new development to pay fair share costs for new fire protection facilities and services. Measure 7-au also provides fire protection agencies the opportunity to review projects and submit conditions of approval for consideration to determine whether road widths, road grades and turnaround radii are adequate for emergency equipment, among other

considerations. For these reasons, the proposed project would have a less than significant impact related to emergency response or emergency evacuation.

b) *Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby, expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?* ***(Less than Significant)***

As detailed previously, the project site is likely to be located within an High Fire Hazard Severity Zone. The General Plan identifies the project site as being in an area with slopes of less than 26 percent degrees. Project site elevations range from approximately Elevation 165 feet in the northeast corner of the site up to approximately Elevation 187 feet along the northwest boundary, sloping toward the east and south. Furthermore, the BAAQMD monitoring stations provide wind speed data from several monitoring stations in the eastern zone of the San Francisco Bay Area. The station nearest the project site is located in Concord, CA approximately 2.88 miles northeast of the project site. The average monthly wind speed recorded at this monitoring location in 2020 ranged from 7 mph to 16 mph. Therefore, the project site would not be exposed to high winds which could exacerbate wildfire risks.

Furthermore, the proposed project is surrounded by existing roads and residential development which would reduce risks associated with wildfire. The proposed project would also be required to adhere to all applicable requirements and regulations related to fire safety, including the California Fire Code and CBC. The proposed project would also be subject to the CCCFPD Ordinance, which would include design standards and management regulations, such as weed abatement and brush clearance regulations, subject to review by the CCCFPD Engineering Unit. Furthermore, General Plan Measure 7-au, as discussed above, would allow fire protection agencies to review the proposed project and submit conditions of approval for consideration to determine whether the proposed structures are built in compliance with the standards of the Uniform Building Code, the Uniform Fire Code, other State regulations, and local ordinances regarding the use of fire-retardant materials and detection, warning and extinguishment devices. With compliance to these aforementioned standards and regulations, the proposed project would have a less than significant impact in relation to the exposure of project occupants to pollutant concentrations from a wildfire or uncontrolled spread of wildfire.

c) *Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?* ***(Less than Significant)***

The proposed project would include the development of a new private road which would provide access to the project site from Grayson Road. As previously discussed, this new road would be approximately 28 feet wide with an 8-foot parking lane on one side and a 5-foot sidewalk along the northwest side and would comply with CCCFPD standards.

Electric and natural gas utilities would be provided by PG&E and new connections to the project site would be undergrounded, minimizing potential impacts to fire risk. In addition, the proposed project would follow standards and regulations published in the CCCFPD Ordinance Code, California Fire Code, CBC, and County General Plan, as discussed above. This would remove the need for the installation or maintenance of infrastructure that may exacerbate fire risk or result in impacts to the environment. Therefore, the proposed project would have a less than significant impact.

d) *Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?* ***(Less than Significant)***

The General Plan identifies the project site as being in an area with slopes of less than 26 percent degrees. As noted above, the project site elevations range from approximately Elevation 165 feet in the northeast corner of the site up to approximately Elevation 187 feet along the northwest boundary, sloping toward the east and south. Grayson Creek, which runs through portions of the project site, is in FEMA Flood Zone A, meaning it is an area subject to inundation by a 1 percent annual-chance flood event. However, the proposed project would utilize a bioretention basin with capacity beyond what is required, as well as the existing 24-inch pipe in Grayson Road to treat flood waters such that the project site would not be subject to downslope or downstream flooding.

In addition, according to the Geologic Peer Review, the nearest landslide that has occurred near the project side is approximately 500 feet south of the project site, and another landslide is mapped 600 feet south of the project site. Because of the distance of the site from mapped landslides, and the moderate slope gradients on the site, the risk of landslides impacts the project site do not appear to present a potential hazard. Landslide risks would have a less than significant impact. Therefore, impacts related downslope flooding or landslides would be less than significant.

Sources of Information

- California Department of Forestry and Fire Protection (CalFire). 2018. *Very High Fire Hazard Severity Zones in LRA Map.*
- First Carbon Solutions. *2023. Grayson Road Residential Project, Initial Study/Mitigated Negative Declaration, Contra Costa County, California*

21. *MANDATORY FINDINGS OF SIGNIFICANCE*				
Environmental Issues	**Potentially Significant Impact**	**Less Than Significant With Mitigation Incorporated**	**Less Than Significant Impact**	**No Impact**
a) Does the project have the potential to substantially 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, substantially 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?	☐	☒	☐	☐
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.)	☐	☐	☒	☐
c) Does the project have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly?	☐	☐	☒	☐

***SUMMARY**:*

a) *Does the project have the potential to substantially 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, substantially 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?*

As discussed in individual sections of this Initial Study, the project proposes to create ten lots on the existing two-parcel on the project site and to construction 10 (eight net) new single family homes. Thus, the project may impact the quality of the environment (Air Quality, Biological Resources, Cultural Resources, Geological Resources, and Tribal Cultural Resources) but the impact would be reduced to a less than significant level with the adoption of the recommended Mitigation Measures that are specified in the respective sections of this Initial Study. The project is not expected to threaten any wildlife population, impact endangered plants or animals, or affect state cultural resources with the already identified Mitigation Measures.

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.)*

The proposed project would not create substantial cumulative impacts. The project site is located within the Urban Limit Line in an area that has been designated for single-family residential development. The proposed project would be consistent with the existing surrounding single-family residential development.

c) *Does the project have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly?*

This Initial Study has disclosed impacts that would be less than significant with the implementation of Mitigation Measures. All identified Mitigation Measures would be included in the conditions of approval for the proposed project, and the applicant would be responsible for implementation of the measures. As a result, there would not be any environmental effects that would cause substantial adverse effects on human beings, either directly or indirectly.

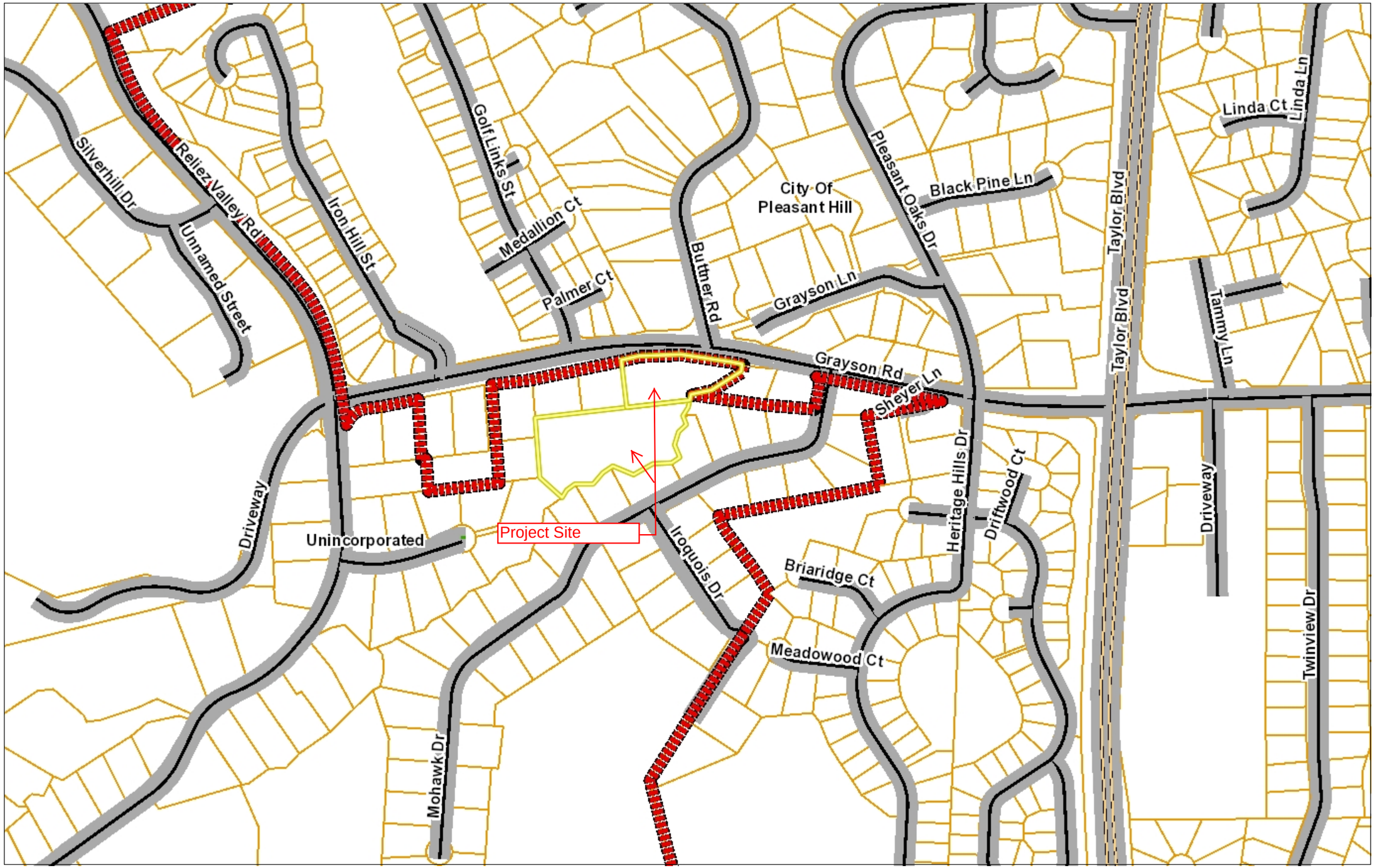
REFERENCES

References used in the process of preparing the Initial Study Checklist and conduction of the evaluation are available for review at the Contra Costa County Department of Conservation and Development, 30 Muir Rd., Martinez, CA 94553.

ATTACHMENTS

1. **Vicinity Map**
2. **Site Plan**
3. **MMRP**

Vicinity Map



Legend

- City Limits
- Unincorporated
- Highways
- Highways Bay Area
- Streets
- Maintained Roads
- Water Bodies
- County Boundary
- Bay Area Counties
- Assessment Parcels

1: 4,514

0.1 0 0.07 0.1 Miles

WGS_1984_Web_Mercator_Auxiliary_Sphere

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.
THIS MAP IS NOT TO BE USED FOR NAVIGATION

Notes

Contra Costa County -DOIT GIS

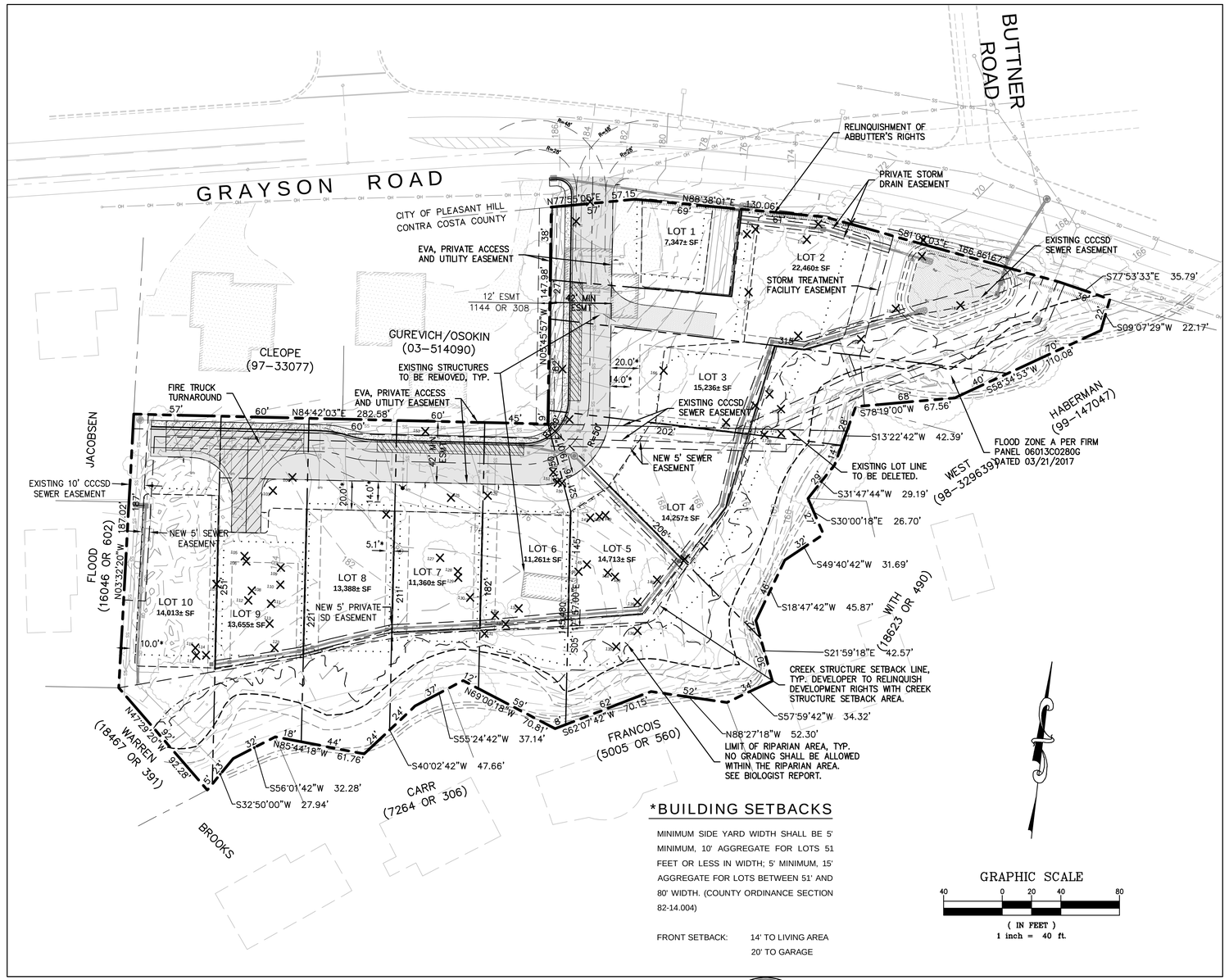
VESTING TENTATIVE MAP
SUBDIVISION SD20-9531
1024 & 1026 GRAYSON ROAD

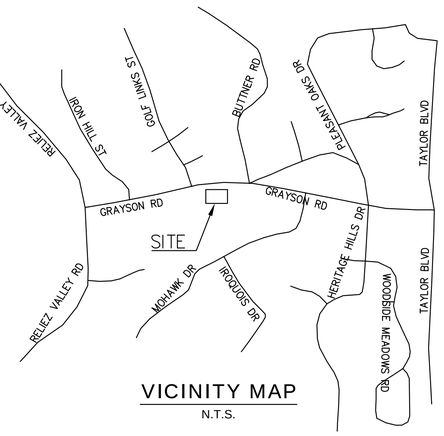
CITY OF PLEASANT HILL, CONTRA COSTA COUNTY, CALIFORNIA

TOTAL UNITS: 10 RESIDENTIAL

LEGEND:

BLDG	BUILDING
CONC	CONCRETE
(E)/EX	EXISTING
ESMT	EASEMENT
FNC	FENCE
INV.	INVERT
P.U.E	PRIVATE UTILITY EASEMENT
REBAR.	REBAR
( )	RECORD DATA
R/W	RIGHT OF WAY
SSCO	SANITARY SEWER CLEANOUT
SSMH	SANITARY SEWER MANHOLE
SDDI	STORM DRAIN DRAIN INLET
(T)	TOTAL
WM	WATER METER
WV	WATER VALVE
Ⓢ	SANITARY SEWER MANHOLE
WV	WATER VALVE
○	FOUND MONUMENT AS NOTED
◉	STANDARD STREET MONUMENT
— — — —	EASEMENT LINE
———	ADJACENT PROPERTY LINE
▬ ▬ ▬	BOUNDARY LINE
- - - - -	TIE LINE
—— – ——	CENTERLINE
—— W ——	EXISTING WATER LINE
—— EX SD ——	EXISTING STORM DRAIN PIPE
—— OE ——	EXISTING ELECTRIC CABLE
—— (E)SS ——	EXISTING SANITARY SEWER LINE
	EXISTING EDGE OF PAVEMENT
	EXISTING BUILDING
	EXISTING BRICK PATH
	EXISTING CONCRETE
	EXISTING AC PAVEMENT
	EXISTING TREE





VICINITY MAP

N.T.S.

PROJECT SUMMARY

PROPERTY ADDRESS:	1024 & 1026 GRAYSON ROAD PLEASANT HILL, CA 94523
PROPERTY OWNER:	ANDY BYDE CALIBR VENTURES 925-683-5493
SUBDIVIDER:	ANDY BYDE CALIBR VENTURES 925-683-5493
CIVIL ENGINEER:	DEBOLT CIVIL ENGINEERING 811 SAN RAMON VALLEY BLVD DANVILLE, CA 94526 (925) 837-3780
SURVEYOR:	DEBOLT CIVIL ENGINEERING 811 SAN RAMON VALLEY BLVD DANVILLE, CA 94526 (925) 837-3780
ASSESSOR'S PARCEL NO:	166-030-001 & 002
TOTAL AREA:	3.05± AC GROSS (2.76± AC NET)
EXISTING ZONING:	R-15
PROPOSED ZONING:	PLANNED DEVELOPMENT
EXISTING LAND USE:	SINGLE-FAMILY RESIDENTIAL
PROPOSED LAND USE:	SINGLE-FAMILY RESIDENTIAL
UTILITIES:	
WATER SUPPLY:	CONTRA COSTA WATER DISTRICT
FIRE PROTECTION:	CONTRA COSTA COUNTY FPD
SEWAGE DISPOSAL:	CENTRAL CONTRA COSTA SANITARY DISTRICT
STORM DRAIN:	CITY OF PLEASANT HILL
GAS & ELECTRIC:	PACIFIC GAS & ELECTRIC
TELEPHONE:	AT&T
CABLE TELEVISION:	COMCAST

SHEET INDEX

NUMBER	DESCRIPTION
1	TENTATIVE PARCEL MAP
2	PRELIMINARY GRADING, DRIANAGE AND UTILITY PLAN
3	HYDROLOGY AND STORM WATER CONTROL PLAN
4	CREEK STRUCTURE SETBACK EXHIBIT
5	TREE INVENTORY SHEET
6	TREE INVENTORY SHEET
7	CONCEPTUAL BUILDING LAYOUT

EXISTING UTILITY NOTE:

THE UTILITY LINES SHOWN ON THIS DRAWING ARE DERIVED FROM SURFACE OBSERVATION AND ARE APPROXIMATE ONLY. ACTUAL LOCATION AND SIZE, TOGETHER WITH PRESENCE OF ANY ADDITIONAL UTILITY LINES NOT SHOWN ON THIS DRAWING SHALL BE VERIFIED IN THE FIELD BY THE CONTRACTOR PRIOR TO ANY EXCAVATION.

FLOOD ZONE

ZONE A: SPECIAL FLOOD AREA WITHOUT BASE FLOOD. ELEVATION (BFE)

ZONE X: AREAS OF 0.2% CHANCE FLOOD; AREAS OF 1% ANNUAL CHANCE FLOOD WITH AVERAGE DEPTHS OF LESS THAN 1 FOOT OR WITH DRAINAGE AREAS LESS THAN 1 SQUARE MILE; AND AREAS PROTECTED BY LEVEES FROM 1% CHANCE FLOOD. FLOOD INSURANCE RATE MAP PANEL NUMBER 06013C0280G, DATED 03/21/2017.

*BUILDING SETBACKS

MINIMUM SIDE YARD WIDTH SHALL BE 5' MINIMUM, 10' AGGREGATE FOR LOTS 51 FEET OR LESS IN WIDTH; 5' MINIMUM, 15' AGGREGATE FOR LOTS BETWEEN 51' AND 80' WIDTH. (COUNTY ORDINANCE SECTION 82-14.004)

FRONT SETBACK: 14' TO LIVING AREA
20' TO GARAGE

GRAPHIC SCALE

40 0 20 40 80

(IN FEET)
1 inch = 40 ft.

ENGINEER'S STATEMENT

CIVIL ENGINEERING WORK ON THIS TENTATIVE PARCEL MAP HAS BEEN PREPARED BY ME OR UNDER MY DIRECTION IN ACCORDANCE WITH STANDARD CIVIL ENGINEERING PRACTICE.

01/28/22

EASTON C. MCALLISTER, PE — DATE
P.E. #61148 EXP 12/31/20

ALL PLANS ARE PRELIMINARY AND NOT FOR CONSTRUCTION UNLESS SIGNED AND STAMPED BY THE ENGINEER AND REVIEWING AGENCY

VESTING TENTATIVE MAP

1024 & 1026 GRAYSON ROAD
SUBDIVISION SD20-9531
VICINITY OF PLEASANT HILL CONTRA COSTA COUNTY CALIFORNIA

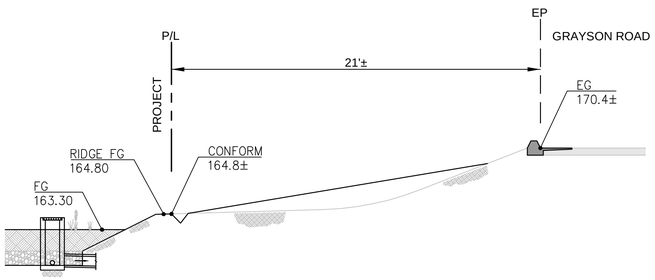
REGISTERED PROFESSIONAL ENGINEER — EASTON C. MCALLISTER — No. 61148 — EXP. 12/31/22 — CIVIL — STATE OF CALIFORNIA

EASTON C McALLISTER - PE 61148 / PLS 9583
RENEWAL DATE: 12/31/22 (PE) 03/31/23 (PLS)

#	REVISIONS	DATE

DEBOLT CIVIL ENGINEERING
45+ YEARS
811 SAN RAMON VALLEY BLVD #201
DANVILLE, CALIFORNIA 94526
(925) 837-3780 | DEBOLTCIVIL.COM

Date: 01/28/22
Scale: 1" = 40'
By: EM/mm
Job No.: 19300



B
-

GRAYSON ROAD FRONTAGE

SCALE: 1"=5'

* TRASH CAPTURE DEVICE:

TRASH CAPTURE DEVICE TO BE INSTALLED IN ALL SITE INLETS (EXCLUDES C.3 TREATMENT POND OUTLET STRUCTURE.

GRAYSON ROAD

CONNECT TO PUBLIC WATER SERVICE

MATCH EX 186.6±

MATCH EX 181.6±

TC 183.22
FL 183.31

TW 188.00
BW 187.00

EP 183.50

N88°38'05"E 130.06'

58 LF 12" SD, S=0.010

TW 175.50
BW 174.99
FL 171.51

SDCB
RIM 171.51
INV 164.44 (12" OUT)

TW 172.00
BW 170.00

FL 168.86

FL 165.48

SDCB
RIM 169.74
INV 163.86 (12" IN)
INV 163.66 (12" OUT)

71 LF 12" SD, S=0.005

SDCB
RIM 168.73
INV 160.00 (18" IN)
INV 159.6±(THRU)

SDCB
RIM 163.47
INV 160.24 (18" IN)
INV 160.24 (18" OUT)

17 LF 18" RCP, S=0.005

SDCB
RIM 164.30
INV 158.92 (12" IN)
INV 160.33 (18" OUT)

S81°39'03"E 166.86'

68 LF 18" RCP, S=0.005

OUTFALL
INV 163.30 (12")

8 LF 12" SD, S=0.010

BIO 163.30

OUTFALL
INV 163.30 (18")

SDCB
RIM 164.30
INV 159.00 (12" OUT)

81 LF 18" SD, S=0.005

22 LF 18" SD, S=0.005

TW 170.00
BW 165.40

2.5' MIN. WIDTH
RIDGE. FG 164.80

TW 170.00
BW 166.20

315'

TW 170.00
BW 166.00

8 LF 18" SD, S=0.005

S58°54'53"W 110.08'

68'

S78°19'00"W 67.56'

LOT 1
PAD 181.0

LOT 2
PAD 170.0

LOT 3
PAD 170.0

LOT 4
PAD 170.5

LOT 5
PAD 173.5

LOT 6
PAD 173.5

LOT 7
PAD 176.5

LOT 8
PAD 178.0

LOT 9
PAD 181.0

LOT 10
PAD 184.0

TW 188.00
BW 186.37

FG 180.62

TW 181.50
BW 178.00

FG 176.96

FG 170.00

FG 177.16

TW 181.50
BW 177.85

TC 171.25
FL 170.75

TW 174.50
BW 171.41

TW 174.50
BW 174.08

TC 170.30
FL 169.80

EP 171.03

SDCB
RIM 169.83
INV 167.05 (12" OUT)

TC 179.36
FL 178.86

TC 178.39
FL 177.89

TC 176.82
FL 176.32

TC 187.50
FL 187.00

N84°42'03"E 282.58'

SDCB
RIM 169.74
INV 163.95 (18" IN)
INV 163.81 (18" OUT)

SDCB
RIM 169.74
INV 164.20 (18" IN)
INV 163.99 (18" OUT)

SDCB
RIM 170.00
INV 164.50 (18" IN)
INV 164.48 (18" OUT)

TW 170.00
BW 165.08

TW 170.00
BW 163.50

56 LF 18" SD, S=0.005

TW 170.50
BW 163.52

S13°22'42"W 42.39'

SDMH
RIM:170.68
INV 166.68 (12" IN)
INV 166.68 (12" OUT)

37 LF 12" SD, S=0.010

EP 170.43

101 LF 12" SD, S=0.010

TW 170.50
BW 165.05

53 LF 18" SD, S=0.005

S31°47'44"W 29.19'

SDCB
RIM 170.25
INV 164.95 (18" IN)
INV 164.77 (18" OUT)

S30°00'18"E 26.70'

43 LF 18" SD, S=0.005

SDCB
RIM 170.25
INV 165.36 (18" IN)
INV 165.17 (18" OUT)

S49°40'42"W 31.69'

5 LF 18" SD, S=0.010

SDCB
RIM 173.25
INV 165.67 (12" IN)
INV 165.60 (12" IN)
INV 165.41 (18" OUT)

SDCB
RIM 173.25
INV 166.92 (12" IN)
INV 166.72 (12" OUT)

TW 176.50
BW 173.50

TW 174.00
BW 173.50

42 LF 12" SD, S=0.010

SDCB
RIM 173.25
INV 166.20 (12" IN)
INV 166.02 (12" OUT)

TW 178.00
BW 176.50

13 LF 12" SD, S=0.010

47 LF 12" SD, S=0.010

TW 180.00
BW 176.50

49 LF 12" SD, S=0.010

52 LF 12" SD, S=0.010

SDCB
RIM 176.25
INV 168.57 (12" IN)
INV 168.37 (12" OUT)

SDCB
RIM 173.25
INV 167.60 (12" IN)
INV 167.41 (12" OUT)

12 LF 12" SD, S=0.010

SDCB
RIM 176.25
INV 167.90 (12" IN)
INV 167.72 (12" OUT)

SDCB
RIM 177.75
INV 168.80 (12" IN)
INV 168.70 (12" OUT)

SDCB
RIM 177.75
INV 169.50 (12" IN)
INV 169.32 (12" OUT)

9 LF 12" SD, S=0.010

TW 178.00
BW 178.33

TW 181.50
BW 180.67

48 LF 12" SD, S=0.010

12 LF 12" SD, S=0.010

52 LF 12" SD, S=0.010

SDCB
RIM 180.75
INV 169.80 (12" IN)
INV 169.59 (12" OUT)

SDCB
RIM 183.74
INV 181.00 (12" OUT)

SDCB
RIM 183.74
INV 170.62 (12" OUT)

SDCB
RIM 180.75
INV 170.50 (12" IN)
INV 170.28 (12" OUT)

99 LF 12" SD, S=0.010

N03°32'20"W 187.02'

N47°29'20"W 92.92'

N85°44'18"W 61.76'

S55°24'42"W 37.14'

N69°00'18"W 70.81'

S62°07'42"W 70.15'

N88°27'18"W 52.30'

EP 182.18

EP 181.76

EP 181.00

EP 181.00

RIDGE

INV 179.79 (12" IN)

12' ESMT

1144 OR 308

OITY OF PLEASANT HILL
CONTRA COSTA COUNTY

N05°46'57"W 147.98'

A
-

GRAPHIC SCALE

20 0 10 20 40

(IN FEET)
1 inch = 20 ft.

WIDTH VARIES AT BEND IN ACCESS DRIVE

P/L

ESMT

ESMT

42' MINIMUM

NEIGHBOR

9.5'	4.5'	8'	10'	10'
LANDSCAPE	SIDEWALK	PARKING	TRAVEL	TRAVEL

20' WIDE FIRE LANE

A
-

ACCESS DRIVE TYPICAL SECTION

SCALE: 1"=5'

ALL PLANS ARE PRELIMINARY AND NOT FOR CONSTRUCTION UNLESS SIGNED AND STAMPED BY THE ENGINEER AND REVIEWING AGENCY.

PRELIMINARY GRADING, DRAINAGE AND UTILITY PLAN

1024 & 1026 GRAYSON ROAD
SUBDIVISION SD20-9531

VICINITY OF PLEASANT HILL CONTRA COSTA COUNTY CALIFORNIA

REGISTERED PROFESSIONAL ENGINEER
EASTON C. McALLISTER
No. 61148
EXP. 12/31/22
STATE OF CALIFORNIA
CIVIL

EASTON C McALLISTER - PE 61148 / PLS 9583
RENEWAL DATE: 12/31/22 (PE) 03/31/23 (PLS)

#	REVISIONS	DATE

DEBOLT CIVIL ENGINEERING
45+ YEARS
811 SAN RAMON VALLEY BLVD #201
DANVILLE, CALIFORNIA 94526
(925) 837-3780 | DEBOLTCIVIL.COM

Date: 01/28/22
Scale: 1" = 20'
By: EM/mm
Job No.: 19300

VTM-2

Project Name: Grayson Road
Project Type: Treatment Only
APN:
Drainage Area: 137,690
Mean Annual Precipitation: 20.0

Self-Treating DMAs

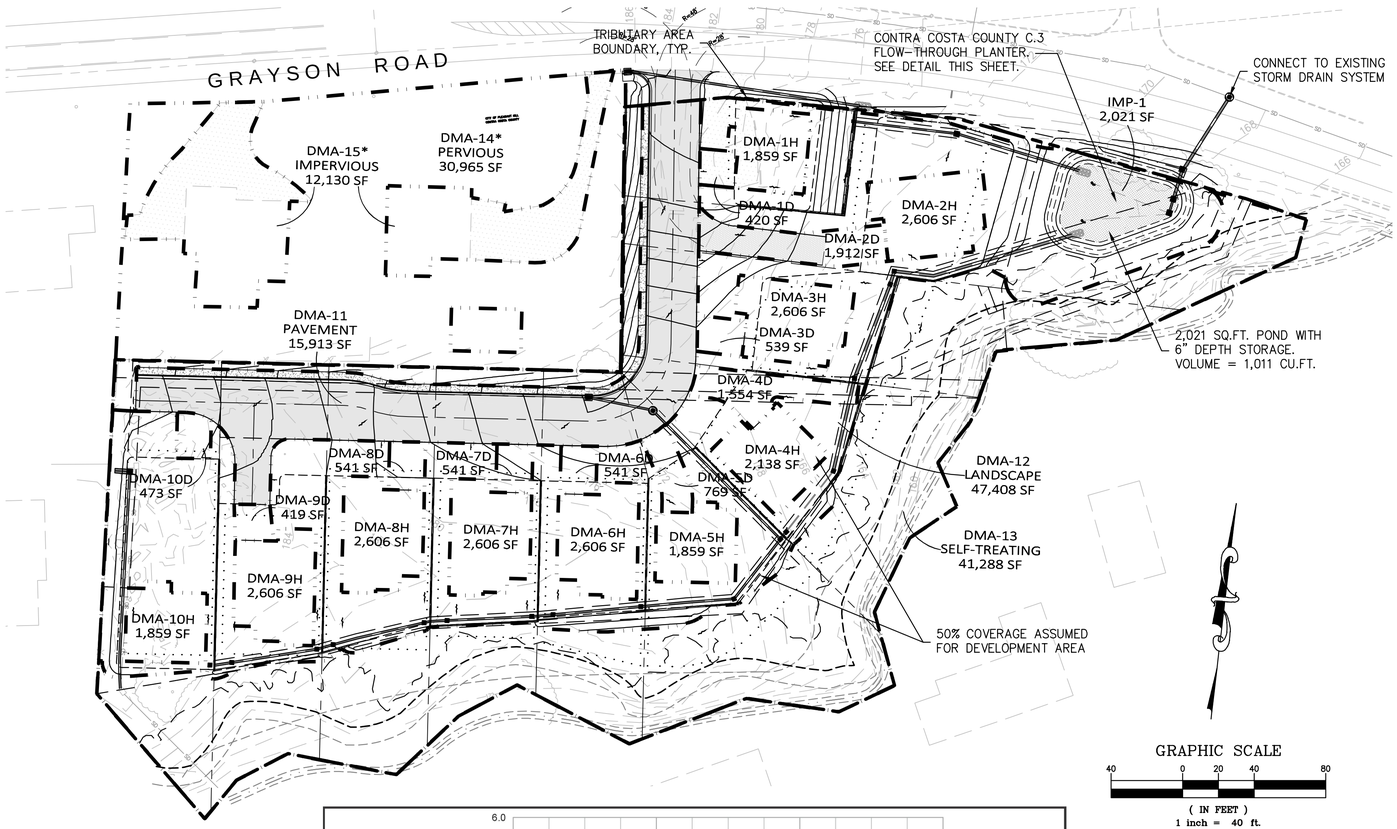
DMA Name	Area (sq ft)
DMA-13	41,288.0

IV. Areas Draining to IMPs

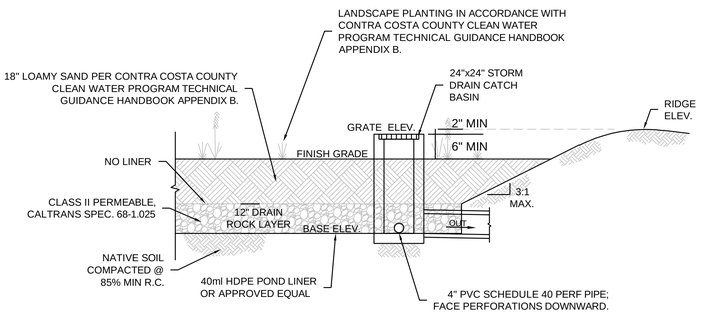
IMP Name: IMP1
IMP Type: Flow-Through Planter
Soil Group: IMP1

DMA Name	Area (sq ft)	Post Project Surface Type	DMA Runoff Factor	DMA Area x Runoff Factor	IMP Sizing			
					IMP Sizing Factor	Rain Adjustment Factor	Minimum Area or Volume	Proposed Area or Volume
DMA-1D	420	Pervious Concrete	0.10	42				
DMA-1H	1,859	Conventional Roof	1.00	1,859				
DMA-2D	1,912	Pervious Concrete	0.10	191				
DMA-2H	2,606	Conventional Roof	1.00	2,606				
DMA-3D	539	Pervious Concrete	0.10	54				
DMA-3H	2,606	Conventional Roof	1.00	2,606				
DMA-4D	1,554	Pervious Concrete	0.10	155				
DMA-4H	2,138	Conventional Roof	1.00	2,138				
DMA-5D	769	Pervious Concrete	0.10	77				
DMA-5H	1,859	Conventional Roof	1.00	1,859				
DMA-6D	541	Pervious Concrete	0.10	54				
DMA-6H	2,606	Conventional Roof	1.00	2,606				
DMA-7D	541	Pervious Concrete	0.10	54				
DMA-7H	2,606	Conventional Roof	1.00	2,606				
DMA-8D	541	Pervious Concrete	0.10	54				
DMA-8H	2,606	Conventional Roof	1.00	2,606				
DMA-9D	419	Pervious Concrete	0.10	42				
DMA-9H	2,606	Conventional Roof	1.00	2,606				
DMA-10D	473	Pervious Concrete	0.10	47				
DMA-10H	1,859	Conventional Roof	1.00	1,859				
DMA-11	15,913	Concrete or Asphalt	1.00	15,913				
DMA-12	47,408	Landscape	0.10	4,741				
			Total	44,776				
				Area	0.040	1.000	1,791	2,021

Report generated on 1/25/2022 12:00:00 AM by the Contra Costa Clean Water Program IMP Sizing Tool software (version 1.3.1.0).

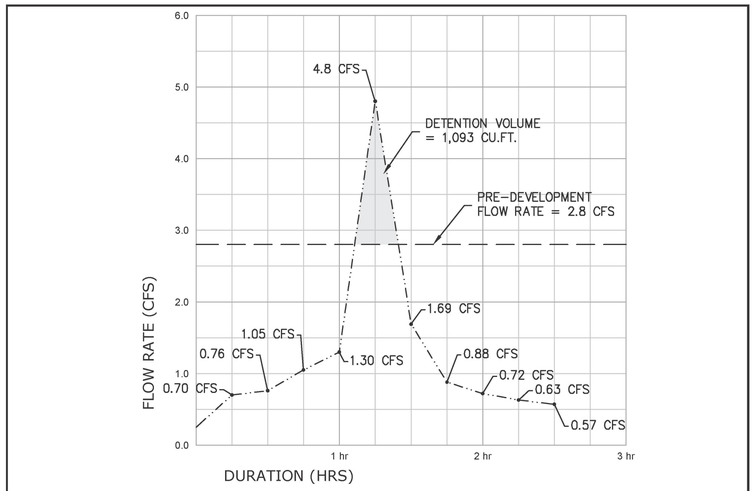


C.3 TREATMENT SIZING CALCULATIONS



NOTE:
REFER TO CONTRA COSTA COUNTY CLEAN WATER PROGRAM TECHNICAL GUIDANCE HANDBOOK CHAPTER 4 FOR ADDITIONAL INFORMATION ON FLOW-THROUGH PLANTERS.

1 / - C.3 FLOW-THROUGH PLANTER
N.T.S.



DEBOLT CIVIL ENGINEERING
45+ YEARS
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DANVILLE, CALIFORNIA 94526
(925) 837-3780 | DEBOLTCIVIL.COM

GRAYSON ROAD (SD 20-9531)
HYDROLOGY STUDY
DETENTION SIZING HYDROGRAPH

Job No.: 19300 Date: 08/10/20 Sheet: 1 of 1

DETENTION SIZING CALCULATIONS

ALL PLANS ARE PRELIMINARY AND NOT FOR CONSTRUCTION UNLESS SIGNED AND STAMPED BY THE ENGINEER AND REVIEWING AGENCY.

HYDROLOGY AND STORM WATER CONTROL PLAN

1024 & 1026 GRAYSON ROAD
SUBDIVISION SD20-9531

VICINITY OF PLEASANT HILL CONTRA COSTA COUNTY CALIFORNIA

REGISTERED PROFESSIONAL ENGINEER EASTON C. McALLISTER No. 61148 EXP. 12/31/22 CIVIL STATE OF CALIFORNIA

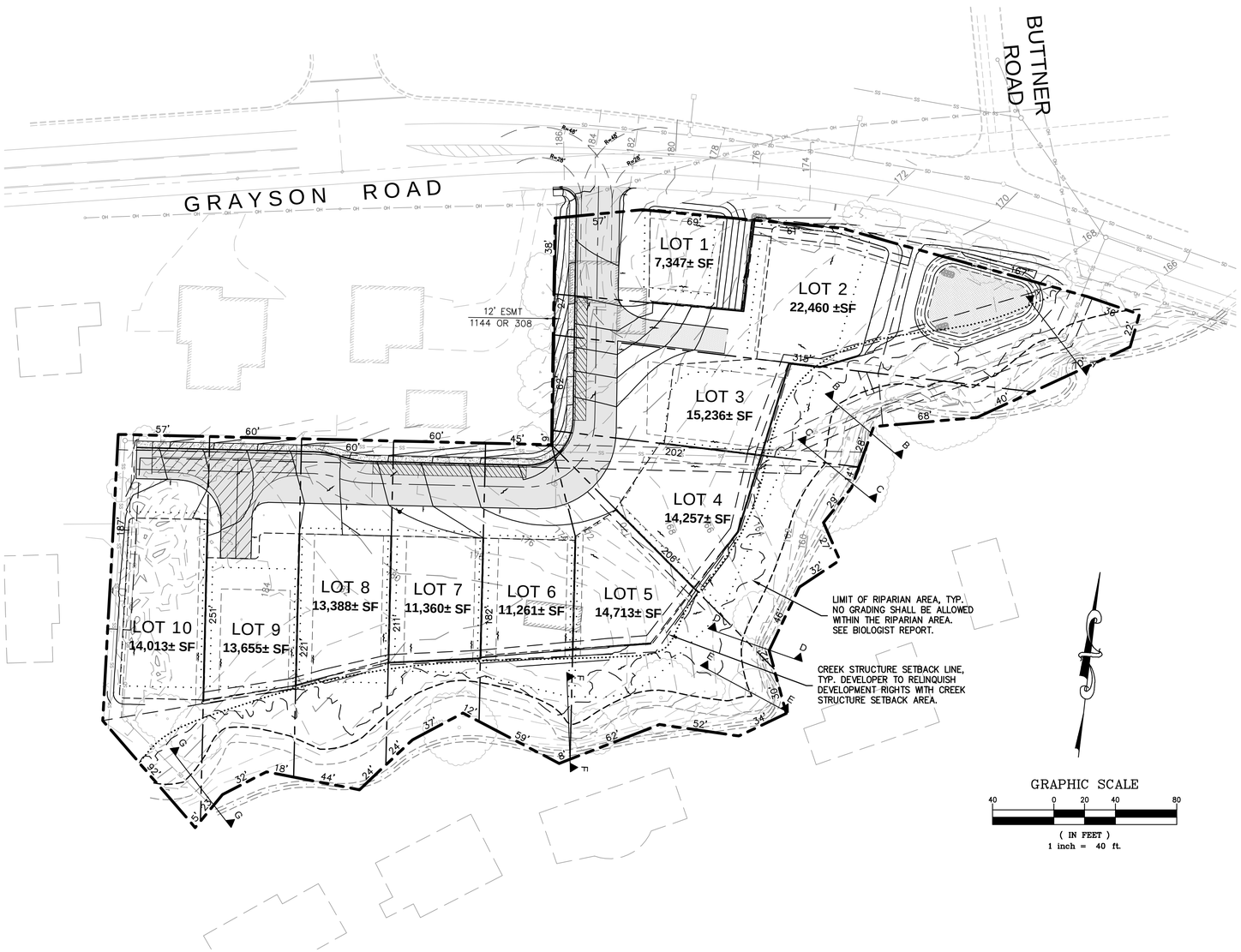
EASTON C McALLISTER - PE 61148 / PLS 9583
RENEWAL DATE: 12/31/22 (PE) 03/31/23 (PLS)

#	REVISIONS	DATE

DEBOLT CIVIL ENGINEERING
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Date: 01/28/22
Scale: 1" = 40'
By: EM/mm
Job No.: 19300

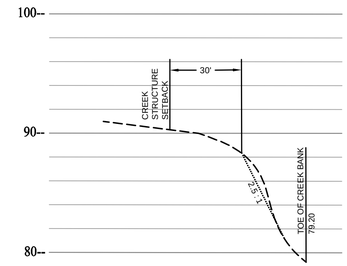
VTM-3



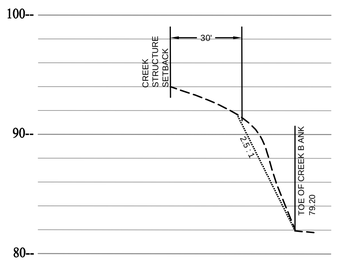
GRAPHIC SCALE

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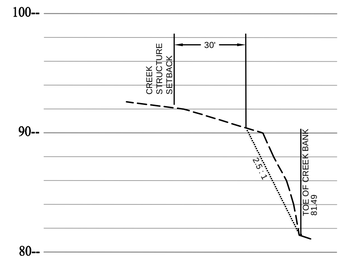
(IN FEET)
1 inch = 40 ft.



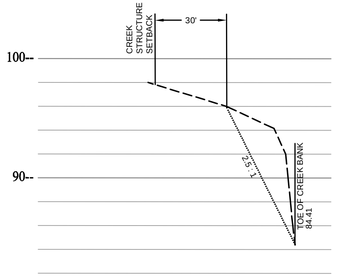
SECTION A-A



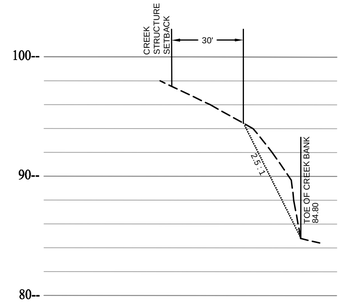
SECTION B-B



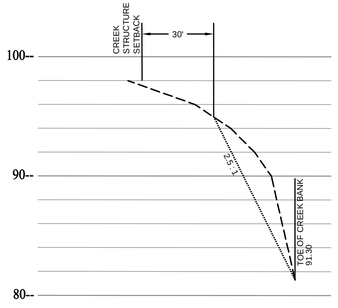
SECTION C-C



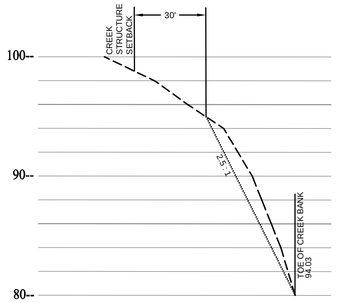
SECTION D-D



SECTION E-E



SECTION F-F



SECTION G-G

ALL PLANS ARE PRELIMINARY AND NOT FOR CONSTRUCTION UNLESS SIGNED AND STAMPED BY THE ENGINEER AND REVIEWING AGENCY.

CREEK STRUCTURE SETBACK EXHIBIT

1024 & 1026 GRAYSON ROAD
SUBDIVISION SD20-9531

VICINITY OF PLEASANT HILL CONTRA COSTA COUNTY

REGISTERED PROFESSIONAL ENGINEER
EASTON C. McALLISTER
No. 61148
EXP. 12/31/22
CIVIL
STATE OF CALIFORNIA
CALIFORNIA

EASTON C McALLISTER - PE 61148 / PLS 9583
RENEWAL DATE: 12/31/22 (PE) 03/31/23 (PLS)

#	REVISIONS	DATE

DEBOLT CIVIL ENGINEERING
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(925) 837-3780 | DEBOLTCIVIL.COM

Date: 01/28/22
Scale: 1" = 40'
By: EM/mm
Job No.: 19300

#	Species	DBH	Health	Structure	Dripline N	E	S	W	Age	DE	CI	Comments	Action
101	Coast live oak											This tree no longer exists. Old report stated it as a 9" tree. No evidence of a stump was found.	N/A
102	Valley oak	16	G-F	G	20	25	20	20	Y	X	M	Epicormic sprouts along scaffold branches. Within west p/l set back, some grading will likely occur within dripline.	Save Set protection fencing at dripline (d/l), and have arborist on site for any d/l encroachment.
103	Fruiting pear	10, 5, 5, 4, 4	P	P	10	0	10	10	OM	X	H	Declining tree. In proposed driveway	Remove
104	Valley oak	18, 19, 20, 12	G	G	30	30	30	30	M	X	H	Co-dominant stems at 3'. In proposed driveway.	Remove
105	Coast live oak	11, 7, 6	F-P	F	15	15	10	0	M	X	H	Co-dominant stems. Understory tree. Within building footprint.	Remove
106	Valley oak	11, 12	G	F	25NW-W				M	X	H	Co-dominant stems. Within building footprint.	Remove
107	Valley oak	4, 3, 12, 11, 5, 7, 5	G	F	25	0	18	25	M	X	H	Basal shoot from old stump. In proposed driveway. Within building footprint.	Remove
107 B	Coast live oak	11, 5, 8	F	P	15	0	0	25	M	X	H	Growing out from base of #107. Co-dominant trunks. Within building footprint.	Remove
108	Coast live oak	17	F	F	25NW-W				M	X	H	Curved trunk. Within building footprint.	Remove
109	Valley oak	12, 11, 7, 6	F	F	30N				M	X	H	One sided tree to the N/W. Dieback & epicormic sprouting. Within building footprint.	Remove
110	Valley oak	20, 11, 11, 16	G	F	25	25	0	25	M	X	H	Co-dominant trunks. Within building footprint.	Remove

#	Species	DBH	Health	Structure	Dripline N	E	S	W	Age	DE	CI	Comments	Action
111	Coast live oak	19	F-P	F	20	25	20	20	M	X	H	Bark inclusion on all 3 attachments. Sparse with stunted growth. Within building footprint.	Remove
112	Coast live oak	11	F	P	0	6	10	10	Y	X	H	Top broken at 12' with sprouting. Within building footprint.	Remove
113	Valley oak	7	F	P	6S				Y	X	H	Sparse canopy, 2 trunks removed. Within building footprint.	Remove
114	Valley oak	7, 4	F	F	6	6	6	6	Y	X	H	Crowded. Within building footprint.	Remove
115	Coast live oak	13	G	G	12	0	8	10	Y	X	H	3" from base of #116; crowded. Within building footprint.	Remove
116	Valley oak	7, 6	F	F	18N				Y	X	H	Very crowded. Co-dominant trunks; sweeping lean to N. Within building footprint.	Remove
117	Coast live oak	17	F-P	F-P	15NE				M		L	Sparse understory tree. Outside of grading limits.	Save
118	Valley oak	14, 18	F	F	15	15	20	20	M		L	Co-dominant stem bends to N. Outside of grading limits.	Save
119	Coast live oak	17	Dead										Remove.
120	Coast live oak	17	F-P	F	10	10	10	10	M		L	Ivy covering trunk. In decline; sycamore borer damage. Treat for Borer. Outside of grading limits in creek setback.	Save
121	Valley oak	13	F	F	20S				Y		L	Ivy covering trunk. Outside of grading limits in creek setback.	Save
122	Valley oak	22	P	P	25N				M		L	Ivy covering trunk. Declining canopy; sweeping lean to N. Outside of grading limits in creek setback.	Save
122 A	Coast live oak	30	F	F	50N				M		L	In creek structure setback. Significant lean to N. Ivy covering trunk. Outside of grading limits in creek setback.	Save
123	Valley oak	14, 7, 7, 10, 10	F	F	0	25	0	15	M	X	H	Sparse canopy. Co-dominant stems at 6'. Within grading limits	Remove
124	Valley oak	16	F	G	15	20	15	8	M	X	H	Tag embedded in trunk. Epicormic sprouts. Within grading limits	Remove

#	Species	DBH	Health	Structure	Dripline N	E	S	W	Age	DE	CI	Comments	Action
124 B	Coast live oak	7	F	P	6	10	4	0	Y	X	H	90° correcting bend in trunk. Within grading limits	Remove
125	Chinese pistache	27	G	G	25	25	25	25	OM	X	H	Dieback; slightly drought stressed. Within grading limits	Remove
126	Chinese pistache	17, 17, 10, 8	F	G	25	25	25	6	OM	X	H	Within grading limits	Remove
127	Coast live oak	17	G	G	15	0	0	20	M	X	H	Within grading limits	Remove
128	Valley oak	19	G	F	20	25	0	20	M	X	H	Within grading limits	Remove
129	Valley oak	14	G	F	0	20	20	20	Y	X	H	Within grading limits	Remove
130	Coast live oak	16	F	G	15	15	10	0	Y	X	H	Sparse lower canopy. Within grading limits	Remove
131	Calif. Buckeye	11, 8	F	F	15	20	25	20	M	X	H	Dead lower/interior canopy. Within grading limits	Remove
131 B	Valley oak	18	F	F	35N				M	X	H	Not surveyed. 35" lean to N. Ivy and poison oak covering trunk. Within grading limits	Remove
132	Coast live oak	11	F	F	40N				Y	X	H	10" lean to N. Tag engulfed by trunk. Within grading limits	Remove
133	Coast live oak	14	G	F	40N-20NW				Y	X	H	10" lean to N. Within grading limits	Remove
134	Monterey pine	50	P	F	50	50	50	50	OM	X	M	Over mature tree, in declining years. Sparse canopy. Recommend removal. Less than 5 years of anticipated lifespan.	Remove
135	Coast redwood	18, 18, 10	F	G	20	20	20	20	M	X	H	Drought stressed, needs irrigation. Within grading limits.	Remove
135 A	Calif. Buckeye	6, 8, 11, 7, 7, 9, 11, 8	G	G	20	20	20	20	M		L	Within creek structure set back. ~3 trunk clusters treated as one.	Save
136	Silver dollar eucalyptus (*Eucalyptus cinerea*)	13, 16	F	F	25	15	10	0	M	X	H	Failed trunk. Within grading limits.	Remove

#	Species	DBH	Health	Structure	Dripline N	E	S	W	Age	DE	CI	Comments	Action
137	Coast live oak	40	G-F	P	35	35	35	35	M	X	M-H	Ivy covering trunk. Co-dominant stems at 4' with included bark. Grading just north of trunk proposed. Pull grade limits at least 15' from trunk in order to save tree.	Save If grading can be adjusted.
138	Valley oak	18	F	F	15	15	5	0	M	X	M-H	Ivy covering trunk. Grading just north of trunk. Recommend pulling grade limits at least 10' from trunk.	Save If grading can be adjusted
138 B	Buckeye	17, 12, 13, 14, 15, 13, 12, 10, 10, 13	F-P/P	F	20	20	20	20	M		L	In creek structure setback. Top dieback.	Save
139	Mimosa		Dead									Within grading limits.	Remove
140	Coast live oak	17	G	G	18	18	18	18	M	X	H	Within grading limits.	Remove
141	Coast live oak	9	G	G	10	10	10	10	Y	X	H	Tag embedded in trunk but readable. Within grading limits.	Remove
142	Coast live oak	19, 20	G	F	30	30	10	10	M	X	H	Co-dominant trunks. Within grading limits.	Remove
142 B	Coast live oak	20	G	F	30	0	0	20	M	X	H	In creek structure setback. Within grading limits.	Remove
142 C	Coast live oak	14	G	G	20	15	0	0	Y	X	H	Not surveyed.	
143	Valley oak	15	G-F	G	12	12	12	12	Y	X	H	Ivy on trunk. Within grading limits.	Remove
144	Valley oak	11	G	F	15SE				Y	X	H	Ivy on trunk. Understory tree. Within grading limits.	Remove
145	Coast live oak	22	G-F	G	25	20	18	20	M	X	H	Ivy on trunk. Within grading limits.	Remove
146	Coast live oak	18, 15	G	F	25	0	20	25	M	X	H	Co-dominant trunks. Within grading limits.	Remove
147	Fruiting plum		Dead							X	H	Within grading limits.	Remove
148	Persimmon	6, 7	G	P	6	15SE		5	M	X	H	Leaders poorly attached, breaking apart. Within grading limits.	Remove
149	Black Walnut	7, 6	G	F	8	15	15	0	Y	X	H	Within grading limits.	Remove

#	Species	DBH	Health	Structure	Dripline N	E	S	W	Age	DE	CI	Comments	Action
149 B	Valley oak	7	G	F	25NE				Y	X	H	Not surveyed. Within grading limits.	Remove
150	Coast live oak	19	G	F	0	25	20	20	M	X	H	One stem topped by PG&E, Poor location. Within grading limits.	Remove
151	Coast live oak	15	F-P	P	25N-NE		0	20	Y	X	H	Topped by PG&E. Sparse canopy and deadwood. Within proposed driveway	Remove
152	Coast live oak	15	G	F	10	15	0	0	Y	X	H	Sided by PG&E. Within proposed driveway.	Remove
153	Valley oak	20, 15	G	F	10	25	30	30	M	X	H	Somewhat lions tailed, branches elongated to S. Within grading and sewer easement.	Remove
154	Valley oak	13	G	G-F	10	0	20	20	Y	X	M-H	1' from existing gravel driveway. Trunk buried. At edge grading limits. Arborist on site for grading.	Save Arborist to pull fill back from base of tree.
155	Coast live oak	11	G	F	8	12	15	0	Y	X	H	Topped by PG&E. Within proposed driveway.	Remove
156	Coast live oak	9	G	F	6	8	6	0				Growing up under PG&E wires. Within proposed driveway.	Remove
157	Coast live oak	10	G	F	10	0	10	18	Y	X	L	Off-site. Trunk buried. 1.5' from existing gravel driveway. Grading at edge of dripline.	Save Arborist to pull fill back from base of tree.
158	Chinese pistache	12	F	F	15	12	0	10	M	X	H	Partially topped. Within grading for road.	Remove
159	Coast live oak	8	G	F-P	12NW				Y	X	L	Off-site. Trunk buried. Sided by PG&E. Grading at edge of dripline.	Save
160	Valley oak	7	G	F	8	8	0	0	Y	X	L	Off-site. Co-dominant stems at 7'. Topped by PG&E. Trunk buried. Grading at edge of dripline.	Save
160 B	Coast live oak	7	G	F	15N-NE				Y	X	L	Off-site; not surveyed. Lean to NE. 6" NW of #160. . Grading at edge of dripline.	Save
161	Iron bark euc.	11, 7										Previously removed. Suspect by PG&E (under wires)	N/A
162	Coast live oak	15, 11	G	P	15	15	15	15	M	X	L	Topped by PG&E, co-dominant stems. Grading for road at edge of dripline.	Save

#	Species	DBH	Health	Structure	Dripline N	E	S	W	Age	DE	CI	Comments	Action
163	Coast live oak	11	G	G	6	6	6	6	Y	X	L	Reduced by PG&E. Grading at edge of dripline	Save
164	Incense cedar	15	F	F	7	7	7	7	M	X	H	Sweeping S shaped trunk. Within proposed road.	Remove
165	Incense cedar											Removed.	N/A
166	Coast live oak	19, 20	G-F	F	30	30	30	0	M	X	H	Co-dominant stems. Moderate sycamore borer. Within grading limits.	Remove
166 B	Siberian elm	7, 11	F-P	P	18	0	0	18	M	X	H	Not surveyed. Co-dominant stems at 2'. Within grading limits.	Remove
166 C	Siberian elm	9, 8, 7	P	P	20	0	0	20	M	X	H	Not surveyed. Basal sprouts; decay. Within grading limits.	Remove
167	Black walnut	9, 4, 4	F	F	20	0	0	20	M	X	H	Within grading limits.	Remove
168	Black walnut	8	P	P	20NW				Y	X	H	Understory tree; no growth in past 14 years. Within grading limits.	Remove
169	Coast live oak	20	G	F	35	20	20	20	M	X	H	Within grading limits.	Remove
169 B	Coast live oak	9	G	F	30NW				Y	X	H	Not surveyed. Understory tree. 40° phototropic lean to NW. Within grading limits.	Remove
170	Coast live oak	14	G	G	8	8	8	8	Y	X	H	Trunk buried. Within grading limits.	Remove
171	Coast live oak	14	F-P	F	35N-NW				Y	X	H	Ivy around base, upper branches are damaged by a fungal canker at 15'. On creek bank well. Within grading limits.	Remove
171 B	Coast live oak	14	G	G	35NW				Y	X	H	In creek structure setback. 40° lean to NW. Within grading limits.	Remove
172	Monterey pine	48	F-P	F-P	30	30	30	30	OM	X	H	5° lean to N/W. Grading up to base of tree. Only 3-5 years of anticipated lifespan left.	Remove
173	Calif. Buckeye	14, 14, 8, 8, 8, 7, 7, 5	G	F	35	20	0	20	M	X	M-H	Low branching (trunks laying on ground). Grading limits well within N/W dripline. Pull grade limits back so 15' from trunk.	Save Assuming grade limits can be adjusted.
173 B	Calif. Buckeye	11, 12	G	F	10	10	10	10	M		L	In creek structure setback. Ivy covering tree.	Save

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ARBORIST REPORT
TREE INVENTORY

1024 & 1026 GRAYSON ROAD
SUBDIVISION SD20-9531

VICINITY OF PLEASANT HILL CONTRA COSTA COUNTY CALIFORNIA

REGISTERED PROFESSIONAL ENGINEER EASTON C. McALLISTER No. 61148 EXP. 12/31/22 CIVIL STATE OF CALIFORNIA

EASTON C McALLISTER - PE 61148 / PLS 9583
RENEWAL DATE: 12/31/22 (PE) 03/31/23 (PLS)

#	REVISIONS	DATE

DEBOLT CIVIL ENGINEERING
45+ YEARS
811 SAN RAMON VALLEY BLVD #201
DANVILLE, CALIFORNIA 94526
(925) 837-3780 | DEBOLTCIVIL.COM

Date: 01/28/22
Scale: N.T.S.
By: EM/mm
Job No.: 19300

VTM-5

#	Species	DBH	Health	Structure	Dripline N E S W	Age	DE	CI	Comments	Action
173 C	Coast live oak	8	F	P	25N	Y	X	L-M	Understory tree with heavy lean (trunk horizontal before correcting) to NW. Young tree with some dripline grading encroachment.	Save
174	Black walnut	23	F-P	F	20 20 20 25	M	X	H	Low branching, old mistletoe in canopy; dieback. Within grade limits.	Remove
175	Siberian elm	17, 17, 15	P	P	20 20 20 20	M	X	H	Tree in decline, poorly structured. Within grade limits.	Remove
176	Coast redwood	30	F/F-P	G	15 15 15 15	M	X	H	Drought-stressed. Within grade limits.	Remove
177	Coast redwood	26	F/F-P	G	15 15 15 15	M	X	H	Drought-stressed. Within grade limits.	Remove
177 B	Valley oak	11	G	G	8 8 8 8	Y	X	H	Not surveyed. Chain on trunk. Within grade limits.	Remove
178	Valley oak	14, 6	G	F	15 15 20 20	Y	X	H	Lean to SW. Within grade limits.	Remove
178 B	Valley oak	8	G	F	12 12 0 0	Y			Not surveyed. Within grade limits.	Remove
179	Calif. Buckeye	8, 7, 6	G	G	12 12 12 12	M	X	H	Within grade limits	Remove
180	Mulberry	18	P	P	0 10 10 0	OM	X	H	Previously topped. Within grade limits.	Remove
181	Valley oak	11	F	F	15NE-NW	Y		L	Grading just outside dripline.	Save
182	Valley oak	11	F	F	15S	Y	X	L-M	Grading at edge of dripline.	Save
183	Valley oak	13	F	F	20 N E 15 0 0	Y	X	L-M	Grading at edge of dripline.	Save
184	Black walnut	8, 8, 7	P	P	8 8 8 8	M	X	H	Declining health. Within grade limits.	Remove
185	Valley oak	11	F	F	18 N E 10 0 0	Y	X	L-M	S shaped trunk. Grading at edge of dripline.	Save

#	Species	DBH	Health	Structure	Dripline N E S W	Age	DE	CI	Comments	Action
186	Calif. Buckeye	7, 7, 6, 6, 5, 5, 5	G	G	18 18 18 18	M	X	M	Tangled with mulberry, and walnut. Grading withn dripline.	Save Arborist on site during grading.
187	Mulberry	18	P	P	15 15 15 15	M	X	H	Drought stressed, tangled with buckeye. Within grading limits.	Remove
188	Black walnut	9	F	F	20S	Y	X	H	Competing with buckeye, recommend removal. Within grade limits.	Remove
188 B	Coast live oak	11	F	G	12 12 12 12	Y	X	H	Not surveyed. Within storm treatment area.	Remove
188 C	Coast live oak	11	G	G	6 0 10 15	Y	X	H	Not surveyed. Within storm treatment area.	Remove
189	Calif. Buckeye	9, 9, 8, 7, 7, 5, 5, 5, 3, 3, 3	G	G	15 20 25 20	M	X	L-M	Grading limits at edge of dripline.	Save
190	Mulberry	16	Dead							Remove.
191	Coast live oak	14	G	G	10 10 10 10	Y		L	Grade limits just outside dripline.	Save
191 B	Coast live oak	11, 9	F	F	18NE-NW	M		L	Not surveyed. Lean over road.	Save
192	Mulberry	19	P	P	8 8 8 8	OM	X	H	Drought stressed. In decline. Within grade limits.	Remove
192 A	Coast live oak	17	G	F	18 N E 10 10 18 N W	M		L	In creek structure setback. Reduced by PG&E. By street, lifting asphalt curb.	Save
192 B	Willow	20, 20	P	P	15 0 0 0	OM		L	Outside northeast property corner along Grayson. Topped by PG&E; sparse canopy. Recommend removal	Remove
192 C	Willow	24	F	P	0 0 25 30 S W	OM		L	Outside northeast property corner along Grayson. Uprooted to S. Fallen tree.	Remove
193	Siberian elm	12, 12, 10, 5, 5, 4	P	P	8 8 8 8	M	X	H	Dying tree. Within grading limits	Remove

#	Species	DBH	Health	Structure	Dripline N E S W	Age	DE	CI	Comments	Action
194	Siberian elm	12, 9, 4	P	P	0 15 15 15	M	X	H	Dying tree. Within grade limits.	Remove
194 B	Coast live oak	9	G	F	15N	Y	X	H	Not surveyed. Up against elm.	Remove
195	Siberian elm	13, 4	P	P	20N	M	X	H	Declining health. Within grade limits.	Remove
196	Coast live oak	19	G	F	20 N W 0 20 20	M		L	Sweeping trunk	Save
197	Bush eucalyptus	10, 8, 8	Dead			M		L	Dead/failed. Fire hazard.	Remove
198	Bush eucalyptus	15, 15	P	P	10N	M		L	Dying, fire hazard.	Remove
199	Blue gum euc.	50	F	F-P	25 20 20 20	M		L	10" branch failure to N in 2006; minor sprouting from failure. Prune for safety if targets within 50ft.	Save
200	Bush eucalyptus	18, 5, 6	F	P	15S	M		L	Declining health. Recent failures. Prune for safety.	Save
201	Monterey pine	24	F	P	20 20 20 20	OM		L	Over mature tree, badly included co-dominant stems. Anticipate short life span, recommend removal.	Remove
202	Monterey pine	22	P	P	0 20 20 0	OM		L	Over mature tree, declining health. Recommend removal.	Remove
203	Monterey pine								Removed.	N/A
204	Monterey pine	18	F	P	25E	M		L	Poorly tapered trunk; lean to E. Recommend removal.	Remove
205	Monterey pine								Removed.	N/A
206	Calif. Buckeye	15, 15, 10, 10	G	G	25 25 25 25	M		L	Healthy tree.	Save

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ARBORIST REPORT
TREE INVENTORY

1024 & 1026 GRAYSON ROAD
SUBDIVISION SD20-9531
VICINITY OF PLEASANT HILL CONTRA COSTA COUNTY

REGISTERED PROFESSIONAL ENGINEER EASTON C. McALLISTER No. 61148 EXP. 12/31/22 CIVIL STATE OF CALIFORNIA
CALIFORNIA

EASTON C McALLISTER - PE 61148 / PLS 9583
RENEWAL DATE: 12/31/22 (PE) 03/31/23 (PLS)

#	REVISIONS	DATE

DEBOLT CIVIL ENGINEERING
45+ YEARS
811 SAN RAMON VALLEY BLVD #201
DANVILLE, CALIFORNIA 94526
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Date: 01/28/22
Scale: N.T.S.
By: EM/mm
Job No.: 19300

VTM-6



ALL PLANS ARE PRELIMINARY AND NOT FOR CONSTRUCTION UNLESS SIGNED AND STAMPED BY THE ENGINEER AND REVIEWING AGENCY.

CONCEPTUAL BUILDING LAYOUT

1024 & 1026 GRAYSON ROAD
SUBDIVISION SD20-9531

VICINITY OF PLEASANT HILL CONTRA COSTA COUNTY

REGISTERED PROFESSIONAL ENGINEER
EASTON C. McALLISTER
No. 61148
EXP. 12/31/20
CIVIL
STATE OF CALIFORNIA
CALIFORNIA

EASTON C McALLISTER - R.C.E. 61148
RENEWAL DATE: 12/31/22

#	REVISIONS	DATE

DEBOLT CIVIL ENGINEERING
45+ YEARS
811 SAN RAMON VALLEY BLVD #201
DANVILLE, CALIFORNIA 94526
(925) 837-3780 | DEBOLTCIVIL.COM

Date: 03/25/22
Scale: 1" = 20'
By: EM
Job No.: 19300

VTM-7

Calibr Ventures c/o Andy Byde, (Applicant / Owner)

Mitigation Monitoring and Reporting Program
County File #CDSD20-09531

1024 and 1026 Grayson Rd
Pleasant Hill, CA 94523

March 2023

SECTION 1: AESTHETICS	
Potential Impact: The change in ambient nighttime light levels on the project site, and the extent to which project lighting would spill off the project site and affect adjacent light-sensitive areas, would determine whether the project could adversely affect nighttime views in the area. Project lighting could create a potentially significant adverse environmental impact due to substantial new light and glare on neighboring properties and Grayson Creek	
Mitigation Measures:	
Aesthetics 1: Thirty days prior to application for a building permit for subdivision improvements, the applicant shall submit a Lighting Plan for review and approval by the CDD. At a minimum, the plan shall include the following measures: **All outdoor lighting, including façade, yard, security, and street lights, shall be oriented down, onto the project site or road.** **Back shields or functionally similar design elements shall be installed on every lighting pole to reduce lighting from spilling off site, and to ensure that lighting remains within the project site.**	
Implementing Action:	COA
Timing of Verification:	At least 30 days prior to applying for building permits for the new residence.
Responsible Department, Agency, or Party:	Project Proponent and CDD Staff.
Compliance Verification:	Review and approval of construction drawings (e.g., site plan, floor plans, elevations and grading plans) by Department of Conservation and Development, Community Development Division (CDD) staff, to verify compliance with all mitigations and conditions of approval.
SECTION 2: AIR QUALITY	
Potential Impact: Grading and construction activities could have a potentially significant adverse environmental impact by exposing sensitive receptors to substantial pollutant concentrations.	
Mitigation Measures:	
Air Quality 1: The following Bay Area Air Quality Management District, Basic Construction Mitigation Measures shall be implemented during project construction and shall be included on all construction plans. **All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day.** **All haul trucks transporting soil, sand, or other loose material off-site shall be covered.**	

All visible mud or dirt tracked-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.

All vehicle speeds on unpaved roads shall be limited to 15 mph.

All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.

Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to five minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations [CCR]). Clear signage shall be provided for construction workers at all access points.

All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified visible emissions evaluator.

Post a publicly visible sign with the telephone number and person to contact at the lead agency regarding dust complaints. This person shall respond and take corrective action within 48 hours. The Air District's phone number shall also be visible to ensure compliance with applicable regulations.

Implementing Action:	COA
Timing Verification:	Prior to CDD issuance of a grading or building permit, all construction plan sets shall include Basic Construction measures.
Responsible Department or Agency:	Project proponent and CDD.
Compliance Verification:	CDD Plan Check review of plans prior to issuance of building or grading permit, and field verification by the Building Inspection Division.

Potential Impact: Grading and construction activities using diesel powered vehicles and equipment on the site could have a potentially significant adverse environmental impact by creating localized odors.

Mitigation Measures:

The Bay Area Air Quality Management District, Basic Construction Mitigation Measures outlined in Mitigation Measure **Air Quality 1** would reduce the impact to a less than significant level.

SECTION 3: BIOLOGICAL RESOURCES

Potential Impact: suitable habitat for special-status plants, grading activities within suitable habitat could result in direct impacts to special-status plants through habitat loss or degradation.

Mitigation Measures:

Biology 1: In the spring immediately prior to project implementation, protocol-level rare plant surveys shall be conducted on the project site. Rare plant surveys shall be conducted by a qualified botanist, in accordance with all applicable survey guidelines including those published by the United States Fish and Wildlife Service (USFWS), California Department of Fish and Wildlife (CDFW), and the California Native Plant Society (CNPS). If determined to be necessary by the qualified Botanist, reference site surveys shall be conducted to confirm plant phenology (flowering periods).

If State or federally listed plants are observed on-site during protocol-level rare plant surveys, all compensatory mitigation requirements and additional avoidance and minimization measures identified by CDFW and/or USFWS shall be implemented. If CNPS-Ranked species are observed on-site during protocol-level rare plant surveys, salvage of seed and/or root stock shall be conducted under the direction a qualified Botanist and in coordination with a qualified plant conservation institution or native nursery.

Implementing Action:	COA
Timing of Verification:	Prior to submittal of building permits and throughout project.
Responsible Department, Agency, or Party:	Project proponent and CDD.
Compliance Verification:	CDD review.

Potential Impact: Three of the birds listed above (red-tailed hawk, red-shouldered hawk, Cooper's hawk, sharp-skinned hawk, and destrel) were present, and observed foraging on the project site. Additionally, a Cooper's hawk was observed on the project site exhibiting nesting behaviors.

Mitigation Measures:

Biology 2: All trees removed from the on-site riparian woodland shall be replaced in-kind and on-site to the greatest extent practicable at a 3:1 ratio for native trees, or out-of-kind at 1:1 ratio for non-native trees, to be replaced with native trees. A total of 18 native trees within the riparian woodland community are scheduled for removal – these trees would be replaced with approximately 54 native riparian woodland tree species including valley oak, coast live oak, California buckeye, and black walnut. A replacement tree planting plan shall be approved by the County along with landscape plans prior to issuance of building permits.

All trees removed from the onsite valley oak woodland shall be replaced in-kind and onsite at a 3:1 ratio for native trees, or out-of-kind at 1:1 ratio for non-native trees, to be replaced with native trees. A total of 32 native and 8 non-native trees within the valley oak woodland community are scheduled for removal – these trees shall be replaced, onsite, with approximately 104 native valley oak woodland tree species such as valley oak, coast live oak, blue oak, California black oak, interior live oak, California buckeye, and/or California bay laurel. Replacement trees shall be planted as 15-gallon trees, except that up to 50 percent of the required replacement trees may be planted as 5-gallon trees if it is determined based on an arborist report that long-term tree health and survival will be improved by starting with a smaller container size. Trees planted shall be spaced in a manner that promotes their long-term growth habits. All installed plant material shall meet the American Nurseryman's Association Standards. Welded-wire cages shall be constructed around all tree plantings to

protect them from deer herbivory. A replacement tree planting plan shall be approved by the County along with landscape plans prior to issuance of building permits.

Biology 3: If vegetation removal, ground disturbance, or structure removal are scheduled to commence between February 1 and September 15, a preconstruction nesting bird survey of all suitable nesting habitat on the Project site and within the zone of influence (the area immediately surrounding the Project site that supports suitable nesting habitat that could be impacted by the proposed Project due to visual or auditory disturbance associated with the removal of vegetation and construction activities scheduled to occur during the nesting season) shall be conducted by a qualified biologist within 5 days prior to commencement of vegetation removal or ground disturbance. If no nesting birds are observed during the survey, the vegetation removal and/or ground disturbance may commence as planned. If nesting birds are observed during the survey, a non-disturbance buffer based on species, nest stage, and site conditions shall be established.

This buffer shall remain in place until such a time as the young have been determined (by a qualified Biologist) to have fledged. Nests shall be monitored daily by a qualified Biologist during project-related activities to determine the sufficiency of the buffer and whether it should be expanded to protect the nest based on disruptions to an individual bird's natural nesting behaviors. If the buffer is determined to be sufficient, monitoring shall be reduced to twice a week until fledging occurs. If any change in bird behavior is detected, active nest buffers will increase as determined by a qualified Biologist. Nesting bird surveys shall be repeated if there is a lapse in project activities of seven days or more.

Implementing Action:	COA
Timing of Verification:	During initial review of construction plan sets and throughout project.
Responsible Department, Agency, or Party:	Project proponent and CDD.
Compliance Verification:	CDD review.

Potential Impact: . CNDDB listed 5 occurrences of California red-legged frog (Rana draytonii) (CRLF) in the 5-mile radius of the project site. Additionally, during the April 2021 survey, the Project Biologist identified suitable habitat for the CRLF

Mitigation Measures:

Biology 4: A pre-construction survey for special-status reptile species shall be performed no more than 48 hours prior to ground disturbance or vegetation removal to determine presence/absence of Alameda whipsnake and western pond turtle. Worker Environmental Awareness training discussing the potential for these species shall be conducted by the qualified Biologist or Biological Monitor for all construction personnel working within the project site prior to construction.

Biology 5: Directed pre-construction surveys for the California red-legged frog (CRLF) shall be performed prior to construction activities. The creek channel and associated riparian woodland may serve as dispersal areas for CRLF. A qualified Biologist shall conduct a pre-

construction survey of these habitats for CRLF preceding the commencement of construction activities to verify presence/absence of this species. **In order to mitigate for potential impacts to California red-legged frog (CRLF) and western pond turtle, wildlife exclusion fencing (ERTEC fencing) shall be installed along the grading limit of the project site to prevent dispersal into the grading and work areas of the site from the creek channel and/or the riparian corridor. Fencing should be trenched into the ground bat a minimum of 6 inches and a lip should be formed along the top of the fence line. A qualified Biologist or Biological Monitor shall be on-site during initial ground-disturbing activities to inspect the work area and fence lines daily for special-status amphibians and other wildlife. Worker Environmental Awareness training discussing the potential for these species should be conducted by the qualified Biologist or Biological Monitor for all construction personnel working within the project site. If any CRLF or other listed amphibians are found during construction activities, the United States Fish and Wildlife Service (USFWS) should be consulted to approve capture and relocation by a qualified Biologist.**	
Implementing Action:	COA
Timing of Verification:	During initial review of construction plan sets and throughout project.
Responsible Department, Agency, or Party:	Project proponent and CDD.
Compliance Verification:	CDD review.
Potential Impact: Five occurrences of western pond turtle (Actinemys marmorata) within the 5-mile radius of the project site. Water was present in Grayson Creek during the April 2021 survey. Therefore, western pond turtle could use the creek for foraging and aquatic dispersal.	
Mitigation Measures:	
Biology 4 and Biology 5	
Potential Impact: Runoff from the project site could adversely affect aquatic life within the adjacent water features.	
Mitigation Measures:	
Biology 6: A Storm Water Pollution Prevention Plan (SWPPP) and a Storm Water Management Plan (SWMP) shall be designed to ensure that best management practices (BMPs) are implemented so there are no impacts to water quality in Grayson Creek resulting from project construction or postconstruction storm water run-off.	
Implementing Action:	COA
Timing of Verification:	During initial review of construction plan sets and throughout project.
Responsible Department, Agency, or Party:	Project proponent and CDD.

Compliance Verification:	CDD review.
Potential Impact: Removal of trees would impact raptor foraging and nesting bird habitat	
Mitigation Measures:	
Mitigation Measure Biology 2, Biology 3, and Biology 7 **Biology 7: Vegetation planted within on-site undeveloped areas shall be comprised of native valley oak woodland species to the greatest extent practicable. Landscape plans shall prioritize native vegetation and shall be approved by the County prior to issuance of building permits.**	
Implementing Action:	COA
Timing of Verification:	During initial review of construction plan and landscaping plan sets and throughout project.
Responsible Department, Agency, or Party:	Project proponent and CDD.
Compliance Verification:	CDD review.
Potential Impact: Mammals, such as the western red bat (Lasiurus blossevillii), hoary bat (Lasiurus cinereus), and Yuma myotis (Myotis yumanensis) could use large trees and existing residential buildings for roosting opportunities and foraging habitat within the site. Implementation of the project would result in the demolition of the existing residences along with 40 trees. Tree removal partnered with any project-related construction lighting would result in the disturbance of roosting bats and the loss of roosting and foraging bat habitat.	
Mitigation Measures:	
Biology 8: For all project activities planned in or adjacent to potential bat roosting habitat, such as structures and/or involving woody vegetation modification or removal of any and all trees, a qualified Biologist shall conduct daytime and evening acoustic surveys in addition to extensive visual surveys of potential habitat for special-status bats at least 7 days prior to initiation of project activities. If bats are found on-site, a qualified Biologist shall identify the species, estimated quantity present, roost type, and roost status, but shall avoid disturbing bats during surveys. A qualified Biologist shall also create a Bat Mitigation and Monitoring Plan if special-status bat species are detected prior to the start of project activities. The Bat Mitigation and Monitoring Plan shall include: (1) an assessment of all project impacts to special-status bats, including noise disturbance during construction; (2) effective avoidance and minimization measures to protect special-status bats; (3) and compensatory mitigation for permanent impacts to special-status bats or their nesting/roosting habitat. If structures, trees, or other refugia equivalents are slated for limbing, removal, or modification, the Bat Mitigation and Monitoring Plan shall include the following measures: **• To ensure that special-status bats have left potential roosting refugia, work shall occur over the course of two days. On the first day, smaller limbs or items from the identified trees or structures shall be brushed back or modified in the late afternoon. This disturbance should cause any potential roosting bats to seek other roosts during their nighttime foraging. The remainder of the refugia item can then be further limbed or removed as needed on the second day as late in the afternoon as feasible. If bats are found injured, or if bat mortality occurs during the course of tree**	

work, a qualified Biologist shall record the species impacted, and the number of individuals documented.

• Tree limbing, modification, removal, or work on structural refugia shall not be performed under any of the following conditions: during any precipitation events, when ambient temperatures are below 4.5 degrees Celsius, when windspeeds exceed 11 miles per hour, and/or any other condition which may lead to bats seeking refuge.

• If special-status bats are found utilizing a tree, structure, or equivalent for roosting, the Bat Mitigation and Monitoring Plan shall include permanent artif,icial roosting habitat installation that shall be adjacent to, and sufficient for, the species observed and associated ecology thereof. Effective buffer zones for the installation and monitoring of the artificial roosts shall be determined and established by a qualified Biologist. Artificial roosts shall follow the 2018 Acceptable Management Practices for Bat Species Inhabiting Transportation Infrastructure.

Implementing Action:	COA
Timing of Verification:	During initial review of construction plan sets and throughout project.
Responsible Department, Agency, or Party:	Project proponent and CDD.
Compliance Verification:	CDD review.

Potential Impact: Project implementation would result in removal of approximately 1.18 acres of valley oak woodland, which is considered a sensitive natural community and is an oak woodland protected under the Oak Woodland Conservation Act.

Mitigation Measures:

Mitigation Measure Biology 2, Biology 6, Biology 7 and Biology 9

Biology 9: During project implementation, the applicant shall implement the following Tree Preservation Guidelines, as detailed in the Revised Arborist Report Dated May 6, 2020 prepared by Traverso Tree Service, specially:

Pre- Grading Phase

a. Mulch from tree removals may be spread out under the driplines of trees that will be retained, keeping at least 12" away from the trunks.

b. Prior to construction or grading, contractor shall install protection fencing to construct a temporary Tree Protection Zone (TPZ) around each tree or grove of trees to be saved.

c. TPZ fencing shall encompass the driplines and be approved by the project arborist.

d. TPZ fencing shall remain in an upright sturdy manner from the start of grading until the completion of construction. Fencing shall not be adjusted or removed without consulting the project arborist.

Grading and Construction Phase

a. The project arborist shall be on-site during excavation/grading within driplines, especially trees: #'s 102, 137, 138, 154, 157, 159, 160, 160b, 162, 163, 173, 173c, 182, 183, 185, 186, 189.

b. Should roots > 2" be encountered, arborist shall cleanly prune roots with a handsaw or sawzall, and immediately re-cover. Irrigate as necessary.
c. If needed, canopy pruning shall be performed by personnel certified by the International Society of Arboriculture (ISA). All pruning shall adhere to ISA and American National Standards Institute (ANSI) Standards and Best Management Practices.
d. Project arborist to set guidelines prior to pruning.
e. Should Tree Protection Zone (TPZ) encroachment be necessary, the contractor shall contact the project arborist for consultation and recommendations.
f. Contractor shall keep TPZs free of all construction-related materials, debris, fill soil, equipment, etc. The only acceptable material is mulch spread out beneath the trees.
g. Should any damage to the trees occur, the contractor shall promptly notify the project Arborist to appropriately mitigate the damage.

Landscaping Phase
a. The Tree Protection Zone (TPZ) fencing shall remain in place with the same restrictions until landscape contractor notifies and meets with the project arborist.
b. Avoid all fill work, grade changes, and trenching within driplines unless it is performed by hand, and approved by the project arborist.
c. Pipes shall be threaded under or through large roots without damaging them.
d. Contractor shall avoid trenching and grade changes within driplines.
e. All planting and irrigation shall be kept a minimum of 10' away from native oaks. All irrigation within the driplines shall be targeted at specific plants, such as drip emitters or bubblers. No overhead irrigation shall occur within the driplines of native oaks.

Potential Impact: The proposed project plans on the removal of approximately 97 trees including native species such as coast live oak, valley oak, black walnut, and buckeye. Native trees and all trees greater than 6.5 inches in diameter at breast height (dbh) are considered to be protected under the Contra Costa County Tree Protection and Preservation Ordinance.

Mitigation Measures: Biology 2, Biology 3, and Biology 9.

Implementing Action:	COA
Timing of Verification:	During initial review of construction plan sets and throughout project.
Responsible Department, Agency, or Party:	Project proponent and CDD.
Compliance Verification:	CDD review.

SECTION 4: CULTURAL RESOURCES

Potential Impact: The project could cause a substantial adverse change in the significance of a historical resource as defined in California Environmental Quality Act Guidelines Section 15064.5. Subsurface construction activities have the potential to damage or destroy previously undiscovered historic and prehistoric resources. Historic resources can include wood, stone, foundations, and other structural remains; debris-filled wells or privies; and deposits of wood, glass, ceramics, and other refuse. If during project construction, subsurface construction activities damaged previously undiscovered historic and prehistoric resources, there could be a potentially significant impact.

Mitigation Measures:	
Cultural Resources 1: All project-related ground disturbance shall be monitored by an archaeologist who meets the Secretary of the Interior's professional qualification standards for archaeology. In the event that significant cultural resources are discovered during construction activities, the applicant/project owner or sponsor shall ensure that operations within a 100-foot radius of the find shall cease and the archaeologist will be consulted to determine whether the resource requires further study. The standard inadvertent discovery clause shall be included on the grading plans submitted to the City to inform contractors of this requirement. Potentially significant cultural resources consist of but are not limited to stone, bone, fossils, wood, or shell artifacts or features, including hearths, structural remains, or historic dumpsites. The archaeologist shall make recommendations to the City concerning appropriate measures, which shall be implemented by the applicant/project owner or sponsor to protect the discovered resources, including but not limited to recordation on appropriate California Department of Parks and Recreation (DPR) forms, evaluation, or excavation of the finds in accordance with CEQA Guidelines, Section 15064.5. **Cultural Resources 2: In the event of accidental discovery or recognition of any human remains, CEQA Guidelines Section 15064.5, Health and Safety Code Section 7050.5, and Public Resources Code Sections 5097.94 and 5097.98 shall be followed. If during the course of construction activities there is accidental discovery or recognition of any human remains, the following steps shall be taken:** **1. There shall be no further excavation or disturbance within 100 feet of the remains until the County Coroner is contacted to determine if the remains are Native American and if an investigation of the cause of death is required. If the coroner determines the remains to be Native American, the coroner shall contact the Native American Heritage Commission (NAHC) within 24 hours, and the NAHC shall identify the person or persons it believes to be the Most Likely Descendant (MLD) of the deceased Native American. The MLD may make recommendations to the landowner or the person responsible for the excavation work within 48 hours, for means of treating or disposing of, with appropriate dignity, the human remains and any associated grave goods as provided in Public Resources Code section 5097.98.** **2. Where the following conditions occur, the landowner or his or her authorized representative shall rebury the Native American human remains and associated grave goods with appropriate dignity either in accordance with the recommendations of the most likely descendant or on the project site in a location not subject to further subsurface disturbance:** **• The NAHC is unable to identify a most likely descendent or the most likely descendent failed to make a recommendation within 48 hours after being notified by the commission.** **• The descendant identified fails to make a recommendation.** **• The landowner or his authorized representative rejects the recommendation of the descendant, and mediation by the NAHC fails to provide measures acceptable to the landowner.**	
Implementing Action:	COA

Timing of Verification:	During initial review of construction plan sets and throughout project.
Responsible Department, Agency, or Party:	Project proponent and CDD.
Compliance Verification:	Include on plan sets during plan check and submittal of archaeologist report in the event of a find, for CDD review.

SECTION 5: GEOLOGY AND SOILS

Potential Impact: The project could significantly impact the potential for increased exposure to adverse effects, including the risk of loss, injury or death from seismic-related ground failure, including liquefaction.

Mitigation Measures:

Geology 1: Prior to issuance of grading permits, the project applicant shall incorporate all recommendations provided in the project-Geotechnical Exploration into project plans, which shall be subject to review and approval by the County Geologist, or designee, prior to permit issuance. The geotechnical recommendations shall be implemented including general earthwork recommendations for site preparation, conditioning of expansive soils, removal of buried structures, removal of fill and disturbed soil, surface and subsurface drainage, biofiltration facilities, foundations, concrete flatwork, retaining walls, spread and pier footings, pavement areas, utility trenches, project review, and construction monitoring. Additionally, these include recommendations related to structural design, foundation design, foundation systems, slabs, moisture barriers, seismic design, walls, footings, slabs and walkways, concrete design, corrosion, pavement design, as well as lot maintenance, and future plan reviews.

Implementing Action:	COA
Timing of Verification:	Prior to issuance of a grading or building permit.
Responsible Department, Agency, or Party:	Project proponent, project geologist, peer review geologist, and CDD.
Compliance Verification:	CDD and peer review geologist review of investigation report by project geologist.

Potential Impact: There is a possibility that previously undiscovered buried fossils and other paleontological resources could be present and accidental discovery could occur.

Geology 2: The project applicant shall retain a qualified Paleontologist to conduct paleontological monitoring during all earth-disturbing construction activities. Should any significant fossils (I.e., bones, teeth, or unusually abundant and well-preserved invertebrates or plants) be unearthed, the construction crew shall not attempt to remove them, as they could be extremely fragile and prone to crumbling, and to ensure their occurrence is properly recorded; instead, all work in the immediate vicinity of the discovery shall be diverted at least 15 feet until a professional paleontologist assesses the find and, if

deemed appropriate, salvages it in a timely manner. All recovered fossils shall be deposited in an appropriate repository, such as the University of California Museum of Paleontology (UCMP), where they would be properly curated and made accessible for future study.	
Implementing Action:	COA
Timing of Verification:	Project proponent and CDD.
Responsible Department, Agency, or Party:	CDD.
Compliance Verification:	Prior to recordation of the Final Parcel Map.
Potential Impact: The project could be located on 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	
Mitigation Measures:	
Mitigation Measures **Geology 1** would reduce the impacts of unstable soil to a less than significant level.	
Section 13 NOISE	
Potential Impact: Construction related noise could impact adjacent sensitive receptors.	

Noise 1: To reduce potential construction noise impacts, the following multi-part mitigation measure shall be implemented for the proposed project: **• The construction contractor shall ensure that 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 ensure that unnecessary idling of internal combustion engines (i.e., idling in excess of 5 minutes) is prohibited.** **• The construction contractor shall utilize "quiet" models of air compressors and other stationary noise sources where such market available technology exists.** **• At all times during project grading and construction, the construction contractor shall ensure that stationary noise-generating equipment shall be located as far as practicable from sensitive receptors and placed so that emitted noise is directed away from the nearest residential land uses.** **• 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 would determine the cause of the noise complaints (starting too early, bad muffler, etc.) and establish reasonable measures necessary to correct the problem. The construction contractor shall visibly post a telephone number for the disturbance coordinator at the construction site.** **• The construction contractor shall limit noise producing construction activities to the hours between 7:00 a.m. and 7:00 p.m., Monday through Friday, and between 8:00 a.m. and 7:00 p.m. on Saturday. No such activities shall be permitted on Sundays or federal holidays.**	
Implementing Action:	COA
Timing of Verification:	Project proponent and CDD.
Responsible Department, Agency, or Party:	CDD.
Compliance Verification:	Prior to recordation of the Final Parcel Map.
SECTION 18: TRIBAL CULTURAL RESOURCES	
Potential Impact: The project could cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k). The expected construction and grading could cause ground disturbance which may impact heretofore undocumented cultural resources.	
Mitigation Measures:	
Implementation of mitigations measure **Cultural Resources 1** would reduce the impact on archeological resources during project related work.	
Potential Impact: The project could cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural	

landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is a resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. The expected construction and grading could cause ground disturbance which may impact heretofore undocumented cultural resources.
Mitigation Measures:
Implementation of mitigations measure **Cultural Resources 1** would reduce the impact on archeological resources during project related work.
SECTION 10: MANDATORY FINDINGS OF SIGNIFICANCE
Potential Impact: As discussed in individual sections of the Initial Study, the project to create two parcels from the site may impact the quality of the environment (Aesthetics, Air Quality, Biological Resources, Cultural Resources, Geological Resources, Noise, and Tribal Cultural Resources).
Mitigation Measures:
The impact would be reduced to a less than significant level with the adoption of the recommended Mitigation Measures that are specified in the respective sections of the Initial Study.

Calibr Ventures c/o Andy Byde, (Applicant / Owner)

Mitigation Monitoring and Reporting Program
County File #CDSD20-09531

1024 and 1026 Grayson Rd
Pleasant Hill, CA 94523

March 2023

SECTION 1: AESTHETICS	
Potential Impact: The change in ambient nighttime light levels on the project site, and the extent to which project lighting would spill off the project site and affect adjacent light-sensitive areas, would determine whether the project could adversely affect nighttime views in the area. Project lighting could create a potentially significant adverse environmental impact due to substantial new light and glare on neighboring properties and Grayson Creek	
Mitigation Measures:	
Aesthetics 1: Thirty days prior to application for a building permit for subdivision improvements, the applicant shall submit a Lighting Plan for review and approval by the CDD. At a minimum, the plan shall include the following measures: **All outdoor lighting, including façade, yard, security, and street lights, shall be oriented down, onto the project site or road.** **Back shields or functionally similar design elements shall be installed on every lighting pole to reduce lighting from spilling off site, and to ensure that lighting remains within the project site.**	
Implementing Action:	COA
Timing of Verification:	At least 30 days prior to applying for building permits for the new residence.
Responsible Department, Agency, or Party:	Project Proponent and CDD Staff.
Compliance Verification:	Review and approval of construction drawings (e.g., site plan, floor plans, elevations and grading plans) by Department of Conservation and Development, Community Development Division (CDD) staff, to verify compliance with all mitigations and conditions of approval.
SECTION 2: AIR QUALITY	
Potential Impact: Grading and construction activities could have a potentially significant adverse environmental impact by exposing sensitive receptors to substantial pollutant concentrations.	
Mitigation Measures:	
Air Quality 1: The following Bay Area Air Quality Management District, Basic Construction Mitigation Measures shall be implemented during project construction and shall be included on all construction plans. **All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day.** **All haul trucks transporting soil, sand, or other loose material off-site shall be covered.**	

All visible mud or dirt tracked-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.

All vehicle speeds on unpaved roads shall be limited to 15 mph.

All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.

Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to five minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations [CCR]). Clear signage shall be provided for construction workers at all access points.

All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified visible emissions evaluator.

Post a publicly visible sign with the telephone number and person to contact at the lead agency regarding dust complaints. This person shall respond and take corrective action within 48 hours. The Air District's phone number shall also be visible to ensure compliance with applicable regulations.

Implementing Action:	COA
Timing Verification:	Prior to CDD issuance of a grading or building permit, all construction plan sets shall include Basic Construction measures.
Responsible Department or Agency:	Project proponent and CDD.
Compliance Verification:	CDD Plan Check review of plans prior to issuance of building or grading permit, and field verification by the Building Inspection Division.

Potential Impact: Grading and construction activities using diesel powered vehicles and equipment on the site could have a potentially significant adverse environmental impact by creating localized odors.

Mitigation Measures:

The Bay Area Air Quality Management District, Basic Construction Mitigation Measures outlined in Mitigation Measure **Air Quality 1** would reduce the impact to a less than significant level.

SECTION 3: BIOLOGICAL RESOURCES

Potential Impact: suitable habitat for special-status plants, grading activities within suitable habitat could result in direct impacts to special-status plants through habitat loss or degradation.

Mitigation Measures:

Biology 1: In the spring immediately prior to project implementation, protocol-level rare plant surveys shall be conducted on the project site. Rare plant surveys shall be conducted by a qualified botanist, in accordance with all applicable survey guidelines including those published by the United States Fish and Wildlife Service (USFWS), California Department of Fish and Wildlife (CDFW), and the California Native Plant Society (CNPS). If determined to be necessary by the qualified Botanist, reference site surveys shall be conducted to confirm plant phenology (flowering periods).

If State or federally listed plants are observed on-site during protocol-level rare plant surveys, all compensatory mitigation requirements and additional avoidance and minimization measures identified by CDFW and/or USFWS shall be implemented. If CNPS-Ranked species are observed on-site during protocol-level rare plant surveys, salvage of seed and/or root stock shall be conducted under the direction a qualified Botanist and in coordination with a qualified plant conservation institution or native nursery.

Implementing Action:	COA
Timing of Verification:	Prior to submittal of building permits and throughout project.
Responsible Department, Agency, or Party:	Project proponent and CDD.
Compliance Verification:	CDD review.

Potential Impact: Three of the birds listed above (red-tailed hawk, red-shouldered hawk, Cooper's hawk, sharp-skinned hawk, and destrel) were present, and observed foraging on the project site. Additionally, a Cooper's hawk was observed on the project site exhibiting nesting behaviors.

Mitigation Measures:

Biology 2: All trees removed from the on-site riparian woodland shall be replaced in-kind and on-site to the greatest extent practicable at a 3:1 ratio for native trees, or out-of-kind at 1:1 ratio for non-native trees, to be replaced with native trees. A total of 18 native trees within the riparian woodland community are scheduled for removal – these trees would be replaced with approximately 54 native riparian woodland tree species including valley oak, coast live oak, California buckeye, and black walnut. A replacement tree planting plan shall be approved by the County along with landscape plans prior to issuance of building permits.

All trees removed from the onsite valley oak woodland shall be replaced in-kind and onsite at a 3:1 ratio for native trees, or out-of-kind at 1:1 ratio for non-native trees, to be replaced with native trees. A total of 32 native and 8 non-native trees within the valley oak woodland community are scheduled for removal – these trees shall be replaced, onsite, with approximately 104 native valley oak woodland tree species such as valley oak, coast live oak, blue oak, California black oak, interior live oak, California buckeye, and/or California bay laurel. Replacement trees shall be planted as 15-gallon trees, except that up to 50 percent of the required replacement trees may be planted as 5-gallon trees if it is determined based on an arborist report that long-term tree health and survival will be improved by starting with a smaller container size. Trees planted shall be spaced in a manner that promotes their long-term growth habits. All installed plant material shall meet the American Nurseryman's Association Standards. Welded-wire cages shall be constructed around all tree plantings to

protect them from deer herbivory. A replacement tree planting plan shall be approved by the County along with landscape plans prior to issuance of building permits.

Biology 3: If vegetation removal, ground disturbance, or structure removal are scheduled to commence between February 1 and September 15, a preconstruction nesting bird survey of all suitable nesting habitat on the Project site and within the zone of influence (the area immediately surrounding the Project site that supports suitable nesting habitat that could be impacted by the proposed Project due to visual or auditory disturbance associated with the removal of vegetation and construction activities scheduled to occur during the nesting season) shall be conducted by a qualified biologist within 5 days prior to commencement of vegetation removal or ground disturbance. If no nesting birds are observed during the survey, the vegetation removal and/or ground disturbance may commence as planned. If nesting birds are observed during the survey, a non-disturbance buffer based on species, nest stage, and site conditions shall be established.

This buffer shall remain in place until such a time as the young have been determined (by a qualified Biologist) to have fledged. Nests shall be monitored daily by a qualified Biologist during project-related activities to determine the sufficiency of the buffer and whether it should be expanded to protect the nest based on disruptions to an individual bird's natural nesting behaviors. If the buffer is determined to be sufficient, monitoring shall be reduced to twice a week until fledging occurs. If any change in bird behavior is detected, active nest buffers will increase as determined by a qualified Biologist. Nesting bird surveys shall be repeated if there is a lapse in project activities of seven days or more.

Implementing Action:	COA
Timing of Verification:	During initial review of construction plan sets and throughout project.
Responsible Department, Agency, or Party:	Project proponent and CDD.
Compliance Verification:	CDD review.

Potential Impact: . CNDDB listed 5 occurrences of California red-legged frog (Rana draytonii) (CRLF) in the 5-mile radius of the project site. Additionally, during the April 2021 survey, the Project Biologist identified suitable habitat for the CRLF

Mitigation Measures:

Biology 4: A pre-construction survey for special-status reptile species shall be performed no more than 48 hours prior to ground disturbance or vegetation removal to determine presence/absence of Alameda whipsnake and western pond turtle. Worker Environmental Awareness training discussing the potential for these species shall be conducted by the qualified Biologist or Biological Monitor for all construction personnel working within the project site prior to construction.

Biology 5: Directed pre-construction surveys for the California red-legged frog (CRLF) shall be performed prior to construction activities. The creek channel and associated riparian woodland may serve as dispersal areas for CRLF. A qualified Biologist shall conduct a pre-

construction survey of these habitats for CRLF preceding the commencement of construction activities to verify presence/absence of this species. **In order to mitigate for potential impacts to California red-legged frog (CRLF) and western pond turtle, wildlife exclusion fencing (ERTEC fencing) shall be installed along the grading limit of the project site to prevent dispersal into the grading and work areas of the site from the creek channel and/or the riparian corridor. Fencing should be trenched into the ground bat a minimum of 6 inches and a lip should be formed along the top of the fence line. A qualified Biologist or Biological Monitor shall be on-site during initial ground-disturbing activities to inspect the work area and fence lines daily for special-status amphibians and other wildlife. Worker Environmental Awareness training discussing the potential for these species should be conducted by the qualified Biologist or Biological Monitor for all construction personnel working within the project site. If any CRLF or other listed amphibians are found during construction activities, the United States Fish and Wildlife Service (USFWS) should be consulted to approve capture and relocation by a qualified Biologist.**	
Implementing Action:	COA
Timing of Verification:	During initial review of construction plan sets and throughout project.
Responsible Department, Agency, or Party:	Project proponent and CDD.
Compliance Verification:	CDD review.
Potential Impact: Five occurrences of western pond turtle (Actinemys marmorata) within the 5-mile radius of the project site. Water was present in Grayson Creek during the April 2021 survey. Therefore, western pond turtle could use the creek for foraging and aquatic dispersal.	
Mitigation Measures:	
Biology 4 and Biology 5	
Potential Impact: Runoff from the project site could adversely affect aquatic life within the adjacent water features.	
Mitigation Measures:	
Biology 6: A Storm Water Pollution Prevention Plan (SWPPP) and a Storm Water Management Plan (SWMP) shall be designed to ensure that best management practices (BMPs) are implemented so there are no impacts to water quality in Grayson Creek resulting from project construction or postconstruction storm water run-off.	
Implementing Action:	COA
Timing of Verification:	During initial review of construction plan sets and throughout project.
Responsible Department, Agency, or Party:	Project proponent and CDD.

Compliance Verification:	CDD review.
Potential Impact: Removal of trees would impact raptor foraging and nesting bird habitat	
Mitigation Measures:	
Mitigation Measure Biology 2, Biology 3, and Biology 7 **Biology 7: Vegetation planted within on-site undeveloped areas shall be comprised of native valley oak woodland species to the greatest extent practicable. Landscape plans shall prioritize native vegetation and shall be approved by the County prior to issuance of building permits.**	
Implementing Action:	COA
Timing of Verification:	During initial review of construction plan and landscaping plan sets and throughout project.
Responsible Department, Agency, or Party:	Project proponent and CDD.
Compliance Verification:	CDD review.
Potential Impact: Mammals, such as the western red bat (Lasiurus blossevillii), hoary bat (Lasiurus cinereus), and Yuma myotis (Myotis yumanensis) could use large trees and existing residential buildings for roosting opportunities and foraging habitat within the site. Implementation of the project would result in the demolition of the existing residences along with 40 trees. Tree removal partnered with any project-related construction lighting would result in the disturbance of roosting bats and the loss of roosting and foraging bat habitat.	
Mitigation Measures:	
Biology 8: For all project activities planned in or adjacent to potential bat roosting habitat, such as structures and/or involving woody vegetation modification or removal of any and all trees, a qualified Biologist shall conduct daytime and evening acoustic surveys in addition to extensive visual surveys of potential habitat for special-status bats at least 7 days prior to initiation of project activities. If bats are found on-site, a qualified Biologist shall identify the species, estimated quantity present, roost type, and roost status, but shall avoid disturbing bats during surveys. A qualified Biologist shall also create a Bat Mitigation and Monitoring Plan if special-status bat species are detected prior to the start of project activities. The Bat Mitigation and Monitoring Plan shall include: (1) an assessment of all project impacts to special-status bats, including noise disturbance during construction; (2) effective avoidance and minimization measures to protect special-status bats; (3) and compensatory mitigation for permanent impacts to special-status bats or their nesting/roosting habitat. If structures, trees, or other refugia equivalents are slated for limbing, removal, or modification, the Bat Mitigation and Monitoring Plan shall include the following measures: **• To ensure that special-status bats have left potential roosting refugia, work shall occur over the course of two days. On the first day, smaller limbs or items from the identified trees or structures shall be brushed back or modified in the late afternoon. This disturbance should cause any potential roosting bats to seek other roosts during their nighttime foraging. The remainder of the refugia item can then be further limbed or removed as needed on the second day as late in the afternoon as feasible. If bats are found injured, or if bat mortality occurs during the course of tree**	

work, a qualified Biologist shall record the species impacted, and the number of individuals documented.

• Tree limbing, modification, removal, or work on structural refugia shall not be performed under any of the following conditions: during any precipitation events, when ambient temperatures are below 4.5 degrees Celsius, when windspeeds exceed 11 miles per hour, and/or any other condition which may lead to bats seeking refuge.

• If special-status bats are found utilizing a tree, structure, or equivalent for roosting, the Bat Mitigation and Monitoring Plan shall include permanent artif,icial roosting habitat installation that shall be adjacent to, and sufficient for, the species observed and associated ecology thereof. Effective buffer zones for the installation and monitoring of the artificial roosts shall be determined and established by a qualified Biologist. Artificial roosts shall follow the 2018 Acceptable Management Practices for Bat Species Inhabiting Transportation Infrastructure.

Implementing Action:	COA
Timing of Verification:	During initial review of construction plan sets and throughout project.
Responsible Department, Agency, or Party:	Project proponent and CDD.
Compliance Verification:	CDD review.

Potential Impact: Project implementation would result in removal of approximately 1.18 acres of valley oak woodland, which is considered a sensitive natural community and is an oak woodland protected under the Oak Woodland Conservation Act.

Mitigation Measures:

Mitigation Measure Biology 2, Biology 6, Biology 7 and Biology 9

Biology 9: During project implementation, the applicant shall implement the following Tree Preservation Guidelines, as detailed in the Revised Arborist Report Dated May 6, 2020 prepared by Traverso Tree Service, specially:

Pre- Grading Phase

a. Mulch from tree removals may be spread out under the driplines of trees that will be retained, keeping at least 12" away from the trunks.

b. Prior to construction or grading, contractor shall install protection fencing to construct a temporary Tree Protection Zone (TPZ) around each tree or grove of trees to be saved.

c. TPZ fencing shall encompass the driplines and be approved by the project arborist.

d. TPZ fencing shall remain in an upright sturdy manner from the start of grading until the completion of construction. Fencing shall not be adjusted or removed without consulting the project arborist.

Grading and Construction Phase

a. The project arborist shall be on-site during excavation/grading within driplines, especially trees: #'s 102, 137, 138, 154, 157, 159, 160, 160b, 162, 163, 173, 173c, 182, 183, 185, 186, 189.

b. Should roots > 2" be encountered, arborist shall cleanly prune roots with a handsaw or sawzall, and immediately re-cover. Irrigate as necessary.
c. If needed, canopy pruning shall be performed by personnel certified by the International Society of Arboriculture (ISA). All pruning shall adhere to ISA and American National Standards Institute (ANSI) Standards and Best Management Practices.
d. Project arborist to set guidelines prior to pruning.
e. Should Tree Protection Zone (TPZ) encroachment be necessary, the contractor shall contact the project arborist for consultation and recommendations.
f. Contractor shall keep TPZs free of all construction-related materials, debris, fill soil, equipment, etc. The only acceptable material is mulch spread out beneath the trees.
g. Should any damage to the trees occur, the contractor shall promptly notify the project Arborist to appropriately mitigate the damage.

Landscaping Phase
a. The Tree Protection Zone (TPZ) fencing shall remain in place with the same restrictions until landscape contractor notifies and meets with the project arborist.
b. Avoid all fill work, grade changes, and trenching within driplines unless it is performed by hand, and approved by the project arborist.
c. Pipes shall be threaded under or through large roots without damaging them.
d. Contractor shall avoid trenching and grade changes within driplines.
e. All planting and irrigation shall be kept a minimum of 10' away from native oaks. All irrigation within the driplines shall be targeted at specific plants, such as drip emitters or bubblers. No overhead irrigation shall occur within the driplines of native oaks.

Potential Impact: The proposed project plans on the removal of approximately 97 trees including native species such as coast live oak, valley oak, black walnut, and buckeye. Native trees and all trees greater than 6.5 inches in diameter at breast height (dbh) are considered to be protected under the Contra Costa County Tree Protection and Preservation Ordinance.

Mitigation Measures: Biology 2, Biology 3, and Biology 9.

Implementing Action:	COA
Timing of Verification:	During initial review of construction plan sets and throughout project.
Responsible Department, Agency, or Party:	Project proponent and CDD.
Compliance Verification:	CDD review.

SECTION 4: CULTURAL RESOURCES

Potential Impact: The project could cause a substantial adverse change in the significance of a historical resource as defined in California Environmental Quality Act Guidelines Section 15064.5. Subsurface construction activities have the potential to damage or destroy previously undiscovered historic and prehistoric resources. Historic resources can include wood, stone, foundations, and other structural remains; debris-filled wells or privies; and deposits of wood, glass, ceramics, and other refuse. If during project construction, subsurface construction activities damaged previously undiscovered historic and prehistoric resources, there could be a potentially significant impact.

Mitigation Measures:	
Cultural Resources 1: All project-related ground disturbance shall be monitored by an archaeologist who meets the Secretary of the Interior's professional qualification standards for archaeology. In the event that significant cultural resources are discovered during construction activities, the applicant/project owner or sponsor shall ensure that operations within a 100-foot radius of the find shall cease and the archaeologist will be consulted to determine whether the resource requires further study. The standard inadvertent discovery clause shall be included on the grading plans submitted to the City to inform contractors of this requirement. Potentially significant cultural resources consist of but are not limited to stone, bone, fossils, wood, or shell artifacts or features, including hearths, structural remains, or historic dumpsites. The archaeologist shall make recommendations to the City concerning appropriate measures, which shall be implemented by the applicant/project owner or sponsor to protect the discovered resources, including but not limited to recordation on appropriate California Department of Parks and Recreation (DPR) forms, evaluation, or excavation of the finds in accordance with CEQA Guidelines, Section 15064.5. **Cultural Resources 2: In the event of accidental discovery or recognition of any human remains, CEQA Guidelines Section 15064.5, Health and Safety Code Section 7050.5, and Public Resources Code Sections 5097.94 and 5097.98 shall be followed. If during the course of construction activities there is accidental discovery or recognition of any human remains, the following steps shall be taken:** **1. There shall be no further excavation or disturbance within 100 feet of the remains until the County Coroner is contacted to determine if the remains are Native American and if an investigation of the cause of death is required. If the coroner determines the remains to be Native American, the coroner shall contact the Native American Heritage Commission (NAHC) within 24 hours, and the NAHC shall identify the person or persons it believes to be the Most Likely Descendant (MLD) of the deceased Native American. The MLD may make recommendations to the landowner or the person responsible for the excavation work within 48 hours, for means of treating or disposing of, with appropriate dignity, the human remains and any associated grave goods as provided in Public Resources Code section 5097.98.** **2. Where the following conditions occur, the landowner or his or her authorized representative shall rebury the Native American human remains and associated grave goods with appropriate dignity either in accordance with the recommendations of the most likely descendant or on the project site in a location not subject to further subsurface disturbance:** **• The NAHC is unable to identify a most likely descendent or the most likely descendent failed to make a recommendation within 48 hours after being notified by the commission.** **• The descendant identified fails to make a recommendation.** **• The landowner or his authorized representative rejects the recommendation of the descendant, and mediation by the NAHC fails to provide measures acceptable to the landowner.**	
Implementing Action:	COA

Timing of Verification:	During initial review of construction plan sets and throughout project.
Responsible Department, Agency, or Party:	Project proponent and CDD.
Compliance Verification:	Include on plan sets during plan check and submittal of archaeologist report in the event of a find, for CDD review.

SECTION 5: GEOLOGY AND SOILS

Potential Impact: The project could significantly impact the potential for increased exposure to adverse effects, including the risk of loss, injury or death from seismic-related ground failure, including liquefaction.

Mitigation Measures:

Geology 1: Prior to issuance of grading permits, the project applicant shall incorporate all recommendations provided in the project-Geotechnical Exploration into project plans, which shall be subject to review and approval by the County Geologist, or designee, prior to permit issuance. The geotechnical recommendations shall be implemented including general earthwork recommendations for site preparation, conditioning of expansive soils, removal of buried structures, removal of fill and disturbed soil, surface and subsurface drainage, biofiltration facilities, foundations, concrete flatwork, retaining walls, spread and pier footings, pavement areas, utility trenches, project review, and construction monitoring. Additionally, these include recommendations related to structural design, foundation design, foundation systems, slabs, moisture barriers, seismic design, walls, footings, slabs and walkways, concrete design, corrosion, pavement design, as well as lot maintenance, and future plan reviews.

Implementing Action:	COA
Timing of Verification:	Prior to issuance of a grading or building permit.
Responsible Department, Agency, or Party:	Project proponent, project geologist, peer review geologist, and CDD.
Compliance Verification:	CDD and peer review geologist review of investigation report by project geologist.

Potential Impact: There is a possibility that previously undiscovered buried fossils and other paleontological resources could be present and accidental discovery could occur.

Geology 2: The project applicant shall retain a qualified Paleontologist to conduct paleontological monitoring during all earth-disturbing construction activities. Should any significant fossils (I.e., bones, teeth, or unusually abundant and well-preserved invertebrates or plants) be unearthed, the construction crew shall not attempt to remove them, as they could be extremely fragile and prone to crumbling, and to ensure their occurrence is properly recorded; instead, all work in the immediate vicinity of the discovery shall be diverted at least 15 feet until a professional paleontologist assesses the find and, if

deemed appropriate, salvages it in a timely manner. All recovered fossils shall be deposited in an appropriate repository, such as the University of California Museum of Paleontology (UCMP), where they would be properly curated and made accessible for future study.	
Implementing Action:	COA
Timing of Verification:	Project proponent and CDD.
Responsible Department, Agency, or Party:	CDD.
Compliance Verification:	Prior to recordation of the Final Parcel Map.
Potential Impact: The project could be located on 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	
Mitigation Measures:	
Mitigation Measures **Geology 1** would reduce the impacts of unstable soil to a less than significant level.	
Section 13 NOISE	
Potential Impact: Construction related noise could impact adjacent sensitive receptors.	

Noise 1: To reduce potential construction noise impacts, the following multi-part mitigation measure shall be implemented for the proposed project: **• The construction contractor shall ensure that 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 ensure that unnecessary idling of internal combustion engines (i.e., idling in excess of 5 minutes) is prohibited.** **• The construction contractor shall utilize "quiet" models of air compressors and other stationary noise sources where such market available technology exists.** **• At all times during project grading and construction, the construction contractor shall ensure that stationary noise-generating equipment shall be located as far as practicable from sensitive receptors and placed so that emitted noise is directed away from the nearest residential land uses.** **• 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 would determine the cause of the noise complaints (starting too early, bad muffler, etc.) and establish reasonable measures necessary to correct the problem. The construction contractor shall visibly post a telephone number for the disturbance coordinator at the construction site.** **• The construction contractor shall limit noise producing construction activities to the hours between 7:00 a.m. and 7:00 p.m., Monday through Friday, and between 8:00 a.m. and 7:00 p.m. on Saturday. No such activities shall be permitted on Sundays or federal holidays.**	
Implementing Action:	COA
Timing of Verification:	Project proponent and CDD.
Responsible Department, Agency, or Party:	CDD.
Compliance Verification:	Prior to recordation of the Final Parcel Map.
SECTION 18: TRIBAL CULTURAL RESOURCES	
Potential Impact: The project could cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k). The expected construction and grading could cause ground disturbance which may impact heretofore undocumented cultural resources.	
Mitigation Measures:	
Implementation of mitigations measure **Cultural Resources 1** would reduce the impact on archeological resources during project related work.	
Potential Impact: The project could cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural	

landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is a resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. The expected construction and grading could cause ground disturbance which may impact heretofore undocumented cultural resources.
Mitigation Measures:
Implementation of mitigations measure **Cultural Resources 1** would reduce the impact on archeological resources during project related work.
SECTION 10: MANDATORY FINDINGS OF SIGNIFICANCE
Potential Impact: As discussed in individual sections of the Initial Study, the project to create two parcels from the site may impact the quality of the environment (Aesthetics, Air Quality, Biological Resources, Cultural Resources, Geological Resources, Noise, and Tribal Cultural Resources).
Mitigation Measures:
The impact would be reduced to a less than significant level with the adoption of the recommended Mitigation Measures that are specified in the respective sections of the Initial Study.

EAST BAY
MUNICIPAL UTILITY DISTRICT

April 12, 2023

Joseph W. Lawlor Jr, AICP; Project Planner
Contra Costa County, Department of Conservation and Development
Community Development Division
30 Muir Road
Martinez, CA 94553

Re: Notice of Public Review and Intent to Adopt a Proposed Mitigated Negative Declaration (Revised) for the Grayson Road 10-Lot Subdivision, Pleasant Hill, (County File #CDSD20-09531)

Dear Mr. Lawlor:

East Bay Municipal Utility District (EBMUD) appreciates the opportunity to comment on the Mitigated Negative Declaration (Revised) for the Grayson Road 10-Lot Subdivision, located at 1024 and 1026 Grayson Road in Pleasant Hill in unincorporated Contra Costa County (County). EBMUD commented on a Mitigated Negative Declaration for the project on April 27, 2022. EBMUD's original comments (see enclosure) still apply to the revised project regarding water service and water conservation.

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

Sincerely,

David J. Rehnstrom
Manager of Water Distribution Planning

DJR:EZ:kvv
wdpd23_098 Grayson Road 10 - Lot Subdivision

Enclosure: EBMUD April 27, 2022 comment letter on a Mitigated Negative Declaration for the Grayson Road 10-Lot Subdivision, Pleasant Hill, (County File #CDSD20-09531)

cc: Andy Byde
Calibr Ventures
1908 Cambridge Place
Walnut Creek, CA 94598

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EAST BAY
MUNICIPAL UTILITY DISTRICT

April 27, 2022

Joseph W. Lawlor Jr. AICP; Project Planner
Contra Costa County, Department of Conservation and Development
Community Develop Division
30 Muir Road
Martinez, CA 94553

Re: Notice of Public Review and Intent to Adopt a Proposed Mitigated Negative Declaration for the Grayson Road 10-Lot Subdivision, Pleasant Hill, (County File #CDSD20-09531)

Dear Mr. Lawlor:

East Bay Municipal Utility District (EBMUD) appreciates the opportunity to comment on the Mitigated Negative Declaration (MND) for the Grayson Road 10-Lot Subdivision, located at 1024 and 1026 Grayson Road in Pleasant Hill in unincorporated Contra Costa County (County). EBMUD has the following comments

WATER SERVICE

EBMUD's Leland Pressure Zone, with a service elevation range between 50 and 250 feet, will serve the proposed development. Once the property is subdivided, separate meters for each lot will be required. A main extension, at the project sponsor's expense, will be required to serve the proposed developments. When the development plans are finalized, the project sponsor should contact EBMUD's New Business Office and request a water service estimate to determine costs and conditions for providing water service to the proposed development. Engineering and installation of water mains and services require substantial lead time, which should be provided for in the project sponsor's development schedule.

A minimum 20-foot wide right-of-way is required for installation of new water mains. Utilities to be installed in the right-of-way with the water mains must be located such that the new water mains meet the minimum horizontal and vertical separation distances with other utilities as set forth in the California (Waterworks Standards) Code of Regulations, Title 22, Section 64572 (Water Main Separation) and EBMUD requirements for placement of water mains within a right-of-way. These minimum horizontal separation distance requirements include, but are not limited to, 10 feet between the water main and sewer, 5 feet between the water main and storm drain, 7 feet from the face of curb, and 5 feet from the edge of the right-of-way. In addition, water mains must be vertically located a minimum of one foot above sewers and storm drains. EBMUD cannot maintain water mains and services installed under pervious pavement; therefore, an alternative to pervious

pavement would be required if installation of EBMUD water mains or services on site is required.

WATER CONSERVATION

The project presents an opportunity to incorporate water conservation measures. EBMUD requests that the County include in its conditions of approval a requirement that the project sponsor comply with Assembly Bill 325, "Model Water Efficient Landscape Ordinance," (Division 2, Title 23, California Code of Regulations, Chapter 2.7, Sections 490 through 495). The project sponsor should be aware that Section 31 of EBMUD's Water Service Regulations requires that water service shall not be furnished for new or expanded service unless all the applicable water-efficiency measures described in the regulation are installed at the project sponsor's expense.

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

Sincerely,

David J. Rehnstrom
Manager of Water Distribution Planning

DJR:KTL:grd
sb22_095 Grayson Road 10-Lot Subdivision MND Response

cc: Andy Byde
Calibr Ventures
1908 Cambridge Place
Walnut Creek, CA 94598

Department of Conservation and Development
30 Muir Road
Martinez, CA 94553

Contra Costa County

John Kopchik
Director

Aruna Bhat
Deputy Director

Deidra Dingman
Deputy Director

Jason Crapo
Deputy Director

Maureen Toms
Deputy Director

Gabriel Lemus
Assistant Deputy Director

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APR 17 2023
Dept of Conservation & Development

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IEW AND INTENT TO ADOPT

GATIVE DECLARATION (Revised)

o. CDSD20-09531

ces Code and the "Guidelines for Implementation of the ' as amended to date, this is to advise you that the ment of Conservation and Development of Contra Costa ing project:

vision (County File #CDSD20-09531)

1024 and 1026 Grayson Rd, Pleasant Hill, CA 94523
s: 166-030-001 and 166-030-002

de, 1908 Cambridge Place, Walnut Creek, CA 94598

tment of Conservation and Development (925)655-2872
94553

approval of a vesting tentative map for a subdivision t site into 10 lots ranging in size from 7,347 to 22,460 droom single-family residence ranging in size from cted to be constructed. Two existing, vacant, residences . Implementation of the project could include more than

would be constructed throughout the site. For access, a nect the lots to Grayson Road. Stormwater flows would basin located at the northeast corner of Lot 2. Treated into a Contra Costa County maintained stormwater on Road.

limits and Grayson Creek would be included as part of the project. To accommodate improvements, a tree permit would be included for the removal of 97 code-protected trees.

Re: Grayson property

Ann Keeler <amkeeler@pacbell.net>
Sat 4/22/2023 1:26 PM

To: Joseph Lawlor <Joseph.Lawlor@dcd.cccounty.us>

Hello again. Not sure if Fish and Game would be concerned but there appears to be a flock of band tail pigeons that seem to be spending a lot of time on that property. They are getting to pretty unusual to see in this area. If there is someone else I should mention this to please let me know. Thanks
Ann Keeler

> On May 25, 2022, at 10:49, Ann Keeler <amkeeler@pacbell.net> wrote:
>
> I just drove by the property from grayson side and it appears is work on trees at big brown house next door. Next time I will try and look before I contact you.
> Sorry for any inconvenience
>
> Ann
>
> > On May 25, 2022, at 09:56, Joseph Lawlor <Joseph.Lawlor@dcd.cccounty.us> wrote:
> >
> > Ann,
> >
> > Thank you for the email. I have reached out to our Code Enforcement Division regarding the work.
> >
> > Regards,
> >
> > <Outlook-grsz4jsa.png>
> >
> > **Joseph W. Lawlor Jr, AICP**
> > Project Planner, Current Planning Section
> > Community Development Division
> > Contra Costa County Department of Conservation and Development
> > 30 Muir Road, Martinez, CA 94553
> > Phone: (925) 655-2872
> >
> > ---
> >
> > **From:** Ann Keeler <amkeeler@pacbell.net>
> > **Sent:** Wednesday, May 25, 2022 9:46 AM
> > **To:** Joseph Lawlor <Joseph.Lawlor@dcd.cccounty.us>
> > **Subject:** Grayson property
> >
> > Good morning- I'm not sure that you would be the person to contact, but I'm a neighbor from Mohawk Dr and happened to be going in to work late and hear chainsaws over on the property. Not sure what they are cutting, can't actually see them- but thought maybe someone would want to check into it, since I believe there were restrictions on what is to be cut.
> > Thank you
> >
> > Ann Keeler

1024, 1026 Grayson Road Development

Clay Haberman <clay@johnsonlyman.com>

Wed 4/19/2023 2:43 PM

To: Joseph Lawlor <Joseph.Lawlor@dcd.cccounty.us>

Cc: 'Clay Haberman' <j1ofarch@gmail.com>

Dear Mr. Lawlor,

I am writing in regards to the proposed mitigated negative declaration for 1024 and 1026 Grayson Rd. Pleasant Hill, County File CDSD20-0931. The following items are of concern and

1. Noise mitigation.: The allowance for 12 hour noise generating work on days during the week is excessive. Noise generating activities should be limited on Saturdays to 9:00-5:00.
2. The arborist report and tree survey have not been updated since the property owner removed trees. This means that the documentation is inaccurate and the replacement plantings could be lacking. A new tree survey should be performed to confirm that no protected trees were removed. A tree protection plan and details should be mandated as a condition of approval. In-lieu plantings should be quantified (enumerated) based on the original survey prior to the removal of trees during the planning process.
3. The 14 ft. front setback allowance for new homes should not include the garage. A standard car parking stall is 9 ft wide x 19 ft long. For homes this size driveways should be designed so that a minimum of 2 cars can park in the driveway. The new access road appears to be too narrow for cars to park parallel to the curb, so cars will be parked on Grayson. Cars will have to park in the bike lane or will park farther down on Grayson in front of neighboring homes. Allowing substandard street improvements further exacerbates this problem. Grayson road street improvements providing parallel parking and safe pedestrian access should be required along the project frontage.
4. One of the concessions granted for this project is to allow smaller lots. Perhaps the lots should be made even smaller to allow for the proper street and driveway improvements. This would result in smaller homes, but would not jeopardize the number of affordable units proposed and would be less of a burden on the adjacent streets and neighbors.

Thank you for your consideration.

Sincerely,

Clay Haberman
1010 Grayson Road
Pleasant Hill, CA
925-323-1440

response to proposed project

Kirsten West <88keywest@gmail.com>
Sun 4/23/2023 5:30 PM
To: Joseph Lawlor <Joseph.Lawlor@dcd.cccounty.us>

April 23, 2023

Dear Mr. Lawlor,

This letter is in response to the Notice of Public Review and Intent to Adopt a Proposed Mitigated Negative Declaration, that was sent to those of us who live on Mohawk Dr. and Iroquois, directly behind the proposed project. We appreciate the opportunity to respond and are hopeful that because our opinion is being solicited that our concerns will be recognized and perhaps the course of this development adjusted.

In reading through the project description, what becomes apparent is that there are many protections in place for keeping the quality of life and integrity of an area. These protections have been put there to guard against over building, destruction of native habitat, road safety etc. so that one person's profit does not run rough-shod over many people's living environment. There are people such as yourself, whose job it is to enforce these standards and we are grateful for the role you play in keeping our county a desireable place to live. However, it seems that many of these protections are being "waived" to accommodate the desires of the builder. Why is this so?

For instance it states in paragraph three that, "to accommodate improvements, a tree permit would be included for the removal of 97 code-protected trees." If these trees are code-protected why are they being removed?

On page 2 paragraph one it states that, "In addition to the increased density of one unit (10 units total), the project is seeking waivers of developments standards pertaining to: (a) a reduction in minimum lot size for Lots 1-4-10; (b) a reduction in the minimum lot width for Lots 1-10 to allow lot average widths as low as 56 feet; (c) a reduction in minimum lot depth for Lot 1; and (d) reduced residential setback requirement to allow 14-foot front setbacks." Why would waivers be given simply to accommodate putting in more houses on smaller lots?

This part in paragraph one of page two is particularly puzzling where it states, "The project is seeking these reductions and waivers because application of the required standard would physically preclude the development of the project at the proposed density with the proposed one moderate income unit." So why would this project be approved at the requested density if to do so requires waivers from the required standard?

Further on in paragraph one of page two it states, "Finally, the project is seeking a concession to allow for alternative roadway improvements along Grayson Road, including bicycle lane striping, where curb, 5-foot-wide sidewalk, necessary for longitudinal and transverse drainage are required." So instead of building a sidewalk in front of this project which is required, the builder is asking for a concession to put in bicycle striping which is already there. Why would he be allowed to skirt building a sidewalk?

Another concern is with the length of the driveways which will inevitably cause many more cars to be parked along Grayson Rd. Most houses of the proposed size in this development will have at least two cars and probably three for each home. The 14 ft. front setback allowance should not include the garage. A minimum 20 ft. driveway should be required to avoid having multiple cars being parked on Grayson Rd which will not only inhibit walkers but cyclists as well. Grayson Road is a frequent walking route for many people and having cars parked along this road will make it more dangerous to walk there.

We also have concerns about the work hours stated for accomplishing this project. To be allowed to work with high-decibel tools from 7:00 a.m.- 7:00 p.m. on weekdays and 8:00-6:00 on Saturdays is unacceptable. 12 hour noise generating work days during the week is excessive and would greatly negatively impact all of us who live within 100 feet of this project. Any construction activities should be limited on Saturdays to 9:00-5:00 p.m. without exception. Noise generating activites on weekdays should be limited to 8:00-5:00 p.m. There is precedence for these restrictions from other approved projects on the County's website.

We appreciate the opportunity to voice our concerns and are hopeful that the county will use the regulations which are on the books to ensure that the environment that is so important to so many people will not be ignored or "waived." It is clear in reading the report sent to us that this particular project requires many such "waivers" in order to proceed. It is our sincere desire that the regulations be applied and not waived. Thank you for your important work in ensuring the quality of life in our county.

Sincerely,

Kirsten and Art West
2063 Mohawk Dr.
Pleasant Hill, CA. 94523

Grayson

Lacey Friedman <laceydoxie@icloud.com>

Mon 4/24/2023 5:00 PM

To: Joseph Lawlor <Joseph.Lawlor@dcd.cccounty.us>

The the contra Costa County Clean Water program is a permittee of the Water Quality Control Board and as such has regulatory authority over new developments, specifically all those in C3 permit program. You do not state such regulatory authority is this NMD.
I did not see anywhere that they were contacted and given the opportunity to comment.

I am truly dismayed that you failed to make the developer provide the residents with information about how far back from the creek this development will be. Will it be visible from both or one side of the development once all the trees are demolished? I disagree that lighting pointing down is not lighting pollution. Did anybody take a look at feasibility of shorter dimmer lights to not affect the wildlife in the atmosphere of the neighborhood.

https://www.cccleanwater.org/development-infrastructure/development

Shared via the Google app

Sent from my iPhone

April 24, 2023

Joseph W. Lawlor Jr.
Community Development Division
Contra Costa County, Department of Conservation and Development
30 Muir Road
Martinez, CA 94553
joseph.lawlor@dcd.cccounty.us

Re: Grayson Road 10-Lot Subdivision, County File #CDSD20-09531
Proposed Mitigated Negative Declaration (Revised)
Comments submitted via email

Dear Mr. Lawlor,

Thank you for the opportunity to comment on the above referenced project and revised mitigated negative declaration (MND). As you are aware from previous communications, my mother Jeanne Shikany lives on Iroquois Drive in the neighborhood south of this project, and will be impacted by elements of the project such as noise, traffic, and the loss of the rural character her neighborhood and surrounding area enjoys. I write on her behalf, as well as my own. In addition to impacting the Mohawk and Iroquois Drive neighborhood, the proposed project will have both local and regional natural resource impacts, including but not limited to wildlife, habitat, and water quality impacts.

Please be informed that in an email dated May 8, 2022, that I wrote on behalf of my mother and myself, I specifically requested that she be notified of any activities regarding this project. While I was notified by mail, she never received any notification from the County. The County is required to provide adequate notice to anyone requesting it, and failed to do so in the case of my mother. Further, the MND that is published for public review is incomplete. It lacks copies of the various reports prepared to address the impacts of this project, including the addendum to the previous biological assessment, thereby limiting the public's ability to review and comment on the project and the MND. While I am aware the public can request copies of these reports, that does not excuse the County from fulfilling their legal responsibility to properly circulate a complete MND that includes supporting documentation in order to facilitate meaningful public and agency input.

The County previously considered a proposal to develop this property during approximately 2007 to 2009. The proposal was brought forward by the previous property owners, the children of the the longtime property owners who had passed away. Their goal, according to letters they provided to the neighbors notifying them of their proposed project, was to create lots consistent with the neighborhood while promoting privacy by limiting adjoining rear yards with existing neighbors and minimizing tree removal. They originally proposed creation of six lots, but reduced that number to five to reduce impacts to the riparian habitat and to allow sufficient area for tree replacement. The previous property owners had the courtesy to reach out to the owners of neighboring properties about their development plans at least twice, and apparently considered neighborhood concerns, the community character, and habitat values in their development proposal which proposed a much more reasonable density than what is currently be proposed.

The developer of the current project has not contacted any of the neighbors regarding his plans to my knowledge. This lack of communication is particularly unsavory due to the fact

that compared to the previous project, the current project includes twice the number of lots; includes setback waivers, lot size waivers, and a moderate income home, all for the purpose of facilitating a maximum density development on a lot that contains substantial sensitive habitat and wildlife; is completely out of character for the surrounding area; and results in significantly more tree and habitat removal with no area for tree replacement and habitat restoration despite the requirement to replace all removed trees. Although neighborhood outreach may not be specifically required, it is certainly the courteous and honorable thing to do when undertaking a project of this size and with the significant impacts of this project. The developer is well aware by now that the neighbors have legitimate concerns, yet he still chose to conduct no outreach.

It appears that there are no changes to the design of this project from the initial MND circulation, and that neighborhood concerns regarding the project design have been ignored or dismissed. While mitigation has been added to address temporary construction impacts to Grayson Creek, water quality, and wildlife, the longterm impacts to sensitive habitats and the wildlife that currently utilizes them remain virtually ignored and unmitigated in the MND. In fact, mitigation measures that would have provided at least some longterm protection to Grayson Creek through riparian corridor fencing and a deed restriction prohibiting development, have been removed from the MND. Concerns about lack of sidewalks and pedestrian safety on Grayson Road due to the density of this development remain. I continue to have concerns about the project and the project MND, as provided in my comments that follow. You will see many of the concerns I expressed in my previous MND comments are repeated here, as they continue to be relevant and were unfortunately not addressed by the current MND.

Project Description

The concept of a vesting tentative should be explained in the project description so the public understands the advantage the developer is receiving from the county, and what he should provide in return for being granted this advantage; this is a land use issue. The developer is receiving the benefit of a vested right to proceed with the subdivision in substantial compliance with the regulations in effect at the time the project is deemed complete by the county; this protects the developer from potential future changes in regulations. In exchange for this protection, the developer should be required to provide additional details for the project, such as floor plans, elevations, architectural plans; landscaping plans; parking details; and so forth for all units, including accessory dwelling units. It does not appear that this vesting tentative map goes beyond what would normally be required for a tentative map and environmental review, and there do not appear to be any specific requirements for vesting tentative maps in the County's subdivision regulations. The benefits the developer is receiving associated with a vesting tentative map should be clearly described, as should the additional plan requirements for being granted the privilege of a vesting tentative map. If there are no requirements beyond those of a regular tentative map, the county should justify why the development is being granted the privilege of a vesting tentative map.

The project description provided at the beginning of the MND lacks sufficient detail to serve as the basis for addressing potential project impacts. The MND instead relies on sections of what should be a single project description that are provided in the analysis sections. While project details are included in the MND discussion sections, the project description at the beginning of this MND should include all project details sufficient to analyze the project, as it provides the basis for environmental review and approval of the project.

There are also details missing from the MND analysis discussions serving as a fragmented project description. For example, if accessory dwelling units are included in the project, they

should be included in the project description, and all environmental impact assessments should consider the extra impact burden resulting from the additional dwellings. The MND does not state the distance from the creek to the riparian corridor setback, nor does it describe the width of the riparian corridor that was previously proposed to be protected (previous mitigation measures providing protection are missing.) The project description does not mention the waiver of setback for retaining walls included in the land use section, and nowhere in the MND is the location of the retaining wall mentioned or shown on any project plans. The project plans lack labels for many of the lines shown, including the top of bank and the centerline of the creek channel which should be clearly labeled. This is just some of the missing information.

Surrounding Land Uses and Setting

The site and area description is extremely lacking, as it makes no mention of the riparian, oak woodland, and other protected habitat and vegetation that exists throughout the project site, nor does it mention the wildlife that utilizes the site. Again, while this information is provided in the analysis sections, it should be included in the project description. The description of the surrounding area as representative of single-family residential development in central Contra Costa County is vague and inaccurate. The area immediately surrounding the subject project site on the south side of Grayson Road in the County is very different from development across Grayson Road in Pleasant Hill. The surrounding area must be accurately characterized. This dense development with extremely large homes may be similar to development that is occurring in Pleasant Hill, but is not consistent with the area of the County within which it is proposed.

Other Public Agencies Whose Approval is Required

This project will require a Streambed Alteration Agreement from the California Department of Fish and Wildlife, and a Stormwater Pollution Prevention Plan from the Regional Water Quality Control Board, yet neither of these agencies are listed here as they should be.

1. AESTHETICS

c) While this area may be considered urbanized by the Census Bureau, the visual character of the area is still relatively rural, with significant tree cover and larger lots. The proposed reduction in lot width, size, and setbacks combined with the proposed very large homes, relatively small developable area on each lot, and significant lot coverage proposed for this subdivision (over 1 acre) will result in a development that is definitely not in keeping with the immediate surrounding area. As shown on sheet 7 of the project plans, the usable area of many of these lots is no more than approximately half the lot, and in the case of Lots 3, 4 and 5 may be less than half the listed lot size in Table 1 in the LAND USE section. Thus, considering just the lot size when determining aesthetic impacts is misleading. The limited developable area on each of these lots, combined with the setback waivers, results in a subdivision with the density and appearance of the newer dense subdivisions with large homes being built in Pleasant Hill. This circumstance is not appropriate for this general location.

   The finding that this residential project is consistent with other residential development immediately surrounding this project is not correct, and cannot be supported with the proposed exceptions to lot width, size and setbacks, and minimal developable area on each lot.

In order to not degrade the existing visual character of the site and its surroundings while still allowing for residential development, the density of the development must be reduced. Lot size, width, and setback waivers could then be eliminated, and increased setbacks from the creek to the proposed residential development could be accomplished, all of which is particularly important in light of the size of the proposed homes. In addition, if a landscaping plan is relied on to make the less than significant finding for aesthetics, what measurable performance standards are proposed for landscaping to ensure a less than significant impact to aesthetics, particularly since there will not be adequate room on any of the lots to replace the 158 trees to be removed. The requirement for "adequate planting of trees and other landscaping" is not a measurable performance standard, and is relatively meaningless without a clear and detailed definition of "adequate".

Aesthetics 1: As I mentioned in my previous comments, this mitigation measure makes no mention of ensuring new lighting does not impact the riparian area. The measure states that light will be contained within the project site, but the riparian area is within the project site. Performance standards should specify lighting shall not be allowed to impact the creek and riparian corridor, and shall be fully contained horizontally and vertically within the developed portion of the project.

4. BIOLOGICAL RESOURCES

The biological assessment report was completed in May 2021 and updated in February 2022, according to the initial study. The report states the field work was conducted in April of 2021. The initial study further states that an addendum to the biological report was prepared in November of 2022. Unfortunately, no reports, including the addendum to the biological assessment, were attached to the MND, resulting in the MND being incomplete and thus restricting the public's ability to comment on the findings. Further, there is no discussion regarding what public agencies with jurisdiction over potentially impacted resources were consulted about this project prior to completion of the initial study with the exception of CDFW, and what their comments were.

a) This project has the potential to have a significant adverse effect through both temporary construction impacts, permanent habitat loss, and ongoing disturbance from proposed residences. All mitigation currently proposed is to mitigate temporary construction impacts to sensitive habitats, plants and wildlife. There is no discussion of the potential permanent adverse impacts that will result from the virtually complete removal of habitat from everywhere on the property except the riparian corridor, including the removal of some trees whose canopies are located in the riparian corridor, and the introduction of residential uses that will preclude reestablishment of the habitat. There is no analysis of the impacts of noise, lights, and other residential activities on what habitat and wildlife will remain, as well as on reestablishment of destroyed habitat (for example, residential uses leave no room for replanting of removed trees.) There is no analysis or mitigation to address likely intrusions by residents into the riparian corridor that would be facilitated by the close proximity of proposed homes with shallow rear yards to the riparian corridor. A thorough analysis of ongoing residential impacts must be provided.

   The habitat types listed add up to 2.61 acres, yet the project site is listed as 3.05 acres. What is occurring on the missing 0.44 acres?

Biology 1: This mitigation measure requires compensatory mitigation and avoidance and minimization measures to be implemented to avoid impacts to rare plants. How will avoidance be implemented if sensitive plants are found in the portions of the site to be developed? What is proposed to be done with salvaged seed or root stock since virtually all of this site outside the riparian corridor will be developed with a road, homes, or urban landscaping? Is all compensatory vegetation replacement for sensitive plants and all trees to be removed to occur in the riparian corridor? If so, this is not appropriate.

Biology 2: This mitigation measure calls for replacement of on-site riparian woodland to *the greatest extent practicable,* and on-site replacement of valley oak woodland. What determines what is or is not *practicable*? Will the developer be allowed to argue that it is not practicable to replace any of the trees, or half of the trees? There should be no nebulous language when calling for replacement of riparian woodland and native trees. Further, rather than allowing for the unilateral removal of riparian and valley oak woodland and native trees to accommodate this excessively dense and hardscaped development, this mitigation measure should call for avoidance of removing this valuable habitat by removing several lots from this development. Subdivision is a privilege, not a right, and the County is not obligated to allow this extreme density and destruction of this valuable habitat, yet it appears there was no consideration of avoidance to minimize the impact to these valuable habitats. CEQA requires avoidance as the first step in mitigating impacts.

Further, where are the 158 trees to be replaced going to be planted? This site will be 100% developed with residential urban uses (roads, homes, driveways, yards), with the exception of the riparian corridor which already has trees and other vegetation that should not be further disturbed. If extensive replanting of some of these trees is to occur in the riparian corridor, that is itself an impact that must be addressed and mitigation measures to minimize disturbance to this habitat provided.

Perhaps a few replacement trees can be planted in the riparian corridor, namely the native trees removed from the riparian woodland, but overall there is no room on this developed site for all the replacement trees. Will they be placed in the front, back and side yards of the lots being created? This would provide minimal area for planting since much of the area of these lots is within the riparian corridor, and front and side setback reductions are proposed, leaving very little yard area, which guarantees any trees planted in yards will stand a strong chance of being removed in the future once homeowners want to landscape. Further, most if not all the trees that must be replanted will get quite large, and are not the kind of trees that homeowners want directly adjacent to their homes.

If this mitigation measure is not achievable, it will not mitigate the impact to these valuable habitats that are being removed as well as the wildlife that utilizes these habitats. This mitigation measure does not appear to be achievable given the lack of area to replant trees that will actually grow to maturity and provide the habitat value they currently provide. Additionally, even if some of the trees reach maturity, they will take many years to get large enough to provide any sort of wildlife benefit, and they will not be located in a large contiguous location necessary to reestablish the lost habitat. The analysis of the impact of removing all of these trees must analyze and document where the replacement trees can be planted in a manner that they can actually and reasonably fit with proper spacing and without impacting existing habitat, that they will be protected from removal and retained in place, and that they will provide the habitat value lost by removing the existing trees in a reasonable amount of time, even in light of the activities and impacts associated with

residential uses. This does not seem achievable considering the density and design of this subdivision.

While some performance standards have been included in this mitigation measure, this measure must specify: 1) where exactly these trees should be planted so future homeowners can landscape their yards, which they most certainly will want to do and will do, and lost habitat is fully restored; 2) what happens if the trees die within a specified period of time (i.e. how and when will they be replaced and who will replace them); 3) plant size and other requirements are prescribed for oak woodland trees, but it is unclear whether these requirements also apply to riparian woodland trees; specific size and standards should be provided for all trees; 4) a requirement that all replacement trees must be from a seed source native to the area; 5) safeguards to insure the new trees are not removed by a future homeowner since they will initially be small and not qualified as a protected tree unless a mitigation measure specifies them as such, and since removal in the future even with a permit would be contrary to required mitigation; and finally, 5) how all of this will be monitored. As proposed, this mitigation measure still does not reduce the impact of this tree removal below a threshold of significance, even considering other proposed mitigation measures.

Biology 4 and 5: This mitigation measure lacks performance standards specifying what is required if pond turtles are found. While mitigation measure Biology 5 mentions exclusion fencing to mitigate impacts to western pond turtles, it specifies amphibians but does not specify reptiles when referring to site monitoring and what must occur if special status reptiles (whip snake and pond turtles) are found. These mitigation measures should be rewritten to be very clear about what must occur regarding special status amphibians and reptiles.

Biology 7: This measure requires replanting of undeveloped areas with oak woodland species. However, the only undeveloped areas on this property will be the riparian corridor where no development is allowed and where native riparian species already exist. Is this measure proposing to establish oak woodland in the riparian woodland, which would clearly be inappropriate? Again, there are no undeveloped areas (yards should be considered developed) in this subdivision outside the riparian corridor. In order to fulfill this mitigation measure and reestablish oak woodland, several lots must be removed.

b) It has been reported by adjoining neighbors that tree cutting resulting in creek and riparian corridor impacts, including deposition of debris in the creek channel, occurred relatively recently and during the time the developer was working on permitting this subdivision. The arborist report was prepared in May of 2020, before the tree removal occurred, and thus does not document the removal. It does not appear that the biological report or the MND reveal this presumably unpermitted tree cutting. Was the loss of habitat that would likely have resulted from tree removal considered to be the baseline for the identification of impacts when the biological report was updated in February 2022 and again in November 2022? It is doubtful this is the case since the tree removal is not mentioned in the MND, despite the County being made aware of it in comments on the prior MND. This tree removal occurred pre-project approval and clearly in anticipation of the project. CEQA requires that this early tree removal must be included as part of the MND analysis. Further, appropriate violations must be issued if trees were in fact removed without a permit, and mitigation for the loss of these trees must be required. The developer cannot be allowed to

reduce his mitigation burden by preemptively removing trees. Further, the County cannot further the notion that it is easier to ask for forgiveness than to get permission.

Project plans indicate a number of trees whose individual canopies, or canopy cluster the trees are part of, extend into the riparian corridor and are being removed The trees to be removed include at a minimum tree 114, 115, 116, 135, 136, 169, 169b, 170, 171b, 194, and 195, the majority of which are oaks. Some of these trees, along with many others, are identified for removal because they are in the grading limits. Can they not be retained with minor modifications to grading, as recommended for trees 137 and 138 in the arborist report? How will the arborist recommendations for trees 137 and 138 be enforced? There seems to be no attempt to avoid tree removal, contrary to CEQA mitigation requirements.

The MND contains no description of how the riparian setback was established, and no description of the width of the riparian setback from the creek channel, centerline, or from the top-of-bank. Neither the creek centerline nor the top-of-bank are shown on the development plans (or perhaps they are just not labeled). As shown on Figure 11 in the biological report, in some locations the top-of-bank is either commensurate with or extends beyond the riparian setback, which apparently is the drip line of the trees that were determined to comprise the northerly boundary of the riparian corridor. Policy 8.89 of the general plan Conservation Element requires a minimum 50-ft. setback from the centerline of Grayson Creek. How does the proposed riparian setback compare to the minimum 50-ft. setback?

The MND needs to clarify the difference between the riparian setback area and the creek structure setback line, and what can occur within each area. Project plans show the limit of the riparian area with a note that no grading will be allowed. Beyond that line, plans shows the creek structure setback line. It would appear that grading would be allowed within the creek structure setback area outside the riparian setback line, which based on cross-sections, would mean that grading would be allowed up to and below the top of the creek bank which is inappropriate, and therefore demands the extension of the riparian setback area to a point beyond the top of bank. Again, the plans do not clearly show the creek centerline nor the top of bank; this should be remedied to insure the riparian setback area is adequate. It currently does not appear the riparian setback is sufficient to protect Grayson Creek since grading would be allowed beyond the top of bank outside the riparian setback, and tree canopy is being removed within the riparian corridor. Without the riparian setback line extending well beyond the top of bank, which is not what is being proposed, Grayson Creek is left vulnerable to both construction and residential activities. Has the County determined that Grayson Creek, or at least the portion within this subdivision, is a “protected watercourse” due to its significant riparian habitat, and thereby requires protection in its natural state pursuant to County Code section 914-4.002, and if not, why not?

The MND analyzes how the creek and riparian corridor would be impacted and how those impacts would be mitigated during construction, but is generally silent regarding the impacts associated with the establishment and ongoing activities of permanent residential uses, all of which will occur very close to Grayson Creek. What is not reflected in the lot sizes is the fact that the lots include the riparian area, and due to the setback waivers coupled with the number of lots proposed, there is very little rear yard on the majority of the lots, thus encouraging use of the riparian area as part of these homes backyards.
A permanent fence was previously proposed by Mitigation Measure Biology 6 to be installed along the riparian corridor. However, the requirement for a permanent fence is no

longer identified in a mitigation measure as a requirement of the project. How does the County plan to ensure that future property owners do not extend their backyards into the protected riparian area? This fence was described as "wildlife friendly", but there was no discussion as to what that meant, how the fence would be maintained and by whom, and how the county would insure future property owners do not remove the fence. It appears the riparian setback area is based on the drip line of trees in the riparian corridor, and the line defining the riparian corridor is anything but straight, with many, many small twists and turns. It was therefore unclear as to how a fence was supposed to be constructed along such a line. While these were issues that needed to be addressed regarding this fence, the removal of the fence requirement as a mitigation measure leaves the riparian area vulnerable to development by homeowners as they attempt to extend their rear yards, given the small size of those yards. Why was the fence requirement removed, and how does the county intend to ensure multiple rear yards of the lots in this development do not get extended into the riparian area?

The requirement to deed restrict the creek structure setback area provided by previous Mitigation Measure Biology 6 also seems to have been eliminated. The measure stated that the creek structure setback area would be deed restricted, precluding any kind of development, including grading. However, the current MND no longer contains a mitigation measure requiring this deed restriction, yet the project plans still contain a note stating the "developer to relinquish development rights with (sic) creek structure setback area." Please clarify if this deed restriction is still a requirement and if so, this requirement should be added back into a mitigation measure to ensure the requirement is clear and enforceable. If the deed restriction is no longer required, the MND needs to address this change, explaining why it was removed and how adequate protection for Grayson Creek would still be provided.

Based on the design and density of this subdivision, particularly the lack of undeveloped space to accommodate required replanting of oak and riparian woodland, the small rear yards backing up to Grayson Creek, and the lack of mitigation for longterm residential impacts to Grayson Creek and any reestablished habitat, impacts to Grayson Creek and the riparian corridor are not mitigated below a threshold of significance.

c) Regarding the protection of state and federally protected wetlands, the finding of less than significant impact is based on a number of things. The finding is partially based on the creation of a riparian setback, which as discussed above in b), does not appear adequate to protect Grayson Creek. The finding is also based on the creation of a creek structure setback, as required by Mitigation Measure Biology 6 from the previous MND, but no longer included as a mitigation measure in the revised MND, although it is still shown on project plans. It appears this setback area excludes fencing, landscaping, and structures except for drainage structures. However, trees and other vegetation will be removed from the creek structure setback area and grading will apparently be allowed in this setback, including beyond the top of bank along Grayson Creek as noted above. These activities will impact wildlife, the riparian corridor, and the creek by permanently removing valuable habitat, protected trees, and by exposing the crowns of trees remaining that are currently part of a group of trees as well as exposing their root systems to grading impacts.

Once these exceptionally large homes are built, with the majority of the lots along the setback having very little backyard, future owners will undoubtedly expand their backyards into the setback area, which is not allowed. How will this expansion be prevented? I doubt the county will monitor the situation, and the backyards are not visible form the street, so

how does the public have confidence that the setback area will be left undeveloped and natural as required?

Sheet 4 of the development plans provides some information as to how the creek structure setback was calculated. It appears that only one cross-section was provided at the east end of Grayson Creek with six cross-sections on the westerly end. There are no cross-sections in the middle of this stretch of creek. What was the basis for the location of the cross-sections? How was the number and location of cross-sections determined to be adequate for the establishment of the structure setback lines? How was it determined that the entire creek section is adequately represented by these cross-sections?

Regarding structure setback lines, County Code section 914-14.012(d) states that where significant riparian vegetation exists beyond the limits required by section (c) of this same section (the limits the subdivision utilizes), the county may extend the setback line to include such areas. What was the basis for not requiring this additional area, given the number of oaks and other trees that are proposed to be removed, particularly since the trees being removed have crowns that are part of the riparian canopy?

d) The revised MND properly notes the Grayson Creek riparian area serves a a wildlife corridor and provides wildlife nursery sites. It does not appear to acknowledge that the oak woodland that will be completely destroyed provides nesting habitat for migrating birds. Undoubtedly other creatures utilize and pass through this property.

How will the virtually complete removal of existing habitat everywhere on this site, except the relatively narrow riparian corridor, to be replaced with development of residences and their associated disruptive activities leaving no room to replant destroyed trees, not impede use of wildlife corridors and nursery sites currently located on this property? Is the 0.8 acres of riparian corridor that will remain and have residential uses directly adjacent to it sufficient to address all current wildlife migration and nursery use on the property, considering the significant loss of oak woodland?

Missing from this discussion is identification of the connectivity of Grayson Creek with offsite portions of the watercourse and habitats, particularly in regard to fish passage. This is not an isolated section of a creek or habitat, as demonstrated by its use by fish and local wildlife. The County was provided with helpful information in this regard by a property owner who commented on the first MND. This information must be provided in the MND, and it must be demonstrated that loss of a significant amount of habitat that has no location on the developed site to be replaced, coupled with the introduction of residential uses, will not interfere with wildlife movement through and use of this property.

The MND discussion cites Mitigation Measure Biology 2 through 6 as mitigation for impacts to the use of this property as a wildlife corridor and nursery sites. It is specifically noted that these measures call for tree replacement; however, this requirement is unachievable since there is no undeveloped area where 158 trees can be replanted and grow to maturity in a manner that will provide lost habitat. The MND discussion also states that post-construction measures for protection of the riparian are included in these measures, but in fact no such measures are provided. The previous MND required fencing along the riparian boundary and a deed restriction of the creek structure setback area prohibiting development. Those mitigation measures have been removed from the project.
The conclusion that the project poses a less than significant impact to the movement of wildlife is not fully supported and remains potentially significant.

e) This discussion makes no mention of CEQA section 21083.4 regarding the protection and mitigation of impacts to oak woodland. There is a significant area of oak woodland, in addition to mixed woodland on this site. CEQA impacts relative to this section of the CEQA statutes should be addressed.

General Plan Policy 8-6 requires significant trees, natural vegetation and wildlife populations generally shall be preserved. The discussion states multiple trees on the property will be preserved. According to the arborist report, there are 117 trees greater than 6 inches in diameter on the project site, and 84 of these trees (72%) will be removed, with three additional trees removed prior to the arborist inventory. Of the remaining trees, 17 will be subjected to dripline encroachment during grading, and thus put at risk. Only 16 trees will remain that would not be at risk during site grading. Thus, it is clear that this project does not preserve "significant trees and vegetation". Further, replacement of all of these trees is impossible since there is no undeveloped area outside the riparian corridor where they can be planted and be expected to mature in a manner that will reestablish lost habitat.

General Plan Policy 8-12 requires natural woodlands shall be preserved to the maximum extent possible in the course of land development. Replacement of trees to be removed from the site does not constitute compliance with this policy, particularly since virtually all of the 1.2 acres of oak woodland, 0.2 acres of mixed woodland, and 0.2 acres of the 1 acre of riparian habitat that currently exists on the site will be completely destroyed, with no location outside the riparian woodland corridor that will remain undeveloped where this habitat can be reestablished. Having a random remaining tree, or planting an oak here and there, does not constitute reestablishment of these woodland habitats. The only way to come close to mitigating the impact of this development is to reduce the number of lots by at least half. As currently proposed, not only does this project violate the general plan, its impacts to these woodland habitats remain significant and unmitigated.

The above are just two of the general plan policies that the project does not comply with. In general, many of the policies listed in the MND call for the preservation of natural vegetation and wildlife areas, which is not what is proposed for this project. While most of the riparian corridor will remain intact, a portion of the riparian woodland and all of the oak and mixed woodland will be destroyed. Grading will occur over the top of bank of Grayson Creek. Rear yards are extremely small for most of the lots along the creek and are located in very close proximity to the riparian boundary, with no post-construction mitigation measures proposed. Reestablishment of the habitats to be removed is not possible given that there will be no undeveloped land upon which to replant trees and reestablish lost habitat. Thus, the mitigation measure calling for replanting of trees cited to demonstrate compliance with some of these policies cannot be implemented and is therefore not mitigation for the significant impact that will occur to natural habitats on this property. This project is, for the most part, not in compliance with these general plan policies.

As mentioned previously, trees have reportedly already been removed from this property, undoubtedly in anticipation of this project. There is no discussion about this removal, including whether or not the number of trees to be removed as part of the project include the trees already removed, or is in addition to those trees. Was a permit obtained for this removal? What are the findings that were made made to support removal of these protected trees? As mentioned above, if trees were previously removed, they must be documented and any prescribed mitigation must apply to their removal.

One of the reasons tree removal can be approved according the county code is "reasonable development of the property would require the alteration or removal of the tree and this development could not be reasonably accommodated on another area of the lot." Subdivision is a privilege, not a right, so what determines "reasonable development"? It is certainly not synonymous with "maximum development", yet that appears to be the standard applied here. This project could certainly be redesigned to avoid such extensive tree and habitat removal, including creating fewer lots and a larger riparian corridor/open space area, and requiring smaller development footprints as part of the vesting tentative map approval. CEQA requires avoidance of environmental impacts as a first step, yet there seems to be no consideration or discussion of how removal of these trees and habitat could be avoided, nor any justification provided for their removal. The fact that a property owner does not have a right to subdivide, combined with CEQA's requirement for impact avoidance where feasible, and considering the other impacts of this project, would point to the need to significantly reduce the density of this development.

6. ENERGY

a) As mentioned in my previous comments, a less than significant finding for this section is partially supported by a statement that the "project is located in an urban residential neighborhood, within walking distance of a commercial district, and within biking distance of the Pleasant Hill Bart Station. The close proximity to these amenities could reduce the automobile trip generation from the project; thus, reducing energy consumption." This statement neglects to recognize that first, this is not a typical urban neighborhood with fully developed sidewalks and bike lanes. In fact, sidewalks are missing along much of Grayson Road, and walking on Grayson is dangerous given the excessive speed at which traffic travels on this road. Also, are there bike lanes to safely travel from the subdivision to the Pleasant Hill Bart Station?

Second, the county is inappropriately giving the developer a waiver on constructing sidewalks in his Grayson Road frontage despite the fact that the subdivision will add to the need for sidewalks considering its density, further insuring there will likely never be completed sidewalks along this road or if there are sidewalks added in the future, they will be unjustifiably installed at taxpayer expense. The claim that a commercial district is within walking distance of this subdivision and that this will save energy is disingenuous under these circumstances.

9. HAZARDS AND HAZARDOUS MATERIALS

g) As provided in my comments under WILDFIRE, the fire risk for this subdivision is higher than a standard urbanized area. There is a significant amount of vegetation including trees, shrubs, and grassland in and around this area. There are also overhead power lines, which together with the natural vegetation, pose a fire risk. Will power lines be placed underground in the subdivision? I could not locate this information on the plans, not to say it is not there. Even if they are to be placed underground, there are overhead lines in the area surrounding the subdivision that together with the surrounding vegetation, pose a fire risk to this subdivision that exceeds risks of typical urban subdivisions.

The vegetation in and around this subdivision that is atypical of areas most people consider urbanized, coupled with the the proposed large homes virtually on top of each other given the proposal for reduced side yard setbacks as well as homes adjacent to a wooded area,

serves to provide a fire risk that is higher than typical urban areas. If one home catches fire, it is highly likely that neighboring homes will, as well.

Further, the claim that fire risk will be reduced due to vegetation removal is potentially very telling as to the County's commitment (or lack thereof) to reestablishing habitats that will be removed from this project. The project calls for replanting of all trees on the project site, many at a 3:1 ratio. Is this requirement just smoke and mirrors, and is the County actually envisioning a permanent removal of all of the vegetation (i.e. sensitive habitats)? As previously noted, it is unclear where all the trees to be replanted could possibly be located given the lack of undeveloped area remaining on the project site outside the riparian corridor. However, if the goal or replanting lost trees and habitat can be met per mitigation requirements, the claim that fire risk will be reduced as a result of vegetation removal is incorrect and in direct conflict with the requirement to replant this vegetation.

Finally, this section seems to ignore the increased fire risk to all of the County brought about by climate change, and the risk that continues to increase with hotter temperatures, ongoing drought, and increasing population density not appropriate.

10. HYDROLOGY AND WATER QUALITY

b) While wells will not be required to serve this subdivision, this project will interfere with groundwater supplies and recharge, given the extent of over 1 acre of impermeable surface being proposed, and with the direction of stormwater runoff from impermeable surfaces into the storm drain system. The MND claims that the treatment planter (detention basin) would maintain existing groundwater recharging, yet the MND states that the flowthrough treatment planter will treat water from impervious surfaces prior to connecting to the public storm drain system. This water would therefore not contribute to the groundwater recharge process currently occurring on the site, contrary to what the MND claims. Further, I would suspect the project could also impact the amount of runoff that feeds Grayson Creek, but there is no analysis of this potential impact, which should be provided. This discussion does not support a finding of less than significant impact, and is actually completely irrelevant to the question.

c) Section ii claims that the project will not substantially increase the rate or amount of surface runoff. The project proposes a significant amount of impervious surface compared to what currently exists, resulting in a substantial increase in runoff compared to current conditions, as well as a change in drainage pattern since runoff with be channeled into the storm drain system. This may not result in flooding as this section concludes, but the basis for the claim is erroneous.

11. LAND USE PLANNING

b) In the official density determination for this project, the County used 2.99 dwelling units per acre rather than 2.9 as stated in the MND, resulting in 8.28 units per acre, rounded to 9 base units for this subdivision. The calculation was based on a net acreage of 2.76, which was calculated by subtracting the private right of way proposed for this project from the total project site acreage.
Table 3-4 of the county's general plan Land Use Element states that "*net acreage includes all land area used exclusively for residential purposes, and excludes streets, highways, and all other public rights-of-way. Net acreage is assumed to constitute 75 percent of gross*

acreage for all uses, except for the Multi-Family designations, where it is assumed to comprise 80 percent." Considering this definition, the county's "conservative" density calculation appears to be quite the opposite. For example, a more conservative estimate would be based on 75% of the 3.05 gross project acreage, which results in 2.29 net acres, multiplied by 2.99 is 6.85 which rounds up to 7 base units, rather than 9 as the county is proposing. One moderate unit would be 15% of 7 base units qualifying for a 10% bonus, which would allow one additional unit for a total of 8, two lots less than what is being proposed, although still too dense for this site.

However, in this case, based on the definition of net acreage, there are at least two areas that should be removed from the net acreage calculation, 0.29 acres for the street and 1.5 deed restricted acres for the Grayson Creek structure setback area where no development would be allowed. Previous Mitigation Measure Biology 7 required that the creek structure setback area be protected from development via a permanent deed restriction and dedication of development rights to the County. (This mitigation measure has been removed from the MND, but the project plans still contain a note that the area will be deed restricted. The mitigation measure should be added back into the MND.) These two areas are therefore clearly excluded from use for residential purposes, and cannot be included in the net acreage for the project. Subtracting the 1.5 acre creek setback area as described in the previous MND (the setback acreage is not included in the current MND) and the subdivision roadway results in a net acreage of 1.26, which when multiplied by 2.99 maximum allowed density, results in 3.77 or 4 base units when rounded. One moderate unit divided by the base units equals 25%, allowing for a 20% density bonus, multiplied by 4 base units equals 4.8, allowing one additional unit for a total of 5 units, a more reasonable density for this project.

Limiting this project to no more than 5 lots would allow either larger lots with the required setbacks more in keeping with the surrounding area and would allow significantly more trees to be retained as well as more area for trees to be replanted, or it would allow a larger riparian corridor with lots perhaps remaining a bit smaller and clustered closer to Grayson Road, again allowing more trees to remain and offering additional protection for Grayson Creek. This approach would also be consistent with the County's general plan Chapter 3 Land Use Element, where the description of the land use designation Single-Family Residential-Low Density states that unique environmental characteristics of a parcel may justify larger lot sizes. Requested waivers should be revisited using what should be the correct calculation for the number of allowed lots in this project by removing the roadway and the creek structure setback area.

The waiver of lot width with the number of lots currently proposed creates lot widths completely inconsistent with the area immediately surrounding this property. It also reduces the area where 158 trees will need to be replanted and retained because they are mitigation and therefore cannot ever be removed. With the reduced lot size, lot width, and lot setbacks, there is no room to plant trees that will grow quite large. The waiver of curb, gutter and sidewalk poses a safety concern when considering 10 lots, as discussed in the Transportation section, and would be a more reasonably accommodated for only 5 lots. The waiver of the setback requirement for retaining walls needs to be explained; what is the waiver being requested, why is it being requested, and where is the retaining wall?
Compliance with things such as lot size and setbacks can be waived if compliance would prohibit creation of the affordable lot pursuant to state housing law. Lot width and size requirements are being waived in this case. However, it appears that even without the

affordable lot, nine lots would still result in substandard lot sizes, widths, and setbacks. Therefore, nine lots should not be considered as the baseline since they could not be constructed without the granting of variances, which would be illegal since the need for them would be self-created. Further, the finding that the affordable lot is driving the need for these waivers from development standards cannot be made since the nine base lots would require the same waiver. Please provide an explanation as to how the County is making the finding that it is the affordable lot that is driving the need for the development standards waivers, and how a finding that nine lots is the base number allowed given that they would require development standard waivers, which would require the illegal granting of variances. Also, please explain how it was determined that housing law waivers apply to all lots, and not just the affordable lot.

Granting of a concession is contingent on the requirement that no impacts to the public health or safety result. Clearly the waiver of sidewalk requirements for a 10-lot subdivision on a busy and dangerous street would negatively impact the public health and safety, particularly when the CEQA document identifies the ability to walk to services as a characteristic of the subdivision, and that this characteristic will reduce energy use. Please explain how the County intends to make the finding that excusing the developer from constructing sidewalks on his Grayson frontage will not impact the public health and safety.

It seems very clear that one moderate income unit is included in this development strictly for the purpose of maximizing the density of this subdivision through waivers of development standards and avoidance of subdivision construction requirements (frontage improvements) pursuant to state housing law, and not for the purpose of providing affordable housing. The affordable unit is in the worst location and is the smallest lot and home in the subdivision, and will clearly reveal itself in the subdivision as a home for lower income people. Waivers and concessions are meant to facilitate the creation of affordable housing, not facilitate increased density of high end housing. This circumstance should not be acceptable to the County, and is certainly not benefitting the greater public good. Also, has the county received documentation showing that the requested incentives and waivers are financially necessary to construct the one moderate affordable home? This information should included in the MND land use analysis.

Finally, It is clear that the county's interpretation of housing law is resulting in a subdivision with significant unmitigated impacts to public trust resources, as well as impacts resulting from a development completely out of character with its surroundings, due to its extremely high density. Does housing law allow development of projects with significant impacts to public trust resources for the purpose of including one affordable unit? These impacts would certainly impact the public's health and safety which is not allowed by housing law. Maintaining healthy ecosystems translates to health benefits for not just the natural environment but for humans as well, and conversely, impacts to natural and human ecosystems is detrimental to the natural and human environment and inhabitants. How does the county intend to address the health and safety impacts, which are contrary to housing law, that will result from the density proposed for this subdivision?

The lot area shown on Table 1 listed without also including developable area for each lot is misleading. As shown on sheet 7 of the project plans, the usable area of many of these lots is no more than approximately half the lot, and in the case of Lots 3, 4 and 5 may be less than half the listed lot size. The limited developable area on each of these lots, combined with the setback waivers, results in a subdivision with the density and appearance of the

newer dense subdivisions being built in Pleasant Hill, which is not appropriate for this general location, and in particular for this property.

Consideration must be given to the the significant number of waivers requested by the applicant. The substantial financial value of those waivers to the applicant that will be realized via increased density and a waiver of sidewalks on Grayson, must be weighed against the cost of those waivers to the public via resource impacts, loss of a required frontage improvements, increased traffic impacts, the addition of one moderate income home, and so forth. The waivers are likely worth tens if not hundreds of thousands of dollars and will burden taxpayers with future costs, all for the small public benefit of a single moderate income home, the smallest home on the smallest lot in the worst location in the subdivision. The granting of these waivers is not in the public interest, and should be limited or denied.

13. NOISE

b) While the addition of mitigation measure Noise 1 is a positive step, some edits to this measure would be appropriate. Rather than simply posting a notice on the construction site, which may not be readily accessible by neighbors, the developer or contractor should mail a notice to each nearby resident providing them with the planned hours of operation and who to contact if there are noise concerns. This is not a difficult thing to accomplish, and should be required by the County.

In addition, the hours of operation for noise producing activities are a bit excessive. Noisy activities during the week should end at 6:00 PM. Nobody should have to sit at the dinner table in their homes and listen to construction activities. Saturday activities should be limited to the hours of 9:00 AM and 5:00 PM. This is a quiet residential neighborhood, and noise-generating activities should be limited accordingly.

17. TRANSPORTATION

a) The waiver of frontage requirements proposed for this subdivision is short sighted, dangerous, and sets a precedent that will result in either no complete sidewalks on Grayson, or the public having to pay for improvements the developer should have to pay for, when someone gets hit by a speeding car on Grayson. Ten new homes and potentially as many ADUs will contribute additional traffic and pedestrians to an area with speeding traffic and fragmented sidewalks where it is already unsafe to walk, thereby creating a health and safety risk for subdivision pedestrians and adding to the risk for existing pedestrians due to increased traffic on a road with few sidewalks.

It is interesting that a sidewalk is proposed within the subdivision, but no sidewalk is proposed on Grayson. The public, both pedestrians and drivers, will be negatively impacted by increased pedestrian and vehicle traffic on Grayson resulting from the proposed subdivision, with no improvements to compensate for the subdivision's impacts. In the Energy section of the initial study, the claim is made that the project is located within walking distance of a commercial district. However, there are incomplete sidewalks on Grayson, so walking to the commercial district has significant safety issues. These safety issues will be exacerbated with the increased vehicular and pedestrian traffic contributed by this subdivision. The MND does not discuss pedestrian impacts resulting from increased vehicular and pedestrian traffic, and is thus deficient.

Complete frontage improvements are standard requirements of subdivisions, and sidewalks are desperately needed on Grayson. With limited existing sidewalk on the south side of Grayson, and also incomplete sidewalk on the north side, the County's goal should be to gradually provide sidewalks all along Grayson rather than look for ways to help a developer avoid standard improvements to the detriment of the public and the benefit of the developer's bottom line. Instead of working to achieve the goal of completing Grayson sidewalks, the County supports granting a waiver of frontage improvements for this project because the developer does not want to pay for them, leaving taxpayers to foot the bill in the future.

Justification for granting of the waiver includes the claim that it would be prohibitively expensive given the length of the frontage, grading, tree removal and utility requirements. The project is already doing significant grading, constructing utilities, and removing 97 trees to enable the maximum development of this property with as many large homes as possible, rather then reducing the number of homes to a reasonable density to preserve the valuable habitat on this property, the best option for site development. There does not seem to be an issue with the expense of grading, utilities, and especially tree removal when it directly enables maximum site development, meaning maximum profits, but tree removal all of a sudden becomes too expensive when considering development of frontage improvements? This is not a legitimate reason to not require frontage developments, particularly given the extreme density of this development. Tree removal for a sidewalk could be eliminated with a bit of creativity locating the sidewalk; sidewalks do not need to be straight. A significant reduction in the number of subdivision lots could create a situation where frontage improvements may be considered for waiver.

Further justification for waiving frontage improvements is provided by the statement that there is no sidewalk within 1000 feet of the subdivision to connect to, and adjacent properties that front Grayson are not expected to develop in the future (another example of why the proposed subdivision is inconsistent with the neighborhood), meaning it is not anticipated that these adjacent properties will be required to provide frontage sidewalks in the near future. The County is rationalizing the elimination of sidewalks for this subdivision based on the fact that they would not connect to sidewalks on adjacent properties now or in the near future, so the County sees no point in requiring this subdivision to provide sidewalks now. This is extremely poor planning, as it sets up a scenario where there will never be sidewalks on Grayson unless the public is willing to pay for them, rather than the developer as is the norm when subdivisions are approved. If the lots adjacent to the proposed subdivision were to develop in the future, it is reasonable that they will also ask for and receive a waiver of frontage requirements because they will use the same rationale for which the County is setting precedent, that there will be no sidewalk for them to connect to. They will also claim expense, and so forth, again a precedent being set here by the County. The end result will be the public having to pay for sidewalks that are desperately needed along Grayson because the developer does not want to pay for the improvements.

If development concessions are to be made in order to provide moderate income housing, the public should get something comparable from the deal in return. However, in this case, it appears the developer and the County are using the inclusion of just one moderate income home, the smallest home in the worst location and on the smallest lot in the subdivision to ultimately place the burden of a future sidewalk on the public, which is unacceptable.

MND also justifies the waiver of frontage improvements based on Density Bonus law. The County is required to grant incentives and concessions consistent with this law unless the County makes certain written findings based on substantial evidence. One of those findings is that the concession or incentive would have a specific, adverse impact upon public health and safety or the physical environment for which there is no feasible mitigation. The elimination of frontage improvements, most specifically sidewalk, has an adverse impact on public health and safety as discussed. The MND never analyzes impacts on pedestrian safety, and at the density proposed by this subdivision, there is no way to mitigate the impact caused by waiving frontage requirements. This concession should be denied or alternatively, the subdivision should be redesigned to a lower density in keeping with the rural nature of the surrounding area, thereby decreasing the vehicle and pedestrian contribution to Grayson Road.

Regarding the trip generation discussion, the neighborhood has been told that the new homes will include ADUs. If this is the case, then the trip generation, parking needs, and so forth will increase. If ADUs are proposed as part of this development, this circumstance should be described and analyzed in the MND.

c) Although the project may not increase hazards due to a geometric design feature specifically, it will certainly contribute more traffic to Grayson Road. At certain times of the day, it can be challenging to enter Grayson from Mohawk, especially because traffic often travels faster than the speed limit The stopping time may be adequate for 35 mph for the new intersection, but it does not match the reality of the speed on Grayson. Cars have gathered speed by the time they reach Mohawk coming from either direction, and will make entering Grayson from Mohawk that much more challenging. This project will increase traffic risks above the current level for existing homes.

20. <u>WILDFIRE (this section repeats the discussion included in HAZARDS)</u>

The fire risk for this subdivision is higher than a standard urbanized area. There is a significant amount of vegetation including trees, shrubs, and grassland in and around this area. There are also overhead power lines, which together with the natural vegetation, pose a fire risk. Will power lines be placed underground in the subdivision? I could not locate this information on the plans, not to say it's not there. Even if they are to be placed underground, there are overhead lines in the area surrounding the subdivision, posing a fire risk to this subdivision that exceeds risks of typical urban subdivisions.

The vegetation in and around this subdivision that is atypical of areas most people consider urbanized, coupled with the the proposed large homes virtually on top of each other given the proposal for reduced side yard setbacks as well as home adjacent to a wooded area, serves to provide a fire risk that is higher than typical urban areas. If one home catches fire, it is highly likely that neighboring homes will, as well.

Further, the claim that fire risk will be reduced due to vegetation removal is potentially very telling as to the County's commitment (or lack thereof) to reestablishing habitats that will be removed from this project. The project calls for replanting of all trees on the project site, many at a 3:1 ratio. Is this requirement not genuine, and is the County instead envisioning a permanent removal of all of the vegetation on this site (i.e. sensitive habitats) outside the riparian area? As previously noted, it is unclear where all the trees to be replanted could possibly be located given the lack of natural area remaining on the project site outside the riparian corridor. However, if the goal of replanting lost trees and habitat can be met per

mitigation requirements, the claim that fire risk will be reduced as a result of vegetation removal is incorrect and in direct conflict with the requirement to replant this vegetation.

Finally, this section seems to ignore the increased fire risk to all of the County brought about by climate change, and the risk that continues to increase with hotter temperatures, ongoing drought, and increasing population density not appropriate.

21. MANDATORY FINDINGS OF SIGNIFICANCE

Some project impacts, including but not limited to biological impacts from permanent habitat removal and traffic impacts, and remain potentially significant.

It is an important reminder to the public and decision makers that the subdivision of a property is a privilege, not a right. The goal of the developer and the County for this development is clear - to force as much density on this property as possible by including one moderate income home, being the smallest home on the smallest lot in the worst location in this subdivision, in order to obtain as many concessions and waivers as possible so a maximum density subdivision can be developed, while disregarding the longterm loss of the sensitive and protected habitat and the health and safety concerns of the community. Previous owners recognized the value of less density when developing this property, but it is clear the current proposal makes no attempt balance development with existing habitat and community values, which is unfortunate and simply not the right thing to do.

Thank you in advance for your consideration of my comments. This project has potentially significant environmental impacts due to the habitat located on the project site, the number of lots being proposed, and the waivers being requested. All impacts have not been identified, analyzed, or mitigated below a threshold of significance. As suggested in my previous MND comments and by other comments you have received from neighbors in the project area, a significant reduction in the number of lots, by at least fifty percent, would be more appropriate for maintaining the existing habitat values on this site and protecting community values and the public interest, while allowing the applicant the privilege of subdividing the property.

Sincerely,



Lisa D. Shikany
115 Harlan Way
Fortuna, CA 95540

Grayson Road 10-Lot Subdivision, County File #CDSD20-09531

Suzanne Francois <suzannefrancois@sbcglobal.net>

Mon 4/24/2023 4:10 PM

To: Joseph Lawlor <Joseph.Lawlor@dcd.cccounty.us>

Mr. Lawlor,

The Grayson creek development looms, and the lack of detail regarding this project is concerning. There continues to be very few specific details. Why?
Where are the details of this development? building specifics, ADU details, riparian setback details, lighting, the list goes on. The wildlife impact reports are not complete.
The neighborhood description is inaccurate. The woodland area description that this project will destroy is not accurate. By the way, there are multiple nesting owls currently residing. How is that handled?
This project feels anything but transparent, and rather protected, for all of the wrong reasons. Why is it such a low priority to PROTECT Grayson Creek and the many species that depend on it as a safe habitat?
I know the project will move forward, but it does not have to move forward to satisfy the developer and completely screw everybody else. Please find some eloquent balance that we were all hoping to see earlier in this game.

Pretend this is going in your backyard. What would you do differently that is within your power?
Thanks,

Suzanne Francois



1. Photo taken facing south showing the two-story residential home and surrounding woodland habitat at northwestern boundary of Property. Photo taken April 6, 2021.



2. Photo taken facing west showing mixed woodland habitat within the northeastern portion of the Property. Photo taken April 6, 2021.



3. Photo taken facing west showing riparian woodland habitat within the eastern portion of the Property. Photo taken April 6, 2021.



4. Photo taken facing northeast showing mixed woodland habitat in the western portion of the Property. Photo taken April 6, 2021.



5. Photo taken facing southeast showing mixed woodland and riparian woodland habitat within the western portion of the Property. Photo taken April 6, 2021.



6. Photo taken facing south showing the single-story residential home and surrounding woodland habitat located near the southern boundary of the Property. Photo taken April 6, 2021.



7. Photo taken facing west showing mixed woodland habitat in the western portion of the Property. Photo taken April 6, 2021.



8. Photo taken facing south showing mixed woodland and riparian woodland habitat in the western portion of the Property. Photo taken April 6, 2021.



9. Photo taken facing southeast showing portion of Grayson Creek. Photo taken April 6, 2021.



10. Photo taken facing southeast showing Grayson Creek and associated riparian woodland corridor. Photo taken April 6, 2021.



11. Photo taken facing northwest showing mixed woodland with existing residential structure in the background. Photo taken April 6, 2021.



12. Photo taken facing northwest showing mixed woodland habitat in the eastern portion of the Property. Photo taken April 6, 2021.



Plan 2 | Modern Farmhouse (R)

Plan 2 | Modern Prairie

Plan 1 | Modern Farmhouse

Plan 3 | Modern Prairie (R)

Conceptual Streetscene

1024 & 1026 GRAYSON ROAD

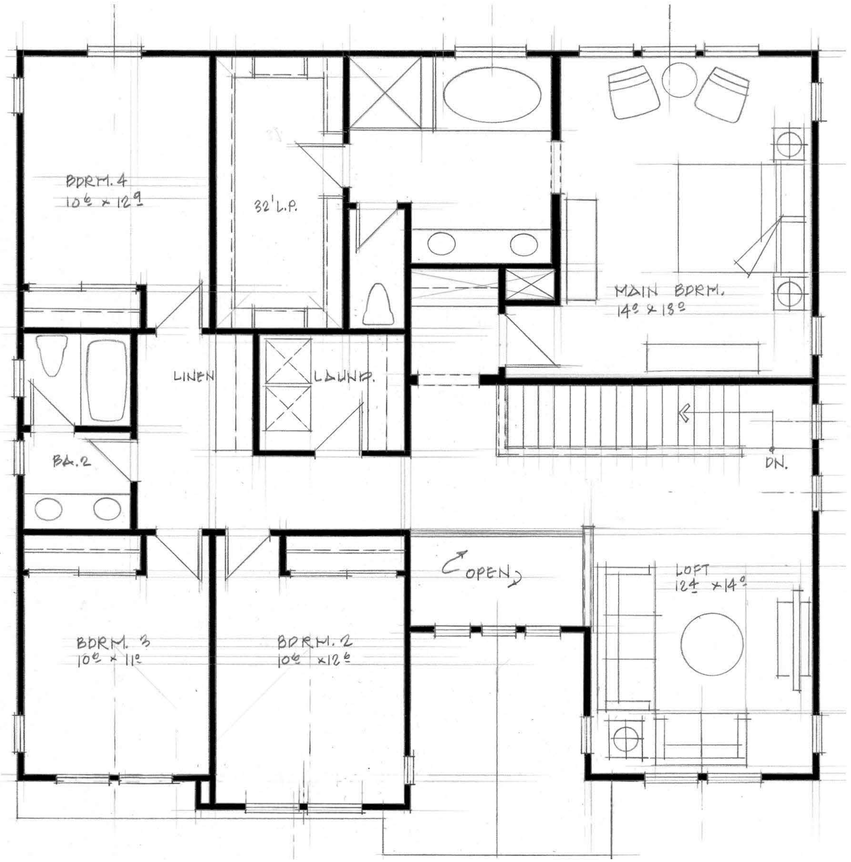
PLEASANT HILL, CA

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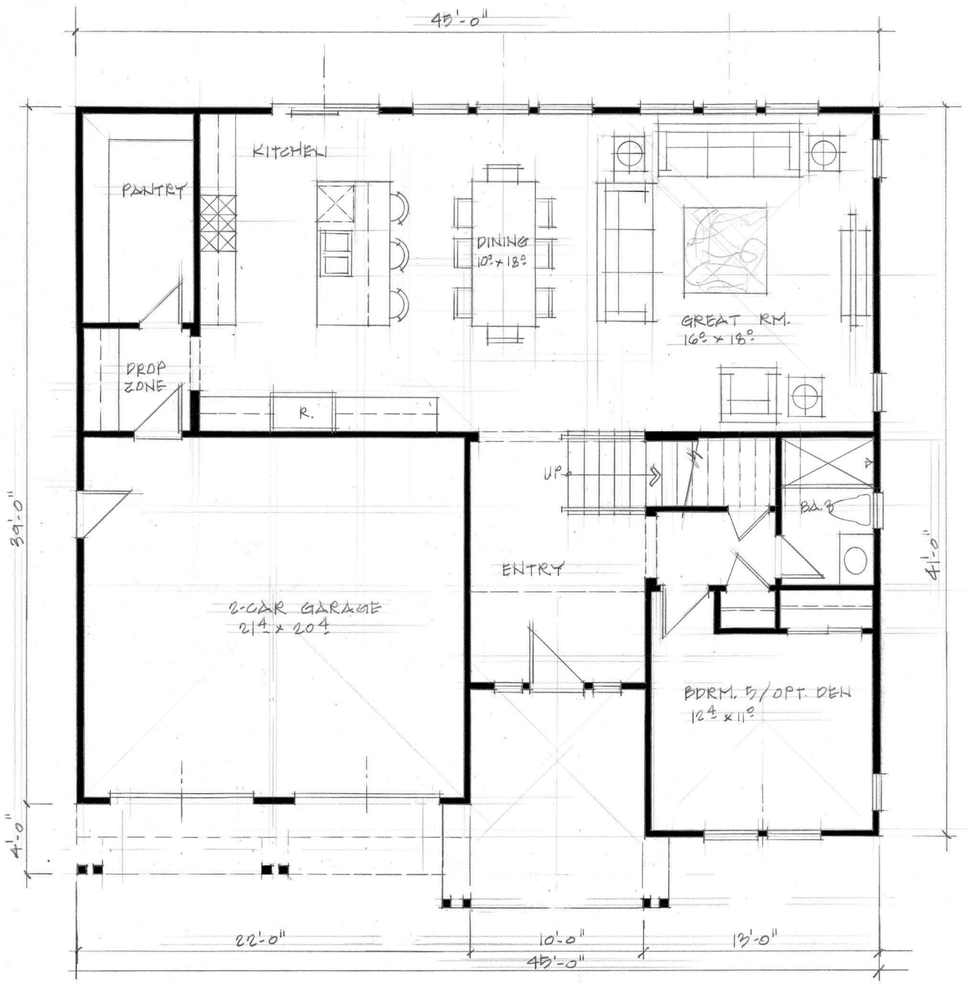
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ORANGE COUNTY . LOS ANGELES . BAY AREA



Second Floor 1,667 SF



First Floor 1,262 SF

PLAN 1

2,929 SF
5 Bdrm | 3 Bath | Loft | Opt. Den
2-Car Garage

CALIBR VENTURES

1024 & 1026 Grayson Road

PLEASANT HILL, CA

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Modern Prairie Elevation



Modern Farmhouse Elevation

PLAN 1
Front Elevations

CALIBR VENTURES

1024 & 1026 Grayson Road

PLEASANT HILL, CA

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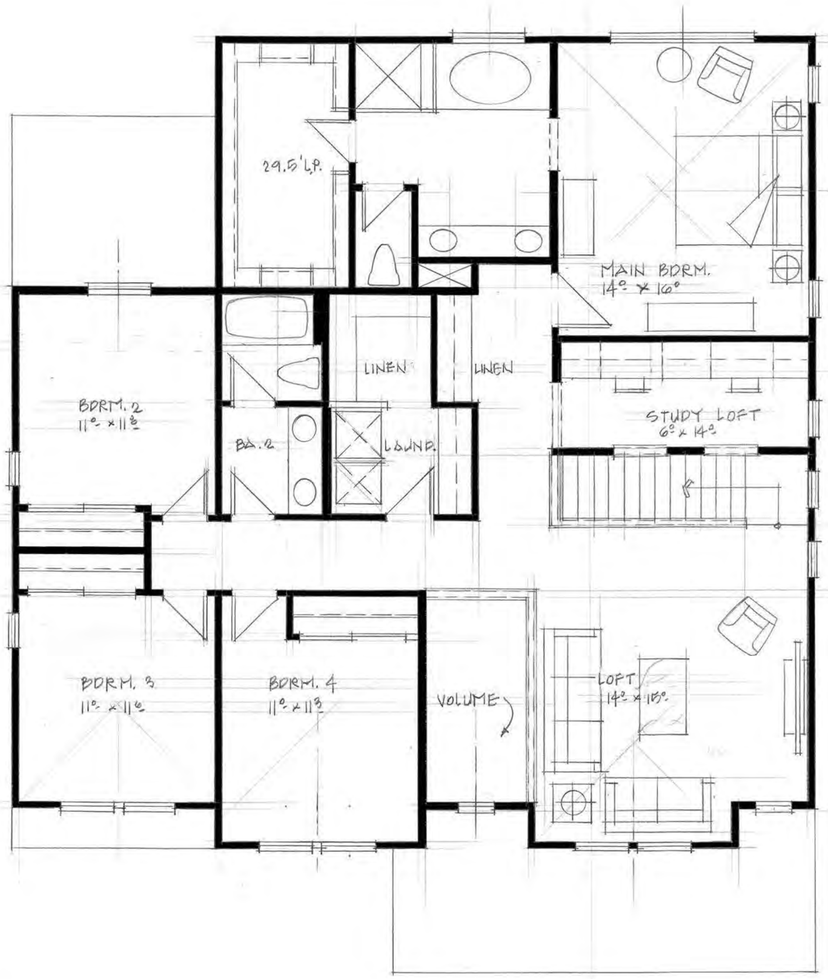
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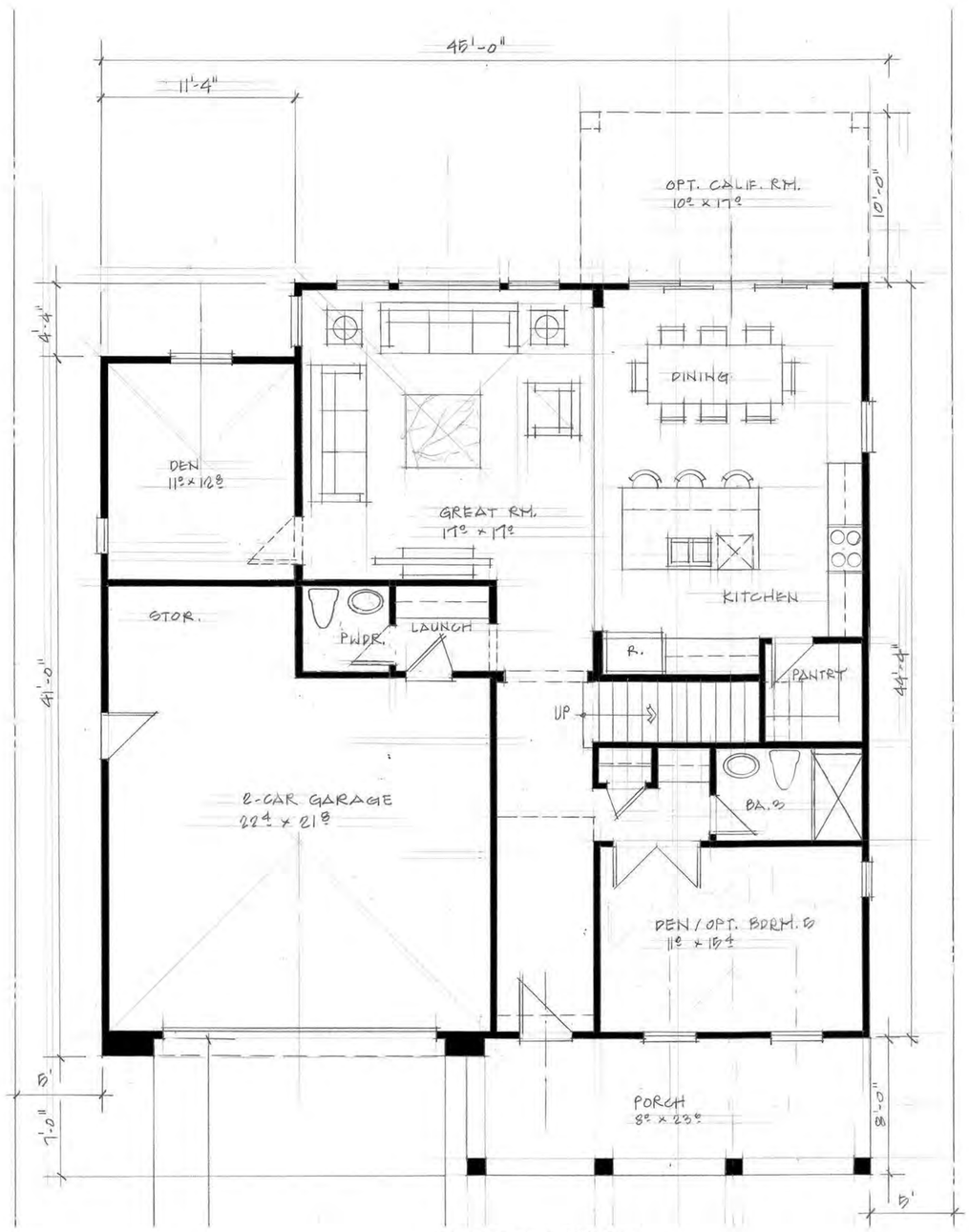
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ORANGE COUNTY . LOS ANGELES . BAY AREA



Second Floor 1,694 SF



First Floor 1,403 SF

PLAN 2

3,097 SF

4 Bdrm | 3.5 Bath | 2 Den | Loft | Study Loft

2-Car Garage

CALIBR VENTURES

1024 & 1026 Grayson Road

PLEASANT HILL, CA

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0 2 4 8

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ARCHITECTS . PLANNERS . DESIGNERS

WHA.

ORANGE COUNTY . LOS ANGELES . BAY AREA



Modern Prairie Elevation



Modern Farmhouse Elevation

PLAN 2
Front Elevations

CALIBR VENTURES

1024 & 1026 Grayson Road

PLEASANT HILL, CA

A2.03

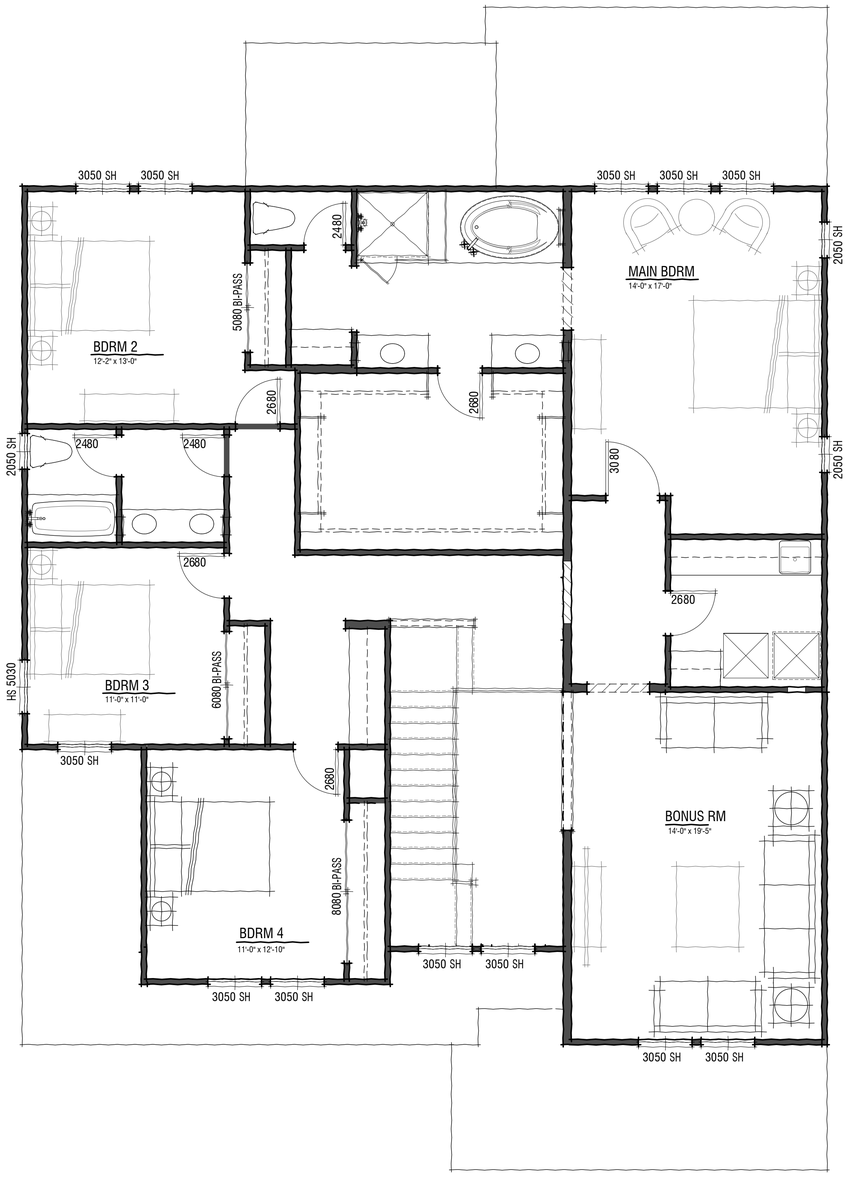
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ARCHITECTS . PLANNERS . DESIGNERS

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ORANGE COUNTY . LOS ANGELES . BAY AREA



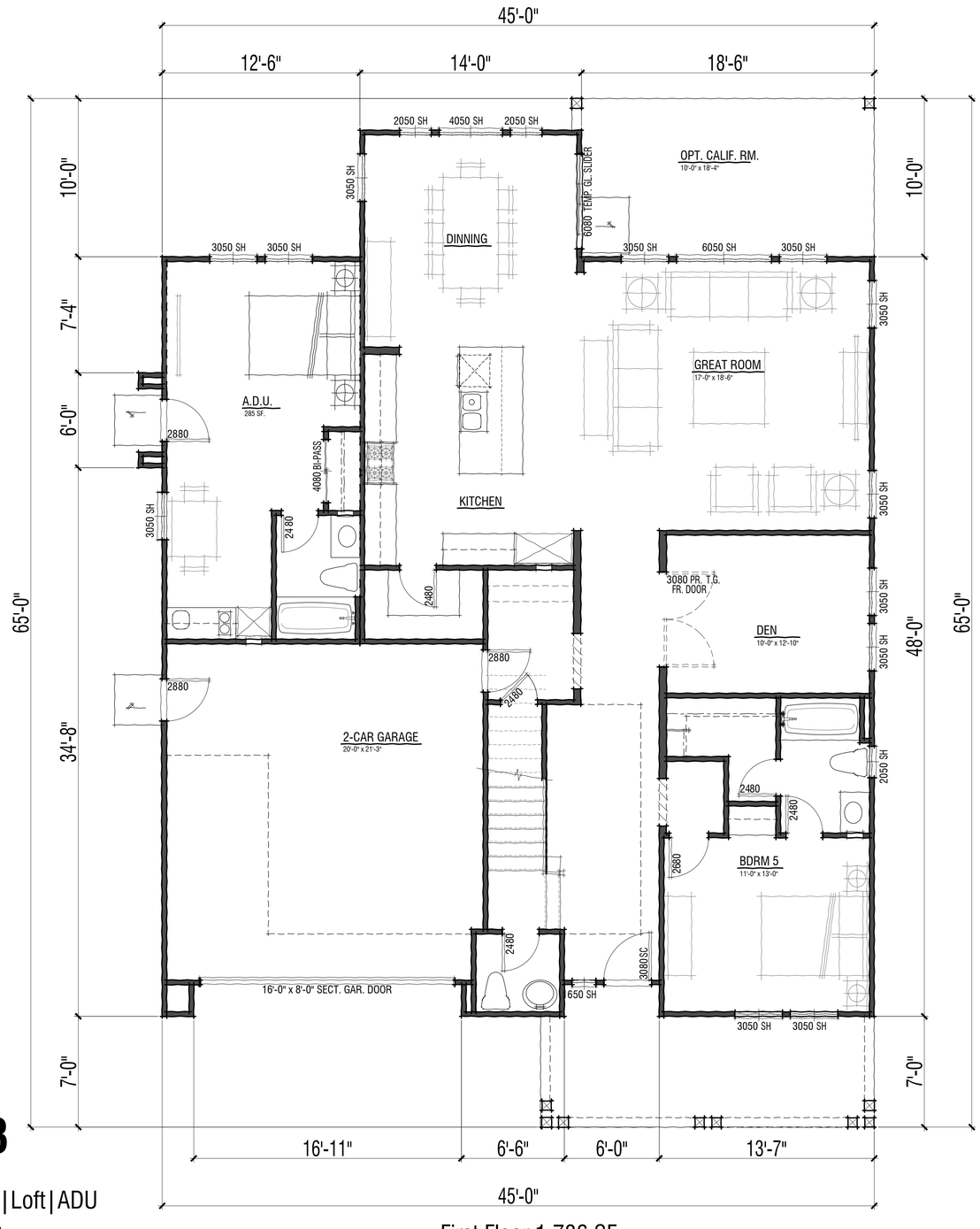
Second Floor 1,796 SF

PLAN 3

3,582 SF

5 Bdrm | 4.5 Bath | 2 Den | Loft | ADU

2-Car Garage



First Floor 1,786 SF

CALIBR VENTURES

1024 & 1026 Grayson Road

PLEASANT HILL, CA

A3.01

0 2 4 8

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WHA.

ORANGE COUNTY . LOS ANGELES . BAY AREA

VESTING TENTATIVE MAP
SUBDIVISION SD20-9531
1024 & 1026 GRAYSON ROAD

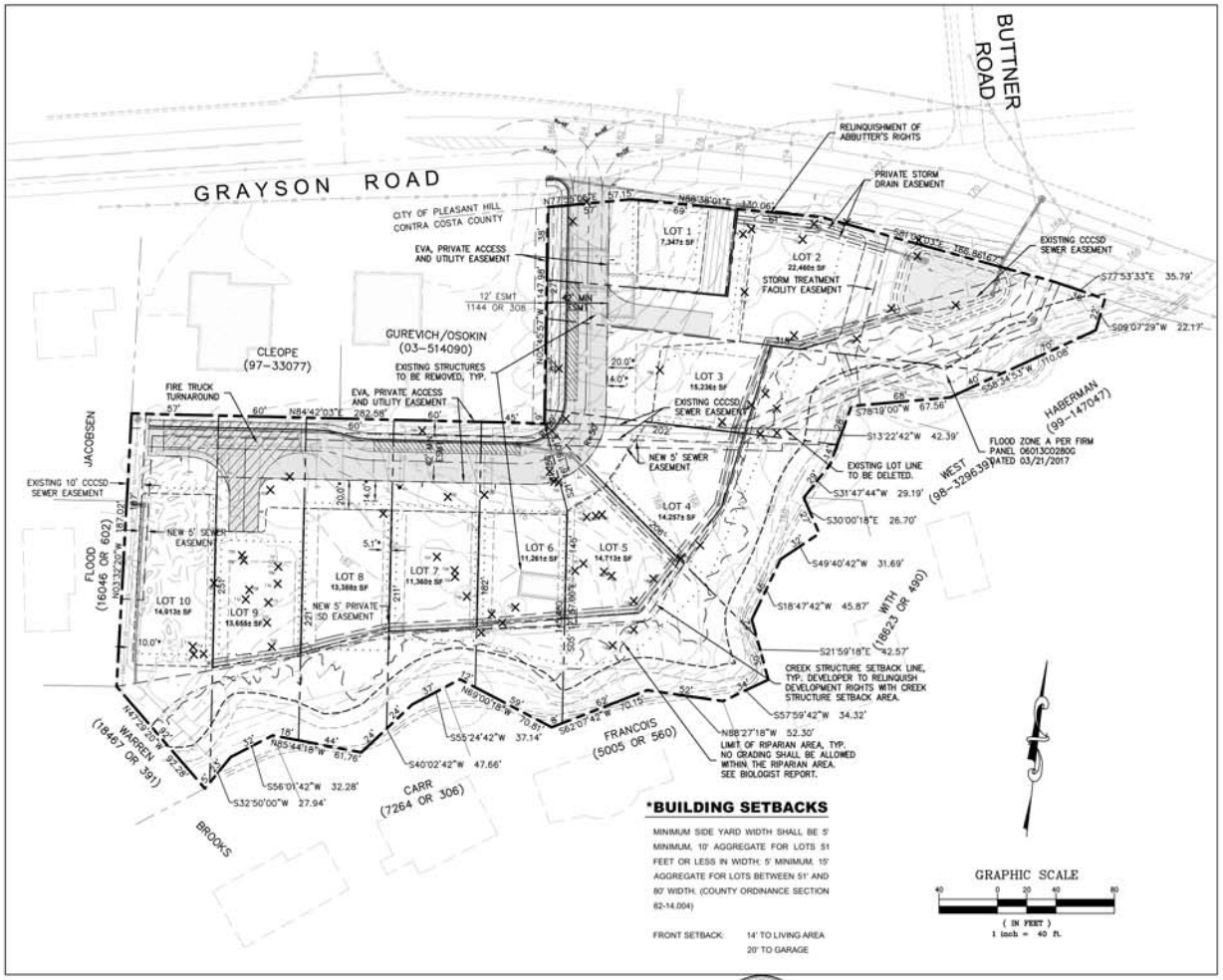
CITY OF PLEASANT HILL, CONTRA COSTA COUNTY, CALIFORNIA

TOTAL UNITS: 10 RESIDENTIAL

RECEIVED
By Joseph Lawlor on 01/28/2022

LEGEND:

BLDG	BUILDING
CONC	CONCRETE
(E)/EX	EXISTING
ESMT	EASEMENT
FNC	FENCE
INV.	INVERT
P.U.E	PRIVATE UTILITY EASEMENT
REBAR	REBAR
( )	RECORD DATA
R/W	RIGHT OF WAY
SSCO	SANITARY SEWER CLEANOUT
SSMH	SANITARY SEWER MANHOLE
SDDI	STORM DRAIN DRAIN INLET
(T)	TOTAL
WM	WATER METER
WV	WATER VALVE
	SANITARY SEWER MANHOLE
	WATER VALVE
	FOUND MONUMENT AS NOTED
	STANDARD STREET MONUMENT
	EASEMENT LINE
	ADJACENT PROPERTY LINE
	BOUNDARY LINE
	TIE LINE
	CENTERLINE
	EXISTING WATER LINE
	EXISTING STORM DRAIN PIPE
	EXISTING ELECTRIC CABLE
	EXISTING SANITARY SEWER LINE
	EXISTING EDGE OF PAVEMENT
	EXISTING BUILDING
	EXISTING BRICK PATH
	EXISTING CONCRETE
	EXISTING AC PAVEMENT
	EXISTING TREE



*BUILDING SETBACKS

MINIMUM SIDE YARD WIDTH SHALL BE 5' MINIMUM, 10' AGGREGATE FOR LOTS 51 FEET OR LESS IN WIDTH; 5' MINIMUM, 15' AGGREGATE FOR LOTS BETWEEN 51' AND 80' WIDTH. (COUNTY ORDINANCE SECTION 82-14.004)

FRONT SETBACK: 14' TO LIVING AREA
20' TO GARAGE

EXISTING UTILITY NOTE:

THE UTILITY LINES SHOWN ON THIS DRAWING ARE DERIVED FROM SURFACE OBSERVATION AND ARE APPROXIMATE ONLY. ACTUAL LOCATION AND SIZE, TOGETHER WITH PRESENCE OF ANY ADDITIONAL UTILITY LINES NOT SHOWN ON THIS DRAWING SHALL BE VERIFIED IN THE FIELD BY THE CONTRACTOR PRIOR TO ANY EXCAVATION.

FLOOD ZONE

ZONE A: SPECIAL FLOOD AREA WITHOUT BASE FLOOD. ELEVATION (BFE)

ZONE X: AREAS OF 0.2% CHANCE FLOOD; AREAS OF 1% ANNUAL CHANCE FLOOD WITH AVERAGE DEPTHS OF LESS THAN 1 FOOT OR WITH DRAINAGE AREAS LESS THAN 1 SQUARE MILE; AND AREAS PROTECTED BY LEVEES FROM 1% CHANCE FLOOD. FLOOD INSURANCE RATE MAP PANEL NUMBER 06013C0280G, DATED 03/21/2017.



VICINITY MAP
N.T.S.

PROJECT SUMMARY

PROPERTY ADDRESS:	1024 & 1026 GRAYSON ROAD PLEASANT HILL, CA 94523
PROPERTY OWNER:	ANDY BYDE CALIBR VENTURES 925-683-5493
SUBDIVIDER:	ANDY BYDE CALIBR VENTURES 925-683-5493
CIVIL ENGINEER:	DEBOLT CIVIL ENGINEERING 811 SAN RAMON VALLEY BLVD DANVILLE, CA 94526 (925) 837-3780
SURVEYOR:	DEBOLT CIVIL ENGINEERING 811 SAN RAMON VALLEY BLVD DANVILLE, CA 94526 (925) 837-3780
ASSESSOR'S PARCEL NO:	166-030-001 & 002
TOTAL AREA:	3.05± AC GROSS (2.76± AC NET)
EXISTING ZONING:	R-15
PROPOSED ZONING:	PLANNED DEVELOPMENT
EXISTING LAND USE:	SINGLE-FAMILY RESIDENTIAL
PROPOSED LAND USE:	SINGLE-FAMILY RESIDENTIAL
UTILITIES:	
WATER SUPPLY:	CONTRA COSTA WATER DISTRICT
FIRE PROTECTION:	CONTRA COSTA COUNTY FPD
SEWAGE DISPOSAL:	CENTRAL CONTRA COSTA SANITARY DISTRICT
STORM DRAIN:	CITY OF PLEASANT HILL
GAS & ELECTRIC:	PACIFIC GAS & ELECTRIC
TELEPHONE:	AT&T
CABLE TELEVISION:	COMCAST

SHEET INDEX

NUMBER	DESCRIPTION
1	TENTATIVE PARCEL MAP
2	PRELIMINARY GRADING, DRIANAGE AND UTILITY PLAN
3	HYDROLOGY AND STORM WATER CONTROL PLAN
4	CREEK STRUCTURE SETBACK EXHIBIT
5	TREE INVENTORY SHEET
6	TREE INVENTORY SHEET
7	CONCEPTUAL BUILDING LAYOUT

ENGINEER'S STATEMENT

CIVIL ENGINEERING WORK ON THIS TENTATIVE PARCEL MAP HAS BEEN PREPARED BY ME OR UNDER MY DIRECTION IN ACCORDANCE WITH STANDARD CIVIL ENGINEERING PRACTICE.

01/28/22
DATE

EASTON C. MCALLISTER, PE
P.E. #61148 EXP 12/31/20

ALL PLANS ARE PRELIMINARY AND NOT FOR CONSTRUCTION UNLESS SIGNED AND STAMPED BY THE ENGINEER AND REVIEWING AGENCY

VESTING TENTATIVE MAP

1024 & 1026 GRAYSON ROAD
SUBDIVISION SD20-9531
VICINITY OF PLEASANT HILL CONTRA COSTA COUNTY CALIFORNIA

REGISTERED PROFESSIONAL ENGINEER EASTON C. MCALLISTER No. 61148 EXP. 12/31/22 CIVIL STATE OF CALIFORNIA

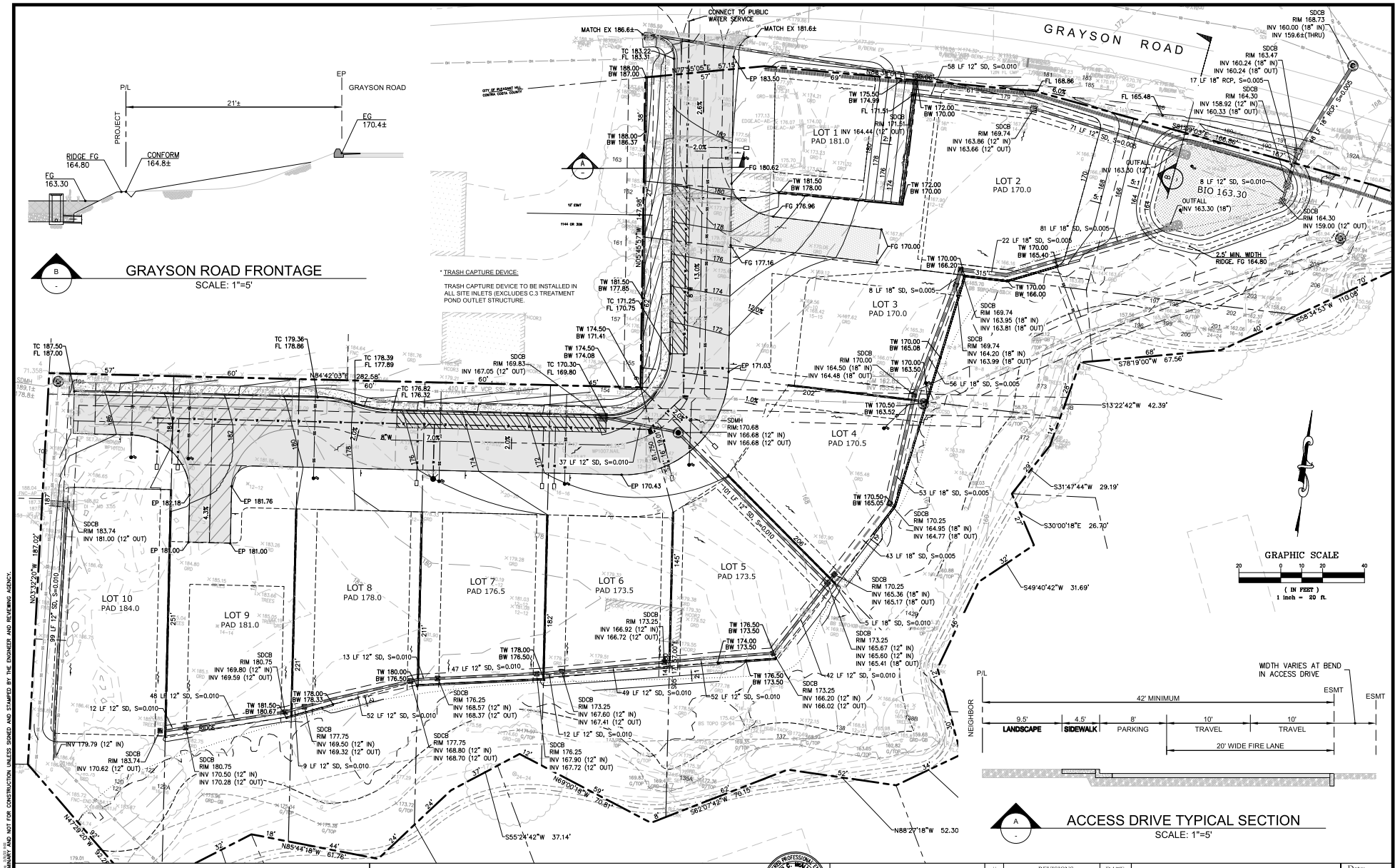
EASTON C McALLISTER - PE 61148 / PLS 9583
RENEWAL DATE: 12/31/22 (PE) 03/31/23 (PLS)

#	REVISIONS	DATE

DEBOLT CIVIL ENGINEERING
45+ YEARS
811 SAN RAMON VALLEY BLVD #201
DANVILLE, CALIFORNIA 94526
(925) 837-3780 | DEBOLTCIVIL.COM

Date: 01/28/22
Scale: 1" = 40'
By: EM/rms
Job No.: 19300

VTM-1



PRELIMINARY GRADING, DRAINAGE AND UTILITY PLAN

1024 & 1026 GRAYSON ROAD
SUBDIVISION SD20-9531

VICINITY OF PLEASANT HILL CONTRA COSTA COUNTY CALIFORNIA

REGISTERED PROFESSIONAL ENGINEER — EASTON C. McALLISTER — No. 61148 — EXP. 12/31/22 — CIVIL — STATE OF CALIFORNIA

EASTON C McALLISTER - PE 61148 / PLS 9583
RENEWAL DATE: 12/31/22 (PE) 03/31/23 (PLS)

#	REVISIONS	DATE

DEBOLT CIVIL ENGINEERING
45+ YEARS
811 SAN RAMON VALLEY BLVD #201
DANVILLE, CALIFORNIA 94526
(925) 837-3780 | DEBOLTCIVIL.COM

Date: 01/28/22
Scale: 1" = 20'
By: EM/mm
Job No.: 19300

VTM-2

ALL PLANS ARE PRELIMINARY AND NOT FOR CONSTRUCTION UNLESS SIGNED AND STAMPED BY THE ENGINEER AND REVIEWING AGENCY.

Project Name: Grayson Road
Project Type: Treatment Only
APN:
Drainage Area: 137,690
Mean Annual Precipitation: 20.0

Self-Treating DMAs

DMA Name	Area (sq ft)
DMA-13	41,288.0

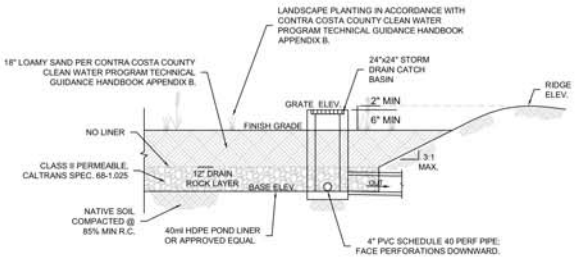
IV. Areas Draining to IMPs

IMP Name: IMP1
IMP Type: Flow-Through Planter
Soil Group: IMP1

DMA Name	Area (sq ft)	Post Project Surface Type	DMA Runoff Factor	DMA Area x Runoff Factor	IMP Sizing Factor	Rain Adjustment Factor	Minimum Area or Volume	Proposed Area or Volume
DMA-1D	420	Pervious Concrete	0.10	42				
DMA-1H	1,859	Conventional Roof	1.00	1,859				
DMA-2D	1,912	Pervious Concrete	0.10	191				
DMA-2H	2,606	Conventional Roof	1.00	2,606				
DMA-3D	539	Pervious Concrete	0.10	54				
DMA-3H	2,606	Conventional Roof	1.00	2,606				
DMA-4D	1,554	Pervious Concrete	0.10	155				
DMA-4H	2,138	Conventional Roof	1.00	2,138				
DMA-5D	769	Pervious Concrete	0.10	77				
DMA-5H	1,859	Conventional Roof	1.00	1,859				
DMA-6D	541	Pervious Concrete	0.10	54				
DMA-6H	2,606	Conventional Roof	1.00	2,606				
DMA-7D	541	Pervious Concrete	0.10	54				
DMA-7H	2,606	Conventional Roof	1.00	2,606				
DMA-8D	541	Pervious Concrete	0.10	54				
DMA-8H	2,606	Conventional Roof	1.00	2,606				
DMA-9D	419	Pervious Concrete	0.10	42				
DMA-9H	2,606	Conventional Roof	1.00	2,606				
DMA-10D	473	Pervious Concrete	0.10	47				
DMA-10H	1,859	Conventional Roof	1.00	1,859				
DMA-11	15,913	Concrete or Asphalt	1.00	15,913				
DMA-12	47,408	Landscape	0.10	4,741				
			Total	44,776				
			Area		0.040	1.000	1,791	2,021

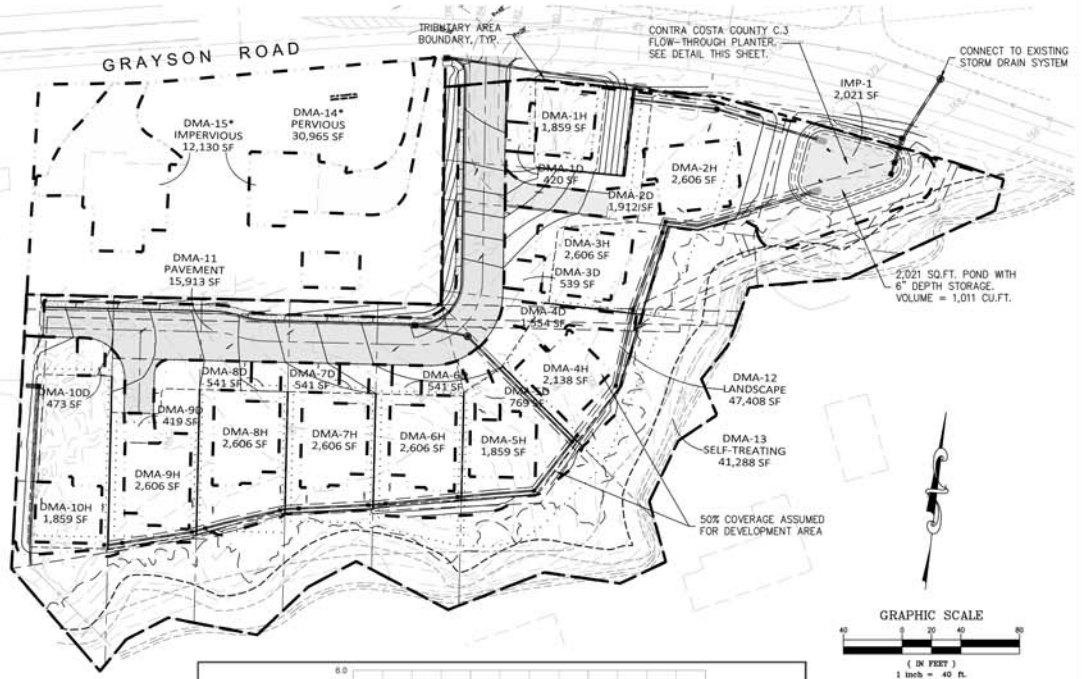
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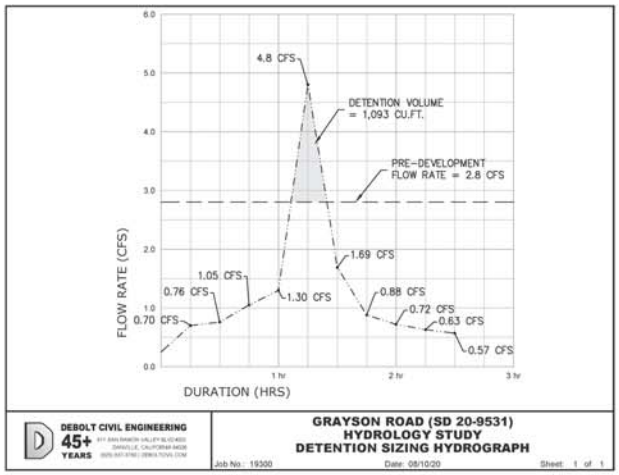
C.3 TREATMENT SIZING CALCULATIONS



NOTE:
REFER TO CONTRA COSTA COUNTY CLEAN WATER PROGRAM TECHNICAL GUIDANCE HANDBOOK CHAPTER 4 FOR ADDITIONAL INFORMATION ON FLOW-THROUGH PLANTERS.

1 / - **C.3 FLOW-THROUGH PLANTER**
N.T.S.





DEBOLT CIVIL ENGINEERING 45+ YEARS
GRAYSON ROAD (SD 20-9531)
HYDROLOGY STUDY
DETENTION SIZING HYDROGRAPH
Job No.: 19300 Date: 08/10/20 Sheet: 1 of 1

DETENTION SIZING CALCULATIONS

HYDROLOGY AND STORM WATER CONTROL PLAN

1024 & 1026 GRAYSON ROAD
SUBDIVISION SD20-9531

VICINITY OF PLEASANT HILL CONTRA COSTA COUNTY

REGISTERED PROFESSIONAL ENGINEER EASTON C. McALLISTER No. 61148 EXP. 12/31/22 CIVIL STATE OF CALIFORNIA

EASTON C McALLISTER - PE 61148 / PLS 9583
RENEWAL DATE: 12/31/22 (PE) 03/31/23 (PLS)

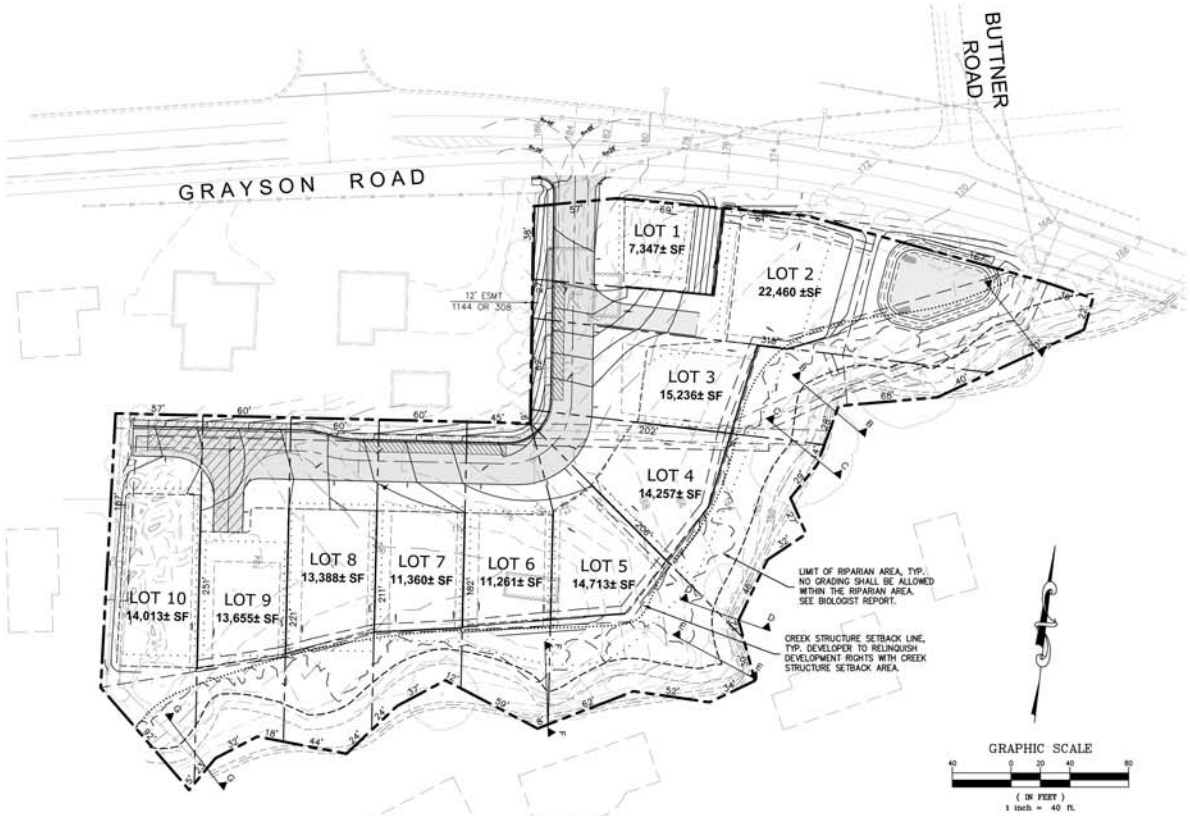
#	REVISIONS	DATE

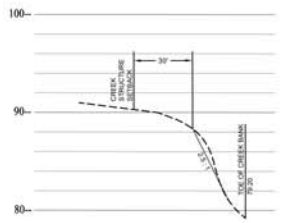
DEBOLT CIVIL ENGINEERING
45+ YEARS
811 SAN RAMON VALLEY BLVD #201
DANVILLE, CALIFORNIA 94526
(925) 837-3780 | DEBOLTCIVIL.COM

Date: 01/28/22
Scale: 1" = 40'
By: EM/mm
Job Nos.: 19300

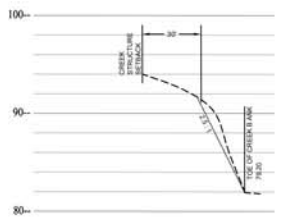
VTM-3

ALL PLANS ARE PRELIMINARY AND NOT FOR CONSTRUCTION UNLESS SIGNED AND STAMPED BY THE ENGINEER AND REVIEWING AGENCY

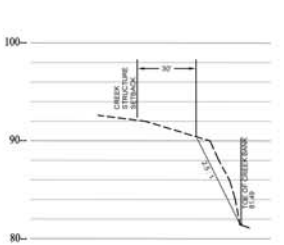




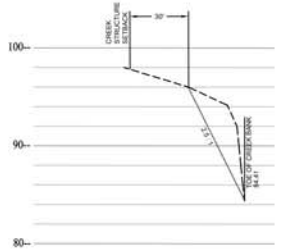
SECTION A-A



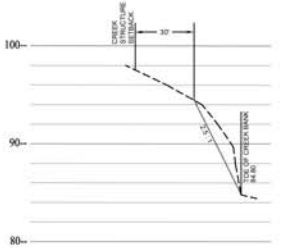
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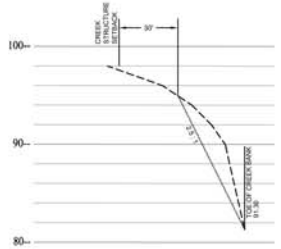
SECTION C-C



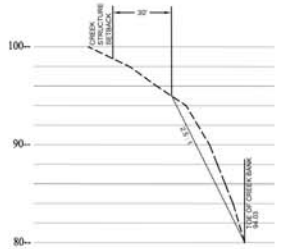
SECTION D-D



SECTION E-E



SECTION F-F



SECTION G-G

ALL PLANS ARE PRELIMINARY AND NOT FOR CONSTRUCTION UNLESS SIGNED AND STAMPED BY THE ENGINEER AND REVIEWING AGENCY

CREEK STRUCTURE SETBACK EXHIBIT

1024 & 1026 GRAYSON ROAD
SUBDIVISION SD20-9531

VICINITY OF PLEASANT HILL CONTRA COSTA COUNTY

REGISTERED PROFESSIONAL ENGINEER EASTON C. McALLISTER No. 61148 EXP. 12/31/22 CIVIL STATE OF CALIFORNIA

EASTON C McALLISTER - PE 61148 / PLS 9583
RENEWAL DATE: 12/31/22 (PE) 03/31/23 (PLS)

#	REVISIONS	DATE

DEBOLT CIVIL ENGINEERING
45+ YEARS
811 SAN RAMON VALLEY BLVD #201
DANVILLE, CALIFORNIA 94526
(925) 837-3780 | DEBOLTCIVIL.COM

Date: 01/28/22
Scale: 1" = 40'
By: EM/mm
Job No.: 19500

#	Species	DBH	Health	Structure	Dripline N	Dripline E	Dripline S	Dripline W	Age	DE	CI	Comments	Action
101	Coast live oak											This tree no longer exists. Old report stated it as a 9" tree. No evidence of a stump was found.	N/A
102	Valley oak	16	G-F	G	20	25	20	20	Y	X	M	Epicormic sprouts along scaffold branches. Within west p/l set back, some grading will likely occur within dripline.	Save Set protection fencing at dripline (d/l), and have arborist on site for any d/l encroachment.
103	Fruiting pear	10, 5, 5, 4, 4	P	P	10	0	10	10	OM	X	H	Declining tree. In proposed driveway.	Remove
104	Valley oak	18, 19, 20, 12	G	G	30	30	30	30	M	X	H	Co-dominant stems at 3'. In proposed driveway.	Remove
105	Coast live oak	11, 7, 6	F-P	F	15	15	10	0	M	X	H	Co-dominant stems. Understory tree. Within building footprint.	Remove
106	Valley oak	11, 12	G	F	25NW-W				M	X	H	Co-dominant stems. Within building footprint.	Remove
107	Valley oak	4, 3, 12, 11, 5, 7, 5	G	F	25	0	18	25	M	X	H	Basal shoot from old stump. In proposed driveway. Within building footprint.	Remove
107 B	Coast live oak	11, 5, 8	F	P	15	0	0	25	M	X	H	Growing out from base of #107. Co-dominant trunks. Within building footprint.	Remove
108	Coast live oak	17	F	F	25NW-W				M	X	H	Curved trunk. Within building footprint.	Remove
109	Valley oak	12, 11, 7, 8	F	F	30N				M	X	H	One sided tree to the N/W. Dieback & epicormic sprouting. Within building footprint.	Remove
110	Valley oak	20, 11, 11, 16	G	F	25	25	0	25	M	X	H	Co-dominant trunks. Within building footprint.	Remove

#	Species	DBH	Health	Structure	Dripline N	Dripline E	Dripline S	Dripline W	Age	DE	CI	Comments	Action
111	Coast live oak	19	F-P	F	20	25	20	20	M	X	H	Bark inclusion on all 3 attachments. Sparse with stunted growth. Within building footprint.	Remove
112	Coast live oak	11	F	P	0	6	10	10	Y	X	H	Top broken at 12' with sprouting. Within building footprint.	Remove
113	Valley oak	7	F	P	6S				Y	X	H	Sparse canopy, 2 trunks removed. Within building footprint.	Remove
114	Valley oak	7, 4	F	F	8	6	6	8	Y	X	H	Crowded. Within building footprint.	Remove
115	Coast live oak	13	G	G	12	0	8	10	Y	X	H	3" from base of #116; crowded. Within building footprint.	Remove
116	Valley oak	7, 6	F	F	18N				Y	X	H	Very crowded. Co-dominant trunks; sweeping lean to N. Within building footprint.	Remove
117	Coast live oak	17	F-P	F-P	15NE				M		L	Sparse understory tree. Outside of grading limits.	Save
118	Valley oak	14, 18	F	F	15	15	20	20	M		L	Co-dominant stem bends to N. Outside of grading limits.	Save
119	Coast live oak	17	Dead										Remove
120	Coast live oak	17	F-P	F	10	10	10	10	M		L	Ivy covering trunk. In decline, sycamore borer damage. 'Treat for Borer'. Outside of grading limits in creek setback.	Save
121	Valley oak	13	F	F	20S				Y		L	Ivy covering trunk. Outside of grading limits in creek setback.	Save
122	Valley oak	22	P	P	25N				M		L	Ivy covering trunk. Declining canopy, sweeping lean to N. Outside of grading limits in creek setback.	Save
122 A	Coast live oak	30	F	F	50N				M		L	In creek structure setback. Significant lean to N. Ivy covering trunk. Outside of grading limits in creek setback.	Save
123	Valley oak	14, 7, 7, 10, 10	F	F	0	25	0	15	M	X	H	Sparse canopy. Co-dominant stems at 6'. Within grading limits.	Remove
124	Valley oak	16	F	G	15	20	15	8	M	X	H	Tag embedded in trunk. Epicormic sprouts. Within grading limits.	Remove

#	Species	DBH	Health	Structure	Dripline N	Dripline E	Dripline S	Dripline W	Age	DE	CI	Comments	Action
124 B	Coast live oak	7	F	P	6	10	4	6	Y	X	H	60° correcting bend in trunk. Within grading limits.	Remove
125	Chinese pistache	27	G	G	25	25	25	25	OM	X	H	Dieback, slightly drought stressed. Within grading limits.	Remove
126	Chinese pistache	17, 17, 10, 8	F	G	25	25	25	6	OM	X	H	Within grading limits	Remove
127	Coast live oak	17	G	G	15	0	0	20	M	X	H	Within grading limits	Remove
128	Valley oak	19	G	F	20	25	0	20	M	X	H	Within grading limits	Remove
129	Valley oak	14	G	F	0	20	20	20	Y	X	H	Within grading limits	Remove
130	Coast live oak	16	F	G	15	15	10	0	Y	X	H	Sparse lower canopy. Within grading limits.	Remove
131	Calif. Buckeye	11, 8	F	F	15	20	25	20	M	X	H	Dead lower/interior canopy. Within grading limits	Remove
131 B	Valley oak	18	F	F	35N				M	X	H	Not surveyed. 35° lean to N. Ivy and poison oak covering trunk. Within grading limits	Remove
132	Coast live oak	11	F	F	40N				Y	X	H	10° lean to N. Tag engulfed by trunk. Within grading limits.	Remove
133	Coast live oak	14	G	F	40N-20NW				Y	X	H	10° lean to N. Within grading limits.	Remove
134	Monterey pine	50	P	F	50	50	50	50	OM	X	M	Over mature tree, in declining years. Sparse canopy. Recommend removal. Less than 5 years of anticipated lifespan.	Remove
135	Coast redwood	18, 18, 10	F	G	20	20	20	20	M	X	H	Drought stressed, needs irrigation. Within grading limits.	Remove
135 A	Calif. Buckeye	6, 8, 11, 7, 7, 9, 11, 8	G	G	20	20	20	20	M		L	Within creek structure set back. ~3 trunk clusters treated as one.	Save
136	Silver dollar eucalyptus (Eucalyptus cinerea)	13, 16	F	F	25	15	10	0	M	X	H	Failed trunk. Within grading limits.	Remove

#	Species	DBH	Health	Structure	Dripline N	Dripline E	Dripline S	Dripline W	Age	DE	CI	Comments	Action
137	Coast live oak	40	G-F	P	35	35	35	35	M	X	M-H	Ivy covering trunk. Co-dominant stems at 4' with included bark. Grading just north of trunk proposed. Pull grade limits at least 15' from trunk in order to save tree.	Save If grading can be adjusted.
138	Valley oak	18	F	F	15	15	5	0	M	X	M-H	Ivy covering trunk. Grading just north of trunk. Recommend pulling grade limits at least 10' from trunk.	Save If grading can be adjusted
138 B	Buckeye	17, 12, 13, 14, 15, 13, 12, 10, 10, 13	F-P/P	F	20	20	20	20	M		L	In creek structure setback. Top dieback.	Save
139	Mimosa		Dead									Within grading limits.	Remove
140	Coast live oak	17	G	G	18	18	18	18	M	X	H	Within grading limits.	Remove
141	Coast live oak	9	G	G	10	10	10	10	Y	X	H	Tag embedded in trunk but readable. Within grading limits.	Remove
142	Coast live oak	19, 20	G	F	30	30	10	10	M	X	H	Co-dominant trunks. Within grading limits.	Remove
142 B	Coast live oak	20	G	F	30	0	0	20	M	X	H	In creek structure setback. Within grading limits.	Remove
142 C	Coast live oak	14	G	G	20	15	0	0	Y	X	H	Not surveyed.	
143	Valley oak	15	G-F	G	12	12	12	12	Y	X	H	Ivy on trunk. Within grading limits.	Remove
144	Valley oak	11	G	F	15SE				Y	X	H	Ivy on trunk. Understory tree. Within grading limits.	Remove
145	Coast live oak	22	G-F	G	25	20	18	20	M	X	H	Ivy on trunk. Within grading limits.	Remove
146	Coast live oak	18, 15	G	F	25	0	20	25	M	X	H	Co-dominant trunks. Within grading limits.	Remove
147	Fruiting plum		Dead							X	H	Within grading limits.	Remove
148	Persimmon	6, 7	G	P	6	15SE		5	M	X	H	Leaders poorly attached, breaking apart. Within grading limits.	Remove
149	Black Walnut	7, 6	G	F	8	15	15	0	Y	X	H	Within grading limits.	Remove

#	Species	DBH	Health	Structure	Dripline N	Dripline E	Dripline S	Dripline W	Age	DE	CI	Comments	Action
149 B	Valley oak	7	G	F	25NE				Y	X	H	Not surveyed. Within grading limits.	Remove
150	Coast live oak	19	G	F	0	25	20	20	M	X	H	One stem topped by PG&E. Poor location. Within grading limits.	Remove
151	Coast live oak	15	F-P	P	25N-NE		0	20	Y	X	H	Topped by PG&E. Sparse canopy and deadwood. Within proposed driveway.	Remove
152	Coast live oak	15	G	F	10	15	0	0	Y	X	H	Sided by PG&E. Within proposed driveway.	Remove
153	Valley oak	20, 15	G	F	10	25	30	30	M	X	H	Somewhat lions tailed, branches elongated to S. Within grading and sewer easement.	Remove
154	Valley oak	13	G	G-F	10	0	20	20	Y	X	M-H	1" from existing gravel driveway. Trunk buried. At edge grading limits. Arborist on site for grading.	Save Arborist to pull fill back from base of tree.
155	Coast live oak	11	G	F	8	12	15	0	Y	X	H	Topped by PG&E. Within proposed driveway.	Remove
156	Coast live oak	9	G	F	8	8	6	0				Growing up under PG&E wires. Within proposed driveway.	Remove
157	Coast live oak	10	G	F	10	0	10	18	Y	X	L	Off-site. Trunk buried, 1.5' from existing gravel driveway. Grading at edge of dripline.	Save Arborist to pull fill back from base of tree.
158	Chinese pistache	12	F	F	15	12	0	10	M	X	H	Partially topped. Within grading for road.	Remove
159	Coast live oak	8	G	F-P	12NW				Y	X	L	Off-site. Trunk buried. Sided by PG&E. Grading at edge of dripline.	Save
160	Valley oak	7	G	F	8	8	0	0	Y	X	L	Off-site. Co-dominant stems at 7'. Topped by PG&E. Trunk buried. Grading at edge of dripline.	Save
160 B	Coast live oak	7	G	F	15N-NE				Y	X	L	Off-site, not surveyed. Lean to NE. 6" NW of #160. . Grading at edge of dripline.	Save
161	Iron bark euc.	11, 7										Previously removed. Suspect by PG&E (under wires)	N/A
162	Coast live oak	15, 11	G	P	15	15	15	15	M	X	L	Topped by PG&E, co-dominant stems. Grading for road at edge of dripline.	Save

#	Species	DBH	Health	Structure	Dripline N	Dripline E	Dripline S	Dripline W	Age	DE	CI	Comments	Action
163	Coast live oak	11	G	G	6	6	6	6	Y	X	L	Reduced by PG&E. Grading at edge of dripline	Save
164	Incense cedar	15	F	F	7	7	7	7	M	X	H	Sweeping S shaped trunk. Within proposed road.	Remove
165	Incense cedar											Removed.	N/A
166	Coast live oak	19, 20	G-F	F	30	30	30	0	M	X	H	Co-dominant stems. Moderate sycamore borer. Within grading limits.	Remove
166 B	Siberian elm	7, 11	F-P	P	18	0	0	18	M	X	H	Not surveyed. Co-dominant stems at 2'. Within grading limits.	Remove
166 C	Siberian elm	9, 8, 7	P	P	20	0	0	20	M	X	H	Not surveyed. Basal sprouts, decay. Within grading limits.	Remove
167	Black walnut	9, 4, 4	F	F	20	0	0	20	M	X	H	Within grading limits.	Remove
168	Black walnut	8	P	P	20NW				Y	X	H	Understory tree, no growth in past 14 years. Within grading limits.	Remove
169	Coast live oak	20	G	F	35	20	20	25	M	X	H	Within grading limits.	Remove
169 B	Coast live oak	9	G	F	30NW				Y	X	H	Not surveyed. Understory tree. 40° phototropic lean to NW. Within grading limits.	Remove
170	Coast live oak	14	G	G	8	8	8	8	Y	X	H	Trunk buried. Within grading limits.	Remove
171	Coast live oak	14	F-P	F	35N-NW				Y	X	H	Ivy around base, upper branches are damaged by a fungal canker at 15'. On creek bank well. Within grading limits.	Remove
171 B	Coast live oak	14	G	G	35NW				Y	X	H	In creek structure setback. 40° lean to NW. Within grading limits.	Remove
172	Monterey pine	48	F-P	F-P	30	30	30	30	OM	X	H	5° lean to N/W. Grading up to base of tree. Only 3-5 years of anticipated lifespan left.	Remove
173	Calif. Buckeye	14, 14, 8, 8, 8, 7, 7, 5	G	F	35	20	0	20	M	X	M-H	Low branching (trunks laying on ground). Grading limits well within N/W dripline. Pull grade limits back so 15' from trunk.	Save Assuming grade limits can be adjusted.
173 B	Calif. Buckeye	11, 12	G	F	10	10	10	10	M		L	In creek structure setback. Ivy covering tree.	Save

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ARBORIST REPORT
TREE INVENTORY

1024 & 1026 GRAYSON ROAD
SUBDIVISION SD20-9531

VICINITY OF PLEASANT HILL — CONTRA COSTA COUNTY

REGISTERED PROFESSIONAL ENGINEER — EASTON C. McALLISTER — No. 61148 — EXP. 12/31/22 — CIVIL — STATE OF CALIFORNIA

CALIFORNIA

EASTON C McALLISTER - PE 61148 / PLS 9583
RENEWAL DATE: 12/31/22 (PE) 03/31/23 (PLS)

#	REVISIONS	DATE

DEBOLT CIVIL ENGINEERING
45+ YEARS
811 SAN RAMON VALLEY BLVD #201
DANVILLE, CALIFORNIA 94526
(925) 837-3780 | DEBOLTCIVIL.COM

Date: 01/26/22
Scale: N.T.S.
By: EM/rms
Job No.: 1930

VTM-5

#	Species	DBH	Health	Structure	Dripline N	Dripline E	Dripline S	Dripline W	Age	DE	CI	Comments	Action
173 C	Coast live oak	8	F	P	25N				Y	X	L-M	Understory tree with heavy lean (trunk horizontal before correcting) to NW. Young tree with some dripline grading encroachment.	Save
174	Black walnut	23	F-P	F	20	20	20	25	M	X	H	Low branching, old mistletoe in canopy; deback. Within grade limits.	Remove
175	Siberian elm	17, 17, 15	P	P	20	20	20	20	M	X	H	Tree in decline, poorly structured. Within grade limits.	Remove
176	Coast redwood	30	F/F-P	G	15	15	15	15	M	X	H	Drought-stressed. Within grade limits.	Remove
177	Coast redwood	26	F/F-P	G	15	15	15	15	M	X	H	Drought-stressed. Within grade limits.	Remove
177 B	Valley oak	11	G	G	8	8	8	8	Y	X	H	Not surveyed. Chain on trunk. Within grade limits.	Remove
178	Valley oak	14, 6	G	F	15	15	20	20	Y	X	H	Lean to SW. Within grade limits.	Remove
178 B	Valley oak	8	G	F	12	12	0	0	Y			Not surveyed. Within grade limits.	Remove
179	Calif. Buckeye	8, 7, 6	G	G	12	12	12	12	M	X	H	Within grade limits	Remove
180	Mulberry	18	P	P	0	10	10	0	OM	X	H	Previously topped. Within grade limits.	Remove
181	Valley oak	11	F	F	15NE-NW				Y		L	Grading just outside dripline.	Save
182	Valley oak	11	F	F	15S				Y	X	L-M	Grading at edge of dripline.	Save
183	Valley oak	13	F	F	20 NE	15	0	0	Y	X	L-M	Grading at edge of dripline.	Save
184	Black walnut	8, 8, 7	P	P	8	8	8	8	M	X	H	Declining health. Within grade limits.	Remove
185	Valley oak	11	F	F	18 NE	10	0	0	Y	X	L-M	S shaped trunk. Grading at edge of dripline.	Save

#	Species	DBH	Health	Structure	Dripline N	Dripline E	Dripline S	Dripline W	Age	DE	CI	Comments	Action
186	Calif. Buckeye	7, 7, 6, 6, 5, 5, 5	G	G	18	18	18	18	M	X	M	Tangled with mulberry, and walnut. Grading within dripline.	Save Arborist on site during grading
187	Mulberry	18	P	P	15	15	15	15	M	X	H	Drought stressed, tangled with buckeye. Within grading limits.	Remove
188	Black walnut	9	F	F	20S				Y	X	H	Competing with buckeye, recommend removal. Within grade limits.	Remove
188 B	Coast live oak	11	F	G	12	12	12	12	Y	X	H	Not surveyed. Within storm treatment area.	Remove
188 C	Coast live oak	11	G	G	5	0	10	15	Y	X	H	Not surveyed. Within storm treatment area.	Remove
189	Calif. Buckeye	9, 9, 8, 7, 7, 5, 5, 5, 3, 3, 3	G	G	15	20	25	20	M	X	L-M	Grading limits at edge of dripline.	Save
190	Mulberry	16	Dead										Remove.
191	Coast live oak	14	G	G	10	10	10	10	Y		L	Grade limits just outside dripline.	Save
191 B	Coast live oak	11, 9	F	F	18NE-NW				M		L	Not surveyed. Lean over road.	Save
192	Mulberry	19	P	P	8	8	8	8	OM	X	H	Drought stressed. In decline. Within grade limits.	Remove
192 A	Coast live oak	17	G	F	18 NE	10	10	18 NW	M		L	In creek structure setback. Reduced by PG&E. By street, lifting asphalt curb.	Save
192 B	Willow	20, 20	P	P	15	0	0	0	OM		L	Outside northeast property corner along Grayson. Topped by PG&E, sparse canopy. Recommend removal	Remove
192 C	Willow	24	F	P	0	0	25	30 SW	OM		L	Outside northeast property corner along Grayson. Uprooted to S. Fallen tree.	Remove
193	Siberian elm	12, 12, 10, 5, 5, 4	P	P	8	8	8	8	M	X	H	Dying tree. Within grading limits	Remove

#	Species	DBH	Health	Structure	Dripline N	Dripline E	Dripline S	Dripline W	Age	DE	CI	Comments	Action
194	Siberian elm	12, 9, 4	P	P	0	15	15	15	M	X	H	Dying tree. Within grade limits.	Remove
194 B	Coast live oak	9	G	F	15N				Y	X	H	Not surveyed. Up against elm.	Remove
195	Siberian elm	13, 4	P	P	20N				M	X	H	Declining health. Within grade limits.	Remove
196	Coast live oak	19	G	F	20 NW	0	20	20	M		L	Sweeping trunk	Save
197	Bush eucalyptus	10, 8, 8	Dead						M		L	Dead/failed. Fire hazard.	Remove
198	Bush eucalyptus	15, 15	P	P	10N				M		L	Dying, fire hazard.	Remove
199	Blue gum euc.	50	F	F-P	25	20	20	20	M		L	10" branch failure to N in 2006; minor sprouting from failure. Prune for safety if targets within 50ft.	Save
200	Bush eucalyptus	18, 5, 6	F	P	15S				M		L	Declining health. Recent failures. Prune for safety.	Save
201	Monterey pine	24	F	P	20	20	20	20	OM		L	Over mature tree, badly included co-dominant stems. Anticipate short life span, recommend removal.	Remove
202	Monterey pine	22	P	P	0	20	20	0	OM		L	Over mature tree, declining health. Recommend removal.	Remove
203	Monterey pine											Removed.	N/A
204	Monterey pine	18	F	P	25E				M		L	Poorly tapered trunk; lean to E. Recommend removal.	Remove
205	Monterey pine											Removed.	N/A
206	Calif. Buckeye	15, 15, 10, 10	G	G	25	25	25	25	M		L	Healthy tree.	Save

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ARBORIST REPORT
TREE INVENTORY

1024 & 1026 GRAYSON ROAD
SUBDIVISION SD20-9531
VICINITY OF PLEASANT HILL CONTRA COSTA COUNTY

REGISTERED PROFESSIONAL ENGINEER EASTON C. McALLISTER No. 61148 EXP. 12/31/22 CIVIL STATE OF CALIFORNIA
CALIFORNIA

EASTON C McALLISTER - PE 61148 / PLS 9583
RENEWAL DATE: 12/31/22 (PE) 03/31/23 (PLS)

#	REVISIONS	DATE

DEBOLT CIVIL ENGINEERING
45+ YEARS
811 SAN RAMON VALLEY BLVD #201
DANVILLE, CALIFORNIA 94526
(925) 837-3780 | DEBOLTCIVIL.COM

Date: 01/28/22
Scale: N.T.S.
By: EM/mm
Job No.: 1930

VTM-6



CONCEPTUAL BUILDING LAYOUT

1024 & 1026 GRAYSON ROAD
SUBDIVISION SD20-9531

VICINITY OF PLEASANT HILL CONTRA COSTA COUNTY

REGISTERED PROFESSIONAL ENGINEER EASTON C. McALLISTER No. 61148 EXP. 12/31/22 CIVIL STATE OF CALIFORNIA

EASTON C McALLISTER - R.C.E. 61148
RENEWAL DATE: 12/31/22

#	REVISIONS	DATE

DEBOLT CIVIL ENGINEERING
45+ YEARS
811 SAN RAMON VALLEY BLVD #201
DANVILLE, CALIFORNIA 94526
(925) 837-3780 | DEBOLTCIVIL.COM

Date: 03/25/22
Scale: 1" = 20'
By: EM
Job Nos.: 19300

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